Half citizens? The Ahmadiyya community of Pakistan

Throughout 2012, members of the Ahmadiyya community of Pakistan from all walks of life were harassed, threatened, and at times killed, with impunity. These attacks were the latest in a wave of violence and maltreatment that stretches back to the early years of Pakistan. Successive regimes, both military and democratic, have actively or otherwise worsened the trend.¹

The generation that grew up in General Zia-ul Haq’s Pakistan (1977-1988) saw a country that was being re-engineered as an “Islamic state”. Several criminal, social and economic laws were introduced in the name of Islam. The Federal Shariat Court was established with the power to strike down any existing law it deemed to be “repugnant to the Injunctions of Islam, as laid down in the Holy Quran and the Sunnah of the Holy Prophet”.² Extensive religious programming on state television regurgitated the state narrative.

Pakistan was an ideological state and it needed to assume a new identity independent of the hitherto pluralistic culture and history of South Asia. Further indoctrination was attempted through textbooks and prayer sermons.

Arguably the most categorical ‘fact’ propagated during the Zia era was that Ahmadis, or Qadianis, were pretending to be Muslims while actually they were not. Teachers told their students that this community had violated a central tenet of Islamic faith – that is, the finality of the prophethood of Muhammad (PBUH) – and believed that the founder of their sect, Mirza Ghulam Ahmad, was also a ‘messenger of God’.

Through the family, schools and other influences, young Pakistani minds formed a consensus on this issue. There were dissenting voices, but they were fearful of openly challenging the mainstream narrative that was ferociously backed by the state.

This narrative did not stop at simply excluding Ahmadis from Islam. It also had a larger political backdrop. People would hold forth with scant or no evidence that “Qadianis” (as the community’s founder was from a place called Qadian) were agents of the enemies of Pakistan and Islam. They were British stooges, went the story, created by the Raj to weaken Muslims and their faith. Some said that Ahmadis were given such importance because they rejected violent jihad and hence suited British purposes. These theories gained currency as Zia was resetting the Pakistani state as one created for jihad.

The roots of anti-Ahmadi prejudice can be traced back even further in Pakistan’s troubled history. In 1953, a series of violent agitations erupted against the Ahmadiyya movement in Lahore. The riots were instigated by the Jamaat-e-Islami, a religious political party led by Maulana Abul Ala Maududi, a Sunni theologian and strong critic of the Ahmadiyya movement. The riots resulted in over 2,000 deaths, prompted the imposition of martial law in the Punjab province, and led Governor General Ghulam Muhammad to dismiss the federal cabinet.
The 1953 riots demonstrated how effectively Islamists in the new state of Pakistan could use a religious issue for political ends. The riots took place in a province where being an Ahmadi was hardly an issue at the time.

A Court of Inquiry comprising Lahore High Court’s Chief Justice Muhammad Munir and Justice Rustum Kayani, was set up by the government to investigate the causes of this incident. Its report makes for a fascinating reading. None of the clerics who appeared before the court could define who was a ‘Muslim’ and the judges were clear in their remarks:

"Keeping in view the several definitions given by the ulama, need we make any comment except that no two learned divines are agreed on this fundamental. If we attempt our own definition as each learned divine has done and that definition differs from that given by all others, we unanimously go out of the fold of Islam. And if we adopt the definition given by any one of the ulama, we remain Muslims according to the view of that alim but kafirs according to the definition of everyone else."[iii]

Time and again, the sane voices in Pakistan have called for a religiously neutral state that does not encourage bigotry or issue certificates of ‘Muslimness’. However, this advice has remained unheed by politicians and generals who have been using religion as a political tool.

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The power of the religious right grew in Pakistan in the two decades after the Munir Report, with the Ahmadi question as one of its favourite rallying cries. The Ahmadi movement was seen as an aberration, a challenge and a bogey rolled into one. By the 1970s, this was a plank upon which the religious right stood ready to practice exclusion.

Zulfikar Ali Bhutto, an avowedly secular and socialist leader who was ruling a truncated Pakistan after the 1971 war, could not resist appeasing the religious lobby. He was not a bigot himself, but viewed himself as an absolute ruler who should have the religious lobby under his belt after he had won over the poor, the middle classes and the intelligentsia of the country. Additionally, the role of Saudi Arabia and petrodollars was a factor in reshaping the Pakistani state. Thus came about the 1974 constitutional amendment that declared Ahmadis to be non-Muslims and set the course for Pakistan’s seemingly irreversible slide into obscurantism and sectarian fragmentation. The infamous Second Amendment remains a blot on Pakistan’s conscience and a de jure annulment of Jinnah’s moderate agenda.

The founder of the country used Muslim politics of 1940s to create a separate ‘homeland’ but was also aware of the dangers of making the state a religious arbiter. On August 11, four days before the creation of the independent states of India and Pakistan, he declared that the state had nothing to do with religion and that all communities in Pakistan would be free to practice their faith. Pakistan’s constitutions – of 1956, 1962 and 1973 – also enshrined this freedom. In 1974, the second amendment to the Constitution withdrew this liberty.
In 1974, the religious parties embarked on a fresh campaign against the Ahmadiyya movement, putting pressure on the government to prohibit Ahmadis from claiming to be Muslims or “behaving” as Muslims. The campaign led to the murder of several Ahmadis and the destruction of Ahmadi property, including the desecration of mosques and graves.

Bhutto’s successor, General Zia-ul-Haq, introduced legislation that took this discrimination against Ahmadis to surreal heights. The Anti-Islamic Activities of Quadiani Group, Lahori Group and Ahmadis (Prohibition and Punishment) Ordinance, XX of 1984, introduced two new sections to the penal code, the notorious Sections 298-B and 298-C. Under these, Ahmadis were expressly prohibited from propagating their faith or calling themselves Muslims. They were also barred from calling their place of worship a “masjid”, their call for prayers as “azan” or even reciting “azan” as traditionally used by Muslims. Violators could be imprisoned for up to three years and were also liable to fine.iv

While adjudicating a post-Zia constitutional challenge to these laws, the Supreme Court went a step further and not only validated these laws but, using the analogy of trademarks, banned Ahmadis from making any public display whatsoever that was traditionally identified with Muslims.v These laws and their judicial interpretation still hold the field.

And apparently there is no way for Ahmadis to redeem themselves. Even Dr Abdus Salam, the only Nobel laureate from Pakistan, was shunned in the country as he was not shy of his Ahmadi identity. The tombstone on his grave has been desecrated and stares in the face of a country that by and large remains oblivious of such apartheid.

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The population of Pakistan is 98 percent Muslim and 2 percent non-Muslim. Article 20 of the Constitution says: “Subject to law, public order and morality,— (a) every citizen shall have the right to profess, practice and propagate his religion; and (b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.”vi

However, the second amendment to the Constitution declares the Ahmadis, a professed Muslim sect, to be non-Muslims. Thus, while the Constitution provides the guarantee given in Article 20, there is one class of citizens i.e. the Ahmadis who have become an anomaly. After being officially declared as non-Muslims, Ahmadis find themselves in no man’s land, where they are considered neither a sect of Muslims nor can they be classified like other minorities.

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In September 2008, a TV anchor conducted a programme on the nature of the 1974 constitutional amendment that had declared the Ahmadiyya community to be non-Muslims. Towards the end of his show, he declared Ahmadis to be Wajibul-Qatl (liable to be killed). Immediately following the broadcast of this particular show, an Ahmadi doctor, Abdul Mannan Siddiqi, was shot dead in Mirpur Khas, Sindh. The next day, another Ahmadi, Seth Muhammad Youasf, was assassinated in Nawabshah, Sindh.
From the 1980s to the present day, the articulation of this dangerous perception of the Ahmadiyya community has entered mainstream culture. Countless Ahmadis suffer from day-to-day discrimination in their workplace and communities. Ahmadis have also complained of persecution in schools and universities, where they are harassed and denied equal treatment.

Constrained by a legal apartheid, and bashed daily by ultra-right elements, incidents of persecution, harassment, and even targeted killings are ignored by the authorities and society in general.

The position of Ahmadis amongst the Pakistani polity has remained a docile one and they have never significantly challenged the position of the state. In fact, according to Hussain Naqi, a leading Human Rights defender, Ahmadis supported the creation of Pakistan while hard-line religious groups like the Ahrars opposed it bitterly. Now, it is these same religious groups that have become self-styled patriots of the Islamic Republic of Pakistan and consider Ahmadis liable to be killed.

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On 28 May, 2010, two Ahmadi ‘mosques’ in Lahore were attacked by members of the Tehrik-e-Taliban Pakistan. More than 90 people were killed and another 109 injured. One of the targets, in Model Town, was founded by a Hindu lawyer in the 1920s with a vision for modernity where Hindus and Muslims lived side by side. Such ironies cannot be lost.

This tragedy became worse because of the apathy displayed by the political parties, media and even the intelligentsia. TV channels reporting on the incident initially said that Ahmadi mosques were under attack, but soon corrected themselves and replaced the word ‘mosques’ with ‘places of worship’ in their reporting. The only brave man to visit the survivors of this attack was Punjab’s Governor Salmaan Taseer who was assassinated eight months later by a zealot who mistook his sympathies for a poor Christian woman as support for ‘blasphemy’.

In May 2012, two years after the Lahore bloodshed, a group of people with the police’s help ordered an Ahmadi place of worship in Sultanabad to demolish its minarets as they made it look like a mosque. After intense negotiations, the guardians of the place were finally allowed to cover the building in order to avoid any resemblance with a mosque. Another ‘mosque’ in Rawalpindi is now closed as zealots thought it was harming the future of ‘real’ Islam.

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While applying for a passport or a National ID Card, Pakistanis are required to declare Miza Ghulam Ahmed as an imposter and his followers as non-Muslims.

According to the election laws in Pakistan, the lone basis for voters’ eligibility is Pakistani citizenship. The electoral system until the time of General Zia was based on a joint electorate system for all Pakistani citizens regardless of their religious affiliation. Ahmadis used to participate in all elections equally with the rest of the population. Bhutto allocated seats for minorities in addition to the
general seats. Representatives for the reserved seats were to be elected by the assembly members. As Ahmadis did not accept the imposed status of being non-Muslims, a religious minority, they never availed these seats.

In 1985 Zia introduced separate electorates through the 8th Amendment to the 1973 Constitution. Since then elections have been held on the basis of separate electoral lists for different religious groups. Those who claim to be Muslims have to sign a certificate denying being Ahmadis. In 2002, General Musharraf went back to the joint electorate system. However, he introduced a separate supplementary list of voters in which Ahmadi voters were placed as non-Muslims.

In the 2002 general elections, the Election Commission introduced two separate forms for registration of voters, one for Muslims (Form 2) and another (Form 8) for Non-Muslims, and made it obligatory for Ahmadis to apply through the latter. Ahmadis consider themselves to be Muslims and they refused to apply through Form 8. Hence they were excluded from the electoral process. Now the Commission has done away with Form 8 and redesigned Form 2 so as to require voters to tick one of the given boxes that mention religion. To ensure that Ahmadis may not tick themselves as Muslims, a special certificate is added on the back of the Form wherein every applicant who ticks himself as a Muslim is made to sign a certificate that includes a denial of being a Qadiani/Ahmadi. The form includes a warning that a violation will be punished with imprisonment.

Subsequent governments after Zia’s have made little or no effort to reverse the process. During the time of President Musharraf there was a move to amend the procedures of blasphemy law; however, this did not materialise due to the pressure of the mullahs.

Two cases can be used as examples that reflect how even the democratic forces are reluctant to engage seriously with the issue and skirt around the problems of minority rights.

One is the Education Policy, 2009. Its fourth chapter is devoted to Islamic education. This kind of aggressive propagation of the state version of Islam serves to alienate minorities.

The other case is that of the 18th amendment to the Constitution. This amendment was hailed as having restored the Constitution to its original democratic character. Sadly the lawmakers did not touch the Islamic provisions inserted by Bhutto and Zia. In fact, the amendment goes a step further and makes it mandatory for the Prime Minister also to be a Muslim (earlier the condition applied only to the President).

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The plight of Ahmadis is not just a religious issue. It is an issue of citizenship and its brazen denial to a group of people. Pakistan will have to review the many troubling constitutional provisions that embolden the state and extremist elements to indulge in persecuting this minority. The instruments of citizenship
national identity cards, passports and other declaration forms – require urgent amendments.

Pakistan can still change from a country where zealots hunt non-Muslims on its streets, Shias, Ismailis, or any other sects that do not conform to the puritanical Wahabi-Deobandi-Salafi axis are easily declared as ‘liable to be killed’. The haunting words of the 1954 Munir Report had rightly concluded after hearing the testimonies of religious scholars:

“The net result of all this is that neither Shias nor Sunnis nor Deobandis nor Ahl-i-Hadith nor Barelvis are Muslims and any change from one view to the other must be accompanied in an Islamic State with the penalty of death if the Government of the State is in the hands of the party which considers the other party to be kafirs. And it does not require much imagination to judge of the consequences of this doctrine when it is remembered that no two ulama have agreed before us as to the definition of a Muslim.”

Pakistan has no choice but to turn back to Jinnah’s words uttered on August 11, 1947 where he envisioned that religion would remain a personal choice under a progressive, democratic state. Instead the state has used religion, its extremist articulations and allied militant groups to achieve various policy goals. Thus the task of undoing this historical trend involves a comprehensive reform of state institutions, education system and most importantly the foreign policy. All of this is not possible without a political consensus, which sadly is missing.

The power of religious groups has grown to the extent that even the state is on the defensive. It would be at least a decade long battle to reverse the tide. Sooner than later, such an existential choice would have to be made.

Recommendations

Intolerance, exclusion, and discrimination need to be weeded out from every level of society. This cannot take place without both a fundamental alteration of public discourse and a change in the state policy and legal framework that addresses the question of minority and sectarian rights.

- The many troubling constitutional provisions, which have been highlighted above, need to be scrutinised, reviewed and done away with because they provide the premise on which discrimination is carried out both by the state and by extremist elements in society.

- The 1984 Ordinance against the Ahmadiyya community needs to be reviewed and debated through specific public mobilisation campaigns involving the media and civil society.

- The citizenship instruments – National ID, passport and other declaration forms – also need to be revisited and amended.

- Increased advocacy around citizens’ rights should be advanced involving the media and civil society. Such a campaign should be based on
parameters of citizenship and identity applicable to all Pakistanis regardless of their religion and creed.

- Engagement with legislators needs to take place on behalf of the minority communities to solicit support for repealing the discriminatory constitutional provisions.

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SIDEBAR – Attacks against Ahmadis – 2012

- On January 18, 30-year-old Ahsan Kamal was murdered by unknown assailants in Karachi at a telecom franchise shop where he worked. The murderers did not steal anything from the shop.

- In early February, lawyers in Lahore banned a soft drink they claimed to be produced by Ahmadis and prohibited its sale on court premises.
• In late February, an 80-year-old Ahmadi in Nawabshah, Chaudhry Muhammad Akram, was gunned down and his grandson received life-threatening injuries.

• In March, under pressure from the local community, police prevented Ahmadis from entering their ‘center of worship’ in Satellite Town, Rawalpindi.

• Throughout the month of February, Ahmadis were harassed and attacked in Mandi Bahauddin, Sargodha, Faisalabad, Jhang, Layyah, Hafizabad, Khushab, and several localities in Lahore. Ahmadis living and working in Islamabad were also harassed and hateful inscriptions were written on shops believed to be owned by members of the Ahmadiyya community.

• On April 1, 43-year-old Abdul Quddoos, an Ahmadi schoolteacher, died in police custody. It was alleged by the Teachers’ Union that police torture was the cause of death.

• In a span of ten days in September, four Ahmadis were murdered in different incidents in Karachi.

• On the morning of November 11, Manzoor Ahmad, 33, was shot dead by unknown assailants near his house in Quetta. A prominent member of the Ahmadi community in his neighborhood, he was faced with religious hostility for quite some time. Only a few months prior to Manzoor’s murder, his brother Maqsood Ahmad was kidnapped but released after payment of ransom.

• On November 27, Chaudhry Nusrat Mahmood, a 68-year-old Ahmadi who had come from New York to Karachi in October for his daughter’s wedding, succumbed to injuries he had sustained when he was attacked by unknown gunmen only three days after his daughter’s wedding. Mahmood’s son-in-law, Saad Farooq, was killed in that attack, while Farooq’s father and brother sustained injuries.

• On the night of December 2, armed men entered an Ahmadi graveyard in Model Town, Lahore, and defiled more than 120 graves.

• Threats, attacks and agitation against Ahmadis from all walks of life continued throughout the year – Ahmadi children were persecuted in schools for their beliefs, Ahmadi businessmen were kidnapped and threatened with dire consequences if they did not pay ransom or leave their home and hearth, and agitated mobs attacked Ahmadi homes and places of worship.

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i Substantive portions of this article were earlier published in Ink Magazine in August 2012. This paper also builds on the research undertaken by the author in 2009-10 for LEAD Pakistan.

v See Zaheeruddin v State, 1993 SCMR 1718.