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# Pakistan as an Islamic State

**Kalim Bahadur**

It is very difficult to define an Islamic state. In Pakistan, an Islamic state is seen in four modes i.e., traditionalist, fundamentalist, modernist Muslim, and secular. However, there are innumerable variations of an Islamic state.<sup>1</sup> We will discuss the Islamic state and attempts to construct it in Pakistan in the modes underlined above. There are similarities between the two well known views of the Muslim Brotherhood of Egypt and Maulana Mawdudi of the Jamaat-e-Islami of Pakistan. Their definitions of an Islamic state are based on the sovereignty of God, which will mean the denial of the autonomy of the human will.<sup>2</sup> Such an all inclusive ideology could lead to the creation of a monolithic authoritarian state. Such a state could not be democratic in any modern sense.

Another view is that of the founder of Pakistan, Muhammad Ali Jinnah, who frequently said that the Muslims of India could not hope for security until they had achieved their own sovereign government. It was not long before this initial appeal for a state for Muslims became an appeal for an Islamic state. Has Pakistan evolved into an Islamic state through its chequered history since 1947? Many believe that Pakistan is already an Islamic state while others assert that it has yet to become one. There has never been a consensus among the Islamic scholars on the details of an Islamic state. Pre-Islamic society knew no state. It was a tribal society.<sup>3</sup> The early Meccan society, during the life-time of the Prophet, was more an Islamic society rather than an Islamic state. The setting up of an Islamic state has been a hazy dream of Muslims in every era.<sup>4</sup> The famous Resolution of the All India Muslim League passed on March 23, 1940, did not make any reference to an Islamic state.<sup>5</sup> The origin of the idea of Pakistan was not the desire of the Indian Muslims for an Islamic state in the Indian subcontinent but was rooted in socio-economic factors. One important factor was the emergence of educated Muslims in the provinces where Muslims were in a minority and faced competition from the

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well entrenched non-Muslims. Another reason was that the abolition of the use of Persian as the official language had adversely affected the job prospects of the educated Muslims. Religion, much less fundamentalist Islamic ideology, played no role in the politics of the Muslim League and in the Pakistan movement till very late in the Forties of the last century. Many Ulema parties that before independence, in fact, had opposed the demand for Pakistan, later claimed that it was Islamic ideology that created Pakistan and they, therefore, had the right to decide its future.<sup>6</sup> It is not surprising, therefore, that the movement for Pakistan was led by political activists rather than by the Ulema.<sup>7</sup> The Muslim League leadership in the early years after coming to power in Pakistan faced the gigantic problems of economic

reconstruction in the wake of the migration of non-Muslim businessmen and industrialists to India. Most Muslim League leaders were migrants from India and had no political base in the new country. They were dogged by the problem of legitimacy and failing political fortunes and it was in this context that the Muslim League leaders began to raise Islamic issues.<sup>8</sup>

Muhammad Ali Jinnah, all through his campaign for Pakistan, rarely used the term “Islamic state”. He did refer to Islam’s guiding “principles, still applicable in actual life as they were 1,300 years ago”, and that “Pakistan would enable Muslims to develop to the fullest our spiritual, cultural, economic, social and political life in a way that we think best and in consonance with our own ideals....” Further, that “Muslims demand Pakistan, where they could rule according to their own code of life... traditions and Islamic laws”.<sup>9</sup> His very controversial speech at the inaugural session of Pakistan’s Constituent Assembly on August 11, 1947, was a departure from whatever he had said earlier about the role of Islam in his conception of Pakistan and recommended a secular state for the new country. On that occasion, he said:

You are free; you are free to go to your temples, you are free to go to your mosques or to any other place of worship in this state of Pakistan. You may belong to

any religion or caste or creed – that has nothing to do with the business of the state... we are starting in the days when there is no discrimination, no distinction between one community and another, no discrimination between one caste, or creed and another. We are starting with this fundamental principle that we are all citizens and equal citizens of one state.<sup>10</sup>

Jinnah was an eminent constitutional lawyer and knew what he was saying and understood well the importance of the occasion he was speaking on. Various explanations have been offered as to why Jinnah rarely called Pakistan an Islamic state. Interestingly, Iqbal who is credited to be the first to put forward the idea of a separate state for the Muslims in the Indian subcontinent also did not use the term Islamic state but called it a Muslim province within the larger Indian federation. Iqbal had declared that Pakistan was not his scheme. According to him, “The one scheme that I had suggested in my address is the creation of a Muslim province i.e., a province having an overwhelming population of Muslims in the Northwest of India. This province will be, according to my scheme, a part of the proposed Indian federation.”<sup>11</sup>

There have been, broadly speaking, two interpretations of Jinnah's very controversial speech. Many modernists and secular Pakistanis claim that Jinnah was speaking for a liberal, secular and democratic political system for Pakistan. They point out to his past association with the Indian National Congress, his general liberal and secular life. According to Muhammad Muneer, it was clear from the statement that Jinnah was opposed to a theocratic government; that he wanted a secular and democratic government and that there would be one nation, the Pakistani nation, regardless of the individual's creed, religion, and sect; that religion would be the affair of the individual and have nothing to do with the state. Since the majority of the people of Pakistan would be Muslims, the state would naturally be influenced by Islam and the Islamic way of life.<sup>12</sup> One scholar points out that it was a statement in favour of secularism and against notions of a religious state and further that the speech contradicted the whole rationale of Pakistan. The concept of Muslim nationalism, however, did contain an element of religion in its core.<sup>13</sup>

Jinnah's inaugural speech had stunned the Ulema and also the Muslim League politicians who had been claiming that Pakistan would be an Islamic state. The inaugural speech was suppressed by successive Pakistani governments.<sup>14</sup> The Ulema ignored the speech and did not refer to it during their campaign for

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an Islamic state which had been started soon after August 14, 1947, when Pakistan came into existence. What Jinnah was saying in this speech went against the basic Islamic philosophy of the Ulema of all schools in Pakistan. Assurance of equal citizenship of Pakistan without any discrimination between followers of various creeds, and Hindus and Muslims ceasing to be Hindus and Muslims in the political sense as citizens of the state did not accord with the Ulema's view of Islamic polity.<sup>15</sup> Those who want to find an explanation for Jinnah's speech claim that he was not a systematic thinker, he was not a visionary and that his knowledge of Islam

was not adequate, etc.<sup>16</sup> In fact, the Muslim League leaders had done very little intellectual preparation for the political system that Pakistan would ultimately have, if it came into existence. There appeared to be a deliberate attempt not to spell out the details of the political system Pakistan would have. "The great debate that might have done justice to the... cruciality of Pakistan never really happened...."<sup>17</sup> The Islamic state and Islamic system served as catchy slogans to mobilise the Muslims behind the demand for Pakistan. The mainstream Ulema opposed Pakistan because they thought that the Westernised leadership of the Muslim League could not build an Islamic state in Pakistan. The most strident in opposing Pakistan was the Jamaat-e-Islami which believed that Muslim nationalism was as contrary to Islam as the territorial nationalism of the Indian National Congress.

After Pakistan came into being, when the ruling party sat down to frame a Constitution for the country, they found that there was neither clarity nor consensus on the outline of whatever they called an Islamic state. Most politicians mouthed Islamic claims while advancing their regional agendas. The Ulema who had opposed Pakistan and were now out of favour, found a very valuable plank in the demand for an Islamic Constitution. They claimed that "you had demanded Pakistan in the name of Islam and now build the Islamic state".

Early after independence, Pakistan was in the throes of political, economic, and social crises, the result of the dislocation caused by the migration of hundreds of thousands of refugees from India to Pakistan and of Hindus and Sikhs from Pakistan to India as a consequence of the partition of the Indian subcontinent. These issues did not interest the Ulema and some sections of politicians. For

them, the issues of an Islamic Constitution, like the sovereignty of the people, Islamic laws, *jihad*, the rights of the non-Muslims in an Islamic state, etc, were the basic questions for the people of the country. The politicians also did not have any consensus on the outline of a Constitution for the country, particularly on the role of Islam in the polity, as well as the federal formula which would be the basis of the Constitution. The most effective argument against an Islamic Constitution was given by Justice Muhammad Muneer and Justice Kayani in their report on the Punjab Disturbances of 1953. They suggested that the Muslim political leaders were confusing the Islamic state idea with Islamic dogma, personal law and ethics.<sup>18</sup>

The Ulema's campaign for an Islamic Constitution went on unabated and, therefore, the government decided to introduce an Objectives Resolution mainly to steal the thunder of the Ulema's strident rhetoric. The Objectives Resolution entitled "Aims and Objectives of the Constitution," passed on March 7, 1949, affirmed that sovereignty over the entire world belonged to Almighty Allah alone, and declared that Islam would be the foundation of the new state. The Ulema welcomed it as the first declaration of the intent or the resolve of the rulers to set up an Islamic state. The Objectives Resolution came in for attack on the definition of sovereignty from the members of the minority community in the Constituent Assembly. It was clearly a compromise between the Ulema and the politicians as neither of them attempted to put their conception of an Islamic state into legal or even literary form.<sup>19</sup> The resolution clearly went against the declaration of Jinnah on the equality of all citizens of the country, irrespective of religion, caste or creed. It excluded them from the decision-making process on matters vital to the state's safety and security.<sup>20</sup>

The attempts by the political leaders to clarify the issue added to the confusion. The resolution was interpreted differently by different people. The resolution had no legal validity, was vague and self-contradictory and it went against all modern democratic norms and mores. More than a year later, the second Report of the Basic Principles Committee was presented in 1952 which incorporated some of the provisions of the Objectives Resolution, and other Islamic provisions were relegated to the section, "Directive Principles of the State Policy."<sup>21</sup> This practice was followed by some changes in each of the three Constitutions which were enforced in 1956, 1962 and 1973. The Basic Principles Report was a major victory for the Ulema. It required that the head of the state was to be a male Muslim and recommended that the government should be

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guided by the Objectives Resolution.<sup>22</sup>

During the period 1954 to 1958, the demand for an Islamic state went into the background in the welter of the political conflicts generated by the dissolution of the Constituent Assembly in 1954, the creation of the second Constituent Assembly, the tussle between the Punjabi and Bengali politicians for political ascendancy, the One Unit scheme (clubbing together of the three smaller provinces of West Pakistan and Punjab into one unit), the joint electorate and the language question.<sup>23</sup> The political parties in East Pakistan were for the joint electorate system while the Muslim League was for a separate electorate.<sup>24</sup> The Ulema also jumped

into the controversy claiming that a separate electorate was the demand raised during the Pakistan movement on the basis of the two-nation theory and, therefore, it was part of the ideology of Pakistan. The Ulema had accepted the 1956 Constitution but it lasted for barely two years. In October 1958, Gen Ayub Khan abrogated the Constitution and declared Martial Law. The Ayub military dictatorship dealt harshly with the Ulema, banned the Jamaat-e-Islami and imprisoned its leader Maulana Abul Ala Mawdudi in January 1964. The military ruler, however, had to give in to the Ulema within a few weeks of the enforcement of his Constitution in 1962. Ayub agreed to amend the Constitution to change the name of the republic from Republic of Pakistan to Islamic Republic of Pakistan. Another significant change he had to make was to amend the Repugnancy Clause. The Repugnancy Clause in the Constitution that had stated that no law should be enacted which was repugnant to Islam, was now changed to no law should be enacted which was repugnant to the Quran and the Sunnah.<sup>25</sup> However, this was a far cry from the Ulema's Islamic state.

Islamic slogans had been used with devastating effect during the earlier agitations against the Ahmedis in the Fifties and later against Zulfiqar Ali Bhutto before Gen Zia-ul-Haq launched his coup on July 5, 1977. It was during Gen Zia-ul-Haq's military regime (1977-88) that Islamisation of the political system became the official policy of the government. Gen Zia had no legitimacy whatsoever and he used Islam and Islamisation to win over the religious lobby and acquire legitimacy. He introduced Islamisation measures every time he expected political

crises to emerge, for example, at the time of postponement of elections, outlawing political parties or executing Bhutto.<sup>26</sup>

Gen Zia-ul-Haq's Islamisation programme was mainly in four areas: judicial reforms, introduction of the Islamic penal code, economic reforms, and a new educational policy.<sup>27</sup> The first of the series of these Islamic measures was the introduction of the Hudood Ordinance in February 1979 which enforced severe punishments for theft, adultery and drinking, such as amputation of the hands, stoning and flogging. This was followed by the introduction of Shariat benches which were later converted into Shariat courts. Shariat courts were, however, barred from reviewing the Martial Law

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ordinances. Among the economic measures implemented were the introduction of Zakat and Ushr and interest free banking.<sup>28</sup> All these Islamic measures provoked intense controversies partly because of sectarian differences over these issues and partly because they appeared to be only cosmetic measures. As one critic pointed out, by 'Islamisation', the rulers mean transformation of society according to the basic teachings of Quranic Islam. In the field of education, stress was laid on Quranic, Islamic and Pakistan studies. The text-books were revised to conform to official ideology. The school curricula reflected intolerance and sectarianism while undermining the overall quality of the syllabus.<sup>29</sup>

The Islamisation process under Zia severely restricted women's rights and resulted in a climate of discrimination against them. The Ansari Commission, appointed by Gen Zia-ul-Haq in 1982 recommended that women should be prohibited from leaving the country without a male escort, and unmarried, unaccompanied women should not be allowed to serve overseas in the diplomatic corps. An Islamic dress code was imposed on women in the public eye such as news readers and air stewardesses but not on their male counterparts.<sup>30</sup> Gen Zia-ul-Haq's Islamisation had aggravated the Shia-Sunni conflict after he declared in February 1979 that Hanafi Fiqh would be enforced in the country. This declaration alarmed the Shias. They subscribed to their own Fiqh-i-Jafaria and their own interpretation of Islamic taxes and penalties. This led to the formation of the Shia organisation, the Tehrik-e-Nifaz-e-Fiqh-e-Jafaria (TNFJ). This was countered

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by the formation in 1985 of the militant Sunni organisation, the Sipah-e-Sahaba.<sup>31</sup>

Gen Zia's views on Islamisation coincided with those of the Islamic fundamentalist parties of Pakistan that had been agitating for an Islamic state ever since the independence of the country. He was close to the Jamaat-e-Islami of Pakistan.<sup>32</sup> These parties believed that their time had arrived. They willingly joined Gen Zia's civilian government in August 1978 but soon realised that they had no power and all the decisions were being taken by the Martial Law officers. They were unceremoniously thrown out of the government soon after the execution of Zulfikar Ali Bhutto in April 1979. It was clear that Gen Zia-ul-Haq needed them only as a civilian cover to legitimise the judicial

execution of the former prime minister of Pakistan.

Gen Zia-ul-Haq subverted the 1973 Constitution and using some controversial parts of the Nusrat Bhutto case judgment introduced amendments and new Articles in the Constitution at his whims. Zia banned political parties, curtailed freedom of speech and ousted inconvenient judges from the courts. He declared that elections, political parties, opposition, etc were contrary to Islam. He created a climate of terror by introducing the Hudood laws. An intriguing mix of religion and politics manifested itself in institutions like the Council of Islamic Ideology, Federal Shariat Courts, a nominated National Assembly which was called the Majlis-e-Shura, the Islamic Research Institute, Ijtihad Committee, etc. Gen Zia-ul-Haq strengthened the political position of the Ulema, particularly of the Jamaat-e-Islami of Pakistan and the network of the *mullahs* who controlled the mosques and *madrassas* that had supported him and his policies.<sup>33</sup> In fact, the *jihadi* ideology or, for that matter, extremist Islamic positions had been promoted during his regime. It was not until the Islamisation project of Gen Zia-ul-Haq that the concept of Islamic state began to acquire substance and the Islamic parties began to move to the centre-stage of Pakistani politics.<sup>34</sup> A direct consequence of Gen Zia-ul-Haq's Islamisation was the spread of the Kalashnikov and drug culture in that country. This was the beginning of the *jihadi* culture. The proliferation of militant groups and *madrassas* was the result of his policies.

Finally, Zia forced the Eighth Amendment to the Constitution on the hapless prime minister of his partyless National Assembly, Mohammad Khan Junejo in 1985, which changed the basic character of the 1973 Constitution from a parliamentary one to the presidential form. Islam had been used by the military regime not for uniting the people but for dividing them. The introduction of a separate electorate and death sentence for blasphemy were aimed against the minorities. Various sectarian groups were encouraged to demand declaration of other sects as non-Muslims. The Sunni extremist group, the Sipah-e-Sahaba, was encouraged not only to demand the declaration of Shias as non-Muslims but was also allowed to carry on a campaign of murder and mayhem against them.

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It appears that notwithstanding all the Islamic measures taken by Gen Zia-ul-Haq, Pakistan was not as yet an Islamic state and, therefore, Mian Nawaz Sharif, prime minister of Pakistan, introduced a Shariat Bill during his two tenures, in 1991 and again in 1998. At the time of the 1990 national election, Mian Nawaz Sharif, the leader of the Pakistan Muslim League, had promised that he would bring the Shariat Bill if he was able to form the government. He fulfilled his promise in 1991 and tabled a Shariat Bill which was duly passed. However, the Shariat Act was never implemented.<sup>35</sup> In his second tenure (1997-99), Mian Nawaz Sharif had two-thirds majority in the National Assembly yet he attempted to concentrate more powers in his hands by using religion to this end. He again introduced the Shariat Bill, called the 15<sup>th</sup> Amendment, in the National Assembly on August 28, 1998. The Bill was a barely concealed attempt to sideline the Constitution and change the character of the state in the name of Islam.

It was clear that if implemented, this amendment to the Constitution would have changed the character of the Constitution from a parliamentary form to a presidential one or even to an authoritarian form. It would have undermined the supremacy of the Constitution and would have established a Talibanised regime. The fundamental rights of the people would have been at one man's discretion. It would have been a blow to the provincial autonomy. Prime Minister Nawaz Sharif was accused even by the Ulema of attempting to subvert the Constitution

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and concentrate all power in his hands in the name of Islam. The 15<sup>th</sup> Amendment was legally defective and self-contradictory. Mian Nawaz Sharif's government did not have enough strength in the Pakistani Senate to see the amendment through.

In 1949, Pakistan had entered the phase of Islamisation of the state (Objectives Resolution); it went into the phase of Islamisation of laws in 1977 under Gen Zia-ul-Haq. It was not until the Islamisation project of Gen Zia-ul-Haq that the concept of an Islamic state began to acquire substance and the Islamic parties began to move to the centre-stage of Pakistani politics.<sup>36</sup> The post-Zia period was characterised by a democratic order trying to survive and make a comeback. The decade of the 1990s was also

characterised by *jihad* in which the armed forces empowered the clergy and made space within the civil society for the armed militias fighting in Kashmir and Afghanistan.<sup>37</sup> The process of unofficial Talibanisation of Pakistani society had begun under the patronage shown to the militant groups during the two tenures each of Mian Nawaz Sharif and Benazir Bhutto. In fact, it was Maj Gen Naseerullah Babar, home minister in the Benazir Bhutto government, who had sponsored the Taliban in its initial period. The Pakistan Army and intelligence services, especially below the top ranks, have long been ambivalent about confronting Islamic extremists. Many in the successive governments since the early Eighties had sympathised with, or provided support to, the extremists.<sup>38</sup> As the Army Chief Gen Musharraf could not have been unaware of his army's involvement with the militants, he would have been a party to many decisions about their operations in Afghanistan and Kashmir.

The emergence of the MMA (Muttahida Majlis-e-Amal) as the third largest political force in Pakistan after the 2002 poll had strengthened the extremist forces in the country and portended ill for Pakistan's political, cultural and social stability.<sup>39</sup> It had formed the government on its own in the Northwest Frontier Province (NWFP) and had also joined the military regime-supported Pakistan Muslim League (Quaid) to form the government in Balochistan. Thus, the MMA was in power in two of the four provinces that constitute Pakistan. The surprising

performance of the MMA showed that the three proverbial factors of Pakistani politics—Allah, America, and Army—remained relevant to the political process. The MMA fought the election mainly on three planks: first, it presented a sharp critique of Pakistan's social, political and economic order and projection of an Islamic alternative; second, it talked of the primacy of the Quran and Sunnah and demanded the restructuring of the socio-political and economic order on the basis of Islamic principles; third, it took up the specific problems of each constituency viz., civic amenities, construction and repairs of roads, and other development work.<sup>40</sup>

The MMA was the united front of six fundamentalist parties that came together despite their sectarian denominational differences and mutual hostility to work for an Islamic system. The largest among these six was the Jamiat-e-Ulema-e-Islam led by Maulana Fazlur Rahman with a strong popular base in the Pakhtun belt in the NWFP. The Taliban movement of Afghanistan was considered to be the creation of the *madrassas* run by Maulana Fazlur Rahman and the Jamiat-e-Ulema-e-Islam. The influence that the Maulana enjoyed with the Taliban was due to the volunteers from his *madrassas* that produced battalions of fighters for fighting in Afghanistan.<sup>41</sup> Maulana Samiul Haq's seminary in Akora Khattak in the NWFP claimed many Taliban leaders as its alumni.

The MMA could not have achieved the success it got without the direct support of the military regime. The mainstream parties like the Pakistan People's Party (PPP) and the Pakistan Muslim League (PML) led by Nawaz Sharif, with their leaders in exile, faced many restrictions. The MMA violated the election code with impunity and received direct and indirect support. Through the history of the Muslim world, *mullahs* have rarely led a revolt against the ruler. The Ulema have always worked with the military rulers in Pakistan except during Ayub's military rule, 1958-69. The *mullahs* and the military worked together during the Afghan *jihad* and in Kashmir. The military is the ultimate authority and source of power in Pakistan and the Ulema have avoided a confrontation with it. The MMA cooperated with Gen Musharraf in the passing of the Legal Framework Order (LFO) through the National Assembly. There has been a unique convergence of interests between the Islamic parties and the military controlled state. For example, Pakistan's intervention in Afghanistan was called a *jihad* by the army and also by the Ulema; similarly, terrorism in Kashmir was called a *jihad* by the army and also by the Ulema. "From *Dawa* (preaching) to *jihad* and from pilgrimages to interpretation of Shariah, the state performs all functions which are part of the religious parties' mandate."<sup>42</sup> Several state sponsored Islamic institutions

have been set up to promote, propagate and disseminate official Islam. Among them are the Ministry of Religious Affairs and the Council of Islamic ideology. A plethora of Islamic laws has been introduced to placate the Ulema lobby.<sup>43</sup>

Many of these laws, once put on the statute book, are impossible to modify. For example the Hudood Law and the Blasphemy Law are discriminatory and are gross violations of the human rights of women and minorities. Gen Musharraf had several times declared his intention to amend them but back-tracked under dire threats from the religious lobby. The religious parties interpret these and many other laws in a highly narrow and sectarian way. This is the source of the rise and the growth of the *jihadi* and Talibanised culture in the country. Soon after the MMA government was formed in the NWFP, its party workers had started a campaign of destroying cinema billboards, banning TV, beating up musicians, raiding by a minister, along with the police, on homes, in the name of morality. Recently, the NWFP government has directed government servants not to attend music parties. Good governance, accountability of the government functionaries and Islamic values are the stated goals of governments in Pakistan, whether political or military.

All through the Afghan War in the 1980s, the Jamiat-e-Ulema-e-Islam led by Maulana Fazlur Rahman had built up a support base amongst the Durrani Pakhtuns living in Balochistan and the NWFP, opening up *madrassas* and carrying out relief work in the refugee camps. The Deobandi version of Islam became popular in the tribal belt of Pakistan.<sup>44</sup> The Taliban's new model for a purist Islamic revolution has created immense repercussions in Pakistan. Many Taliban inspired groups have been banning TV and videos, imposing Shariat punishments, killing Pakistani Shias and particularly forcing women to adopt the Taliban style dress code and way of life. The emergence of the MMA governments in the two eastern provinces of Pakistan in the country shows that Pakistan's support for the Taliban is now coming back to haunt the country itself.<sup>45</sup> It was Pakistan's military establishment and its agencies which encouraged the Talibanised Wahabi ideology to be disseminated through the proliferation of *jihadi madrassas* in Pakistan.

Ironically, Gen Musharraf in the post 9/11 period, had been carrying on a campaign against extremism and for a moderate and liberal Islamic society in Pakistan. For the Ulema, there is only one Islam and that is the one practised by them. According to the Ulema, enlightened moderation is completely contradictory to Islam.<sup>46</sup> In fact, the alternatives today are no longer the moderate Islamic state or a secular state but a Talibanised state versus a

democratic state. A four-fold typology of Islamic states has been suggested, covering the relationship between the sacred and secular models of state as operative in the political thought of contemporary Pakistani intellectuals: (1) the sacred state excluding the human will; (2) the sacred state admitting the human will; (3) the secular state admitting the divine will; (4) the secular state excluding the divine will.<sup>47</sup> However, the Pakistani state as it has evolved during the last five decades does not tally with any of the above models. The Constitution of Pakistan declares Islam as the state religion of the country and the Objectives Resolution had been incorporated in the 1973 Constitution under a fiat of Gen Zia-ul-Haq.<sup>48</sup> As stated earlier, some Islamic institutions have been set up and some Islamic laws have been promulgated. However, the military's domination of the political system has continued. Gen Musharraf had subverted the Constitution, arbitrarily incorporated in it the LFO through the 17<sup>th</sup> Amendment with the support of the MMA.<sup>49</sup> These measures have nothing to do with Islam but would only strengthen the military's stranglehold over Pakistan's polity.

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The history of the campaign to build an Islamic state in Pakistan shows that it was limited to the introduction of Shariat laws torn out of their socio-historical context.<sup>50</sup> The failure of the two attempts by Mian Nawaz Sharif to introduce Shariat law in 1991 and in 1998, when in the later case he had an overwhelming majority in the National Assembly, shows the complexity of the task. What the MMA initiated in the NWFP was only a hint of the shape of things to come. But the big question was: how long would the constituent parties of the MMA remain united when the cracks in it were clearly visible. How long could Gen Musharraf balance his policy of pleasing Washington by handing over some alleged or real terrorists and also keep the MMA in good humour, one example of which was that Maulana Fazlur Rahman was nominated the leader of the opposition in the National Assembly, ignoring the rightful claim of the Pakistan People's Party (PPP).<sup>51</sup>

One Pakistani writer says that an Islamic state cannot be set up by somehow gaining hold of the government or bringing out bands of militias. He goes on to add that the struggle of the so-called Islamic parties to win elections and form

governments to implement Islam is doomed.<sup>52</sup> The political crisis reached a bursting point with the Lal Masjid crisis in early July 2007 when a radical group led by two brothers, Abdul Aziz and Abdul Rashid, holed themselves inside the Red Mosque and Madrassa Hafsa in the centre of the capital, Islamabad. They called for the overthrow of the Musharraf regime. The besieged students and others launched a campaign for the Shariat, occupying a nearby children's library and embarking on vigilante raids through the capital to stop what they called "unIslamic activities," such as DVD vendors, barber shops and a Chinese-run massage parlour that they accused of being a brothel. Gen Musharraf had no option but to forcibly clear out the extremists from the mosque, causing many casualties. However, within a short time, one of the leaders of the Red Mosque, Abdul Aziz, who had escaped from the mosque in a woman's clothes, was freed, declaring his determination to carry on with his campaign. The MMA also split during this period.

The various extremist groups which are waging a bloody war in Pakistan aim at establishing a caliphate in Pakistan. The successive regimes in Pakistan have put the concept of Islamic state to different political uses: to mobilise Pakistani opinion against real or felt threats from India, to deny the claims of the weaker members of the federation, by unpopular governments to evade elections and by modernisers who interpret Islam in a free innovative fashion.<sup>53</sup> Fifty-four years ago, Justice Muneer had made a very perceptive remark, which still holds good, "that Pakistan is being taken by the common man", though it is not, as an Islamic state. The belief has been encouraged by the ceaseless clamour for Islam and Islamic state that is being heard from all quarters since the establishment of Pakistan."<sup>54</sup>

## Notes

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2. *Ibid.*, p. 9.
3. Asghar Ali Engineer, *The Concept of Islamic State – Islam and Modern Age* (Mumbai: Institute of Islamic Studies, April 1999).
4. Muhammad Munir, *From Jinnah to Zia* (Lahore: Vanguard Books Ltd., 1980), p. 49.
5. Sharif Al Mujahid, *Quaid-i-Azam Jinnah: Studies in Interpretation* (Karachi: Quaid-i-Azam Academy, 1981), pp. 495-496.
6. Hamza Alavi, "Social Forces and Ideology in the Making of Pakistan," *The Friday Times*, December 15, 2002.

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8. Seyyed Vali Reza Nasr, *The Vanguard of the Islamic Revolution: The Jama'at-i Islami of Pakistan* (CA: University of California Press, 1994), p. 117.
9. *Mujahid*, n. 5, pp. 233-236.
10. *Ibid.*, p. 248.
11. *The Friday Times*, September 5, 2003.
12. *Munir*, n. 4, p. 32.
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