MINORITIES AND "ISLAMIC" STATES:
Explaining Baha'i and Ahmadi Marginalization in Iran and Pakistan

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Abstract

This study is a comparative analysis of the marginalization of the Baha'is in Iran and the Ahmadis in Pakistan over the last forty years. It explores the relationship between Islam, the ulama and the state as explanatory variables. In particular, the increasing political influence of fundamentalist ulama and their closer association with state mechanisms, accompanied by the creation of a "purist," "Islamic" state ideology in Iran and Pakistan, leads to greater discrimination against these two heterodox Muslim minorities. The outcome is continuing institutionalized, state-sponsored discrimination that denies substantial legal, political and social rights to the Baha'is and the Ahmadis.

Résumé

Cette étude comparative analyse la marginalisation des Baha'is en Iran et des Ahmadis au Pakistan au cours des quarante dernières années. L'analyse se concentre sur la relation entre l'Islam, les Ulama et l'État comme variables expliquant cette marginalisation. De manière plus précise, cette étude démontre que l'accroissement de l'influence des fondamentalistes ulama sur les mécanismes étatiques, et la création d'une idéologie d'État islamiste en Iran et au Pakistan, ont accru la discrimination à l'endroit des minorités musulmanes Baha'is et Ahmadis. L'étude démontre également que cette discrimination est institutionnalisée au sein des États iranien et pakistanais. Ces États contribuent en effet au maintien de cette discrimination en refusant aux deux minorités musulmanes des droits politiques et sociaux fondamentaux.

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CHAPTER ONE: A CONCEPTUAL FRAMEWORK

Introduction

The postcolonial period has seen the emergence of Islam as a factor in shaping state-society relations in Muslim countries. This has been accompanied by the increasing politicization of individual Muslim identities. Both Iran and Pakistan have experienced this rise of political Islam in varying ways. In Iran, the Iranian Revolution has served as the watershed mark for the institutionalization of Islam as a formal component of state-building and nation-building processes. In contrast, Pakistan has experienced a more gradual institutionalization of Islam in the political arena, over the last fifty years. Both countries' self-definition as "Islamic Republics" is indicative of the role Islam plays as a mediating factor in shaping normative visions of an "Islamic polity" and of an "Islamic state."

The position of minorities in Iranian and Pakistani societies is one area affected by such constructions of the polity and state. Although there are a variety of ethnic and religious minorities in both countries, we are focusing primarily on religious minorities, particularly those whose doctrinal Muslim identity has been controversial, such as the Baha'i and the Ahmadis.

What is at issue are their interpretations of the role of prophetic revelation in Islam and doctrine of the Finality of Prophethood. The founders of both communities claim to have received prophetic revelation from God, which challenges orthodox Muslim belief in the role of Prophet Muhammad as the Seal of Prophets. However, both minorities emphasize their links to Islam, albeit in different forms. While the Baha'is claim to be members of a new religion, which nevertheless stems from the Revelation of Islam, Ahmadis define themselves as a Sunni Muslim sect. What these two minorities have in common is the fact that the surrounding state and society in each country does not accept

the self-definition of each group. Thus, these groups occupy a gray area, in which they do not fall completely outside of Islam, but neither do their fellow citizens accept them as "orthodox" Muslims. This sets the stage for not only discrimination by the majority in Iranian and Pakistani society, but, more importantly, it has also led to official, state-sponsored marginalization of the Baha'is and Ahmadis in Iran and Pakistan, respectively.

The purpose of this study is to explain how and why this marginalization comes about in each country. It suggests that while Islam serves as one factor in this analysis, we need to devote equal attention to the political context that facilitates its increasing relevance in constructions of political membership in Iran and Pakistan. Hence, we need to examine not only the interpretation of Islam in the political arena, but also the roles of the ulama, the state and state ideology, assessing the interplay between these factors which has led to increasing Baha'i and Ahmadi marginalization over time.

Our hypothesis is that the increasing political influence of the fundamentalist ulama in Iran and Pakistan, and their closer association with the state's legislative and coercive mechanisms, has allowed for the institutionalization of a fundamentalist interpretation of Islam in official, state ideology. This type of "Islamic" ideology then creates categories of inclusion and exclusion that discriminate against those – specifically the Baha'is and the Ahmadis - who do not fit in with the "Islamic worldview" as proposed by these fundamentalists.

In order to undertake this analysis, we need to isolate and define key conceptual elements and lay out the theoretical framework within which this study is situated. Chapter One aims to accomplish this task. Within the rubric of state-society relations, we begin by assessing the literature on the Baha'is and the Ahmadis, situating the case studies in relation to other works on the status of religious minorities in Iran and Pakistan. We then to turn to

the independent variables, and define Islam, the role of the ulama, and the state, indicating how these concepts are used in this analysis. Lastly, the chapter focuses on the significance of this work for our knowledge of other theoretical areas within comparative politics.

Chapter Two explores the intersection between Islam and state-society relations in Iran and Pakistan in further detail, indicating its importance as a variable. Drawing the distinction between Islam as doctrine and Islam as it relates to political theory, we stress the latter and how it has led to tensions between modernist versus fundamentalist interpretations of political Islam in each country. Over time, the fundamentalist interpretations have gained political salience, ensured partially by the political dominance of their proponents in both the Islamic Republic of Iran and Zia-ul-Haq's military regime in the 1980s.

Chapters Three and Four set out the empirical evidence supporting our argument. Chapter Three looks at the Baha'is in Iran. By focusing on two time periods, the early 1950s and early 1980s, when anti-Baha'i sentiment is pronounced, we examine the ulama-state dynamic that has led to the institutionalization of discrimination since the advent of the Islamic Republic in 1979. A parallel approach is taken with the Ahmadi case in Chapter Four, in this case resulting in increased persecution under Zia-ul-Haq's "Islamic" state in the 1980s. In particular, we illustrate how the mutual needs of members of the ulama and the state in each time period have created the conditions for targeting the minority in each country.

Chapter Five closes with a comparative analysis of the case studies, pointing out their implications for a larger understanding of the role of political Islam in defining state-society relations in Iran and Pakistan. We also assess the limited prospects for change in each group's legal, political and social status in Iran and Pakistan. Lastly, the chapter

concludes by considering the theoretical implications of this work for the broader field of comparative politics.

Minorities

In the most general sense, minorities can be defined in numerical terms, in terms of size, or in relative terms, as being different from another group. Bose highlights the lack of consensus over the definition by outlining several different perspectives for classifying minorities. These include by numerical size, by geographical location within a country, by desire for autonomy or special recognition, or by common origin of the group, among other characteristics.[1]

The Baha'i and the Ahmadis constitute minorities in both numerical size and religious identity. The Ahmadis constitute over 50 million of the global Muslim population,[2] with approximately 3.5-4 million residing in Pakistan in 1995.[3] This was out of a total Pakistani population of approximately 130 million at the time. The Baha'i community is even smaller, with a worldwide membership of 5 million.[4] Although estimates of the current Baha'i population are difficult to establish due to the large number of arrests, disappearances and executions of Baha'is since the Iranian Revolution, numbers range between 150, 000 and 300, 000.[5] The majority population of both countries is Muslim, 97% in Pakistan and 98% in Iran.

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[1] D.K. Bose, "The Classification of Minorities in International Law," in Chandra, ed. *Minorities in National and International Law* (New Delhi: Deep and Deep Publications, 1985), pp. 21-29.

[2] Unofficial website of the Ahmadiyya Movement in Islam, available http://www.ahmadiyya.com [Dec. 9, 2001]

[3] M. Nadeem Ahmad Siddiq, "Enforced Apostasy: *Zaheeruddin vs. State* and the Official Persecution of the Ahmadiyya Community in Pakistan," *Journal of Law and Inequality* 14, (Dec. 1995), p. 283.(Reprinted by Ahmadiyya Organization)

[4] Official Baha'i World website, available http://www.bahai.org, [Accessed Dec. 9, 2001].

[5] Sanasarian, p. 53. There is a discrepancy over the number of Baha'is in Iran pre- and post-Revolution, since 300,000 is cited as the figure in both cases, by different groups. See *Freedom of Religion and Belief: A World Report*

Using Webster's definition of heterodox as "differing from the orthodox standard," the doctrinal identity of these heterodox Muslim minorities has been challenged because of their reformist interpretation of prophetic revelation in Islam. In 1888, Mirza Ghulam Ahmad, the founder of the Ahmadiyya community, announced his claim to be the Promised Messiah, Mahdi, and a prophet. Similarly, in the 1840s in Iran, the founder of the Baha'is, proclaimed himself as the Bab (gate), the Mahdi (the Guided One) and the Qaim (He Who Will Arise).[6] This contravenes orthodox Muslim understanding of Prophet Muhammad's role as the Final Messenger of God. For the Shi'a, the Bab's claim is even more controversial because it elevates him to the status of the "Hidden Imam", who, according to Shi'a theology, is given all authority over human affairs.[7]

In response, both minorities state that, while they accept the Finality of Prophethood doctrine, it does not prohibit the emergence of mujaddids, or reformers in Islam, nor does it negate the continuation of the process of prophetic revelation as a whole. Ahmadis claim that unlike Prophet Muhammad, the founder of the Ahmadiyya sect is "a prophet without a law and without a book."[8] In contrast, the Baha'is state that while their founder did bring a new law and new book to his people, it does not take away from their understanding of Baha'ism as stemming from the Revelation of Islam. Both draw criticism because the orthodox Muslim community in Pakistan and Iran does not accept these self-definitions. Since it is not the purpose of this work to debate the doctrinal status of these two groups in relation to the larger Muslim umma, we will take, as given, their beliefs.

(London: Routledge, 1997), p. 417; Denis MacEoin, *A People Apart: The Baha'i Community of Iran in the Twentieth Century* (London: Center of Near and Middle Eastern Studies, 1989), p. 1.

[6] William S. Hatcher and J. Douglas Martin, *The Baha'i Faith: The Emerging Global Religion* (San Francisco: Harper Row, 1985), p. 5.

[7] *Ibid.*, p. 9.

[8] Antonio Gualtieri, *Conscience and Coercion: Ahmadi Muslims and Orthodoxy in Pakistan.*(Montreal: Guernica Editions, 1991), p. 26.

Most of the literature on the Baha'is and Ahmadis explores the doctrinal issues and other religious aspects of their history.[9] However, this study aims to consider other factors that enhances their vulnerability as minorities in the contemporary states of Iran and Pakistan. One such factor is the political quietism of each group. The injunction of obedience to the ruler under all circumstances has been a characteristic of both communities. In Pakistan, this has been interpreted by opponents as indicative of Ahmadi disloyalty and collusion with the British Raj in the days of the independence movement.[10] Similarly, in Iran, Baha'i support for various rulers in Iran (such as the Qajars, and the Pahlavi Shahs) have put them at odds with the majority of the population.[11] However, Ahmadi and Baha'i political quietism in each case can also represent a persecuted minority's attempt to gain the protection of the authorities willing to ensure their religious freedom and the personal safety of their members.

Another factor, which distinguishes these groups, is their high literacy rates, in contrast to the prevalence of low literacy in the surrounding society. This has been cited as a reason for hostility from other Pakistani or Iranian Muslims, because higher educational levels has made Baha'is and Ahmadis more likely to get better jobs.[12]

Looking at the literature on the relationship between the state and minorities in these countries, scholars note the prevalence of political tension arising from the state's inability to incorporate them into constructions of nationhood and statehood, due to the

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[9] See Humphrey J. Fisher, *Ahmadiyya* (London: Oxford University Press, 1963); Yohanan Friedman, *Prophecy Continuous: Aspects of Ahmadi Religious Thought and its Medieval Background* (Berkeley: University of California Press, 1989). Work on the Baha'is includes Moojan Momen's *The Baha'i Faith:A Short Introduction*, (Oxford: Oneworld Publications, 1997); Peter Smith's *The Baha'i Religion: A Short Introduction to its History and Teaching* (Oxford: Ronald 1987) and *The Babi and Baha'i Religions* (Cambridge: Cambridge University Press, 1987).
[10] Siddiq, footnote 18, p. 281.
[11] Denis MacEoin, *A People Apart* (London: Centre of Near and Middle Eastern Studies, 1989), p. 6.
[12] Siddiq, footnote 30, p. 283; MacEoin, p. 3.

ethnic or religious differences between the majority society and the minority group. Keddie, Higgins and Akhavi discuss this relationship during different time periods in Iran in their respective chapters in the edited volume, *The State, Religion and Ethnic Politics*.[13] In Pakistan, Kennedy and Alavi focus on the politics of ethnicity, and its impact on state-society relations in the last fifty years.[14]

Religious minorities have been singled out for special attention in these countries because of their small numbers and consequent vulnerability. In particular, after the Iranian Revolution, David Menashri looks at the role of the Jews in Iran after the Revolution,[15] while Chaqueri examines the status of the Armenians.[16] A more recent analysis of this subject is presented by Eliz Sanasarian, in her book, *Religious Minorities in Iran*.[17] The literature on religious minorities in Pakistan looks at Christians, Hindus and Parsis, who together constitute only three percent of the population.[18]

The Baha'is and Ahmadis share the vulnerable status of other religious minorities in Iran and Pakistan, respectively. They occupy a subordinate social status, and are denied the same legal, civil and political rights given to other citizens in Iran and Pakistan, respectively. The Baha'i are not officially recognized as a "minority group" in the Iranian Constitution, although Christians, Zoroastrians and Jews, who constitute the other main minority groups, are given this recognition by the state. This means that the Baha'i are excluded from

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[13] A. Banuazizi and M. Weiner, eds. *The State, Religion and Ethnic Politics* (Syracuse: Syracuse University Press, 1986).

[14] Charles H. Kennedy, "The Politics of Ethnicity in Sindh," *Asian Survey* 31, (October 1991), pp. 938-955; Hamza Alavi, "Nationhood and Communal Violence in Pakistan," *Journal of Contemporary Asia* 20, 2, (1991), pp. 152-178.

[15] David Menashri, "Khomeini's Policy toward Ethnic and Religious Minorities," M. Esman and I. Rabinovitch, eds., *Ethnicity, Pluralism and the State in the Middle East* (Ithaca: Cornell University Press, 1988), pp. 215-232.

[16] Cosroe Chaqueri, ed. *The Armenians of Iran* (Cambridge: Harvard University Press, 1998).

[17] Eliz Sanasarian, *Religious Minorities in Iran* (Cambridge: Cambridge University Press, 2000).

[18] See *Minorities in Pakistan* (Karachi: Pakistan Publications, 1964); S.S. Ali and J. Rehman, eds. *Indigenous Peoples and Ethnic Minorities of Pakistan* (Richmond: Curzon, 2001).

government employment, political participation, and attending state-run schools and universities.[19] Baha'i marriages are not recognized by the state as legal, therefore making any children from these marriages illegitimate as well.[20] In addition, Baha'is have been subject to arrest, execution and harassment. Their properties, including cemeteries and holy places, have been either destroyed or confiscated by the state. Since 1983, Baha'i elected assemblies are not allowed to function in Iran.

The Ahmadis are not recognized as Muslims by the state, since the 1974 constitutional amendment to Article 260 of the 1973 Constitution.[21] Furthermore, since the promulgation of the Blasphemy Laws under General Zia-ul-Haq, in the 1980s, to be Ahmadi is now categorized as a crime against the state, subject to legal punishment including imprisonment as well as the death penalty. In terms of economic and civil rights, Ahmadis are subject to severe restrictions in both. They have been pushed out of government employment either by direct dismissal or more subtle forms of harassment and discrimination. Freedom of religious expression and assembly is particularly limited, since they are excluded from worship in mosques, from calling their own buildings of worship mosques, from doing the prayer call, from displaying the *kalima tayyaba* (Muslim credo of faith), from using any Quranic inscriptions, and in general from appearing in any way to be "posing as Muslims."[22]

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[19] This ban on schooling was partially lifted in the 1990s. Primary schooling is allowed to Baha'i children, but not access to university education.

[20] Shaul Bakhash, *The Reign of the Ayatollahs* (New York: Basic Books, Inc., 1984), p. 24.

[21] This is problematic for the Ahmadiyya because it contradicts their self-definition as Muslims. Given that to be Muslim has come to be associated with full citizenship rights in Pakistan, this necessarily excludes Ahmadis from enjoying certain civil, political and religious freedoms.

[22] The details of persecution for the Baha'is and Ahmadis will be presented in Chapters Three and Four, respectively.

What are the political explanations for their marginalization? A brief survey of the literature on the issue will situate this work within the explanations already offered by other scholars.

The Ahmadis

While there has been some study of the reasons behind Ahmadi persecution in Pakistan, it is limited and documented primarily by the Ahmadiyya.[23] In general, the blame is laid on the ulama[24] and the state, without examining in depth the political processes behind this relationship. Thus, this work will seek to remedy this weakness.

One perspective that has been highlighted in the works on the status of Ahmadi Muslims in Pakistan is that of the legal approach. Given the fact that specific anti-Ahmadi legislation has been enacted in Pakistan over the past twenty years, this approach is valid. One example of this type of work is M. Nadeem Ahmad Siddiq's article on the Zaheeruddin case, which challenged the constitutionality of the Blasphemy Laws in Pakistan, and was ultimately dismissed by the Supreme Court. Another work, by Pakistan Supreme Court lawyer Mujeeb ur Rahman Dard, looks at three points in time - 1953, 1972 and 1984 - when anti-Ahmadi legislation was carried out and the factors behind them.[25] Focusing specifically on two of these time periods, 1953 and the early 1980s, we will examine the specific political factors and ulama-state relationship that led to heightened Ahmadi marginalization.

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[23] See *Plight of Ahmadi Muslims in Pakistan(1989-1999)*, (London: Press and Publications Desk, Ahmadiyya Muslim Community, 2000); Mujeeb-ur-Rehman Dard, *Persecution of Ahmadis in Pakistan: An Objective Study* (Maple: Islam International Publications, 1993).

[24] Members of the ulama are often referred to as mullahs in Pakistan. They are authorized by the government to officiate at religious ceremonies, although their power comes more from their ability to denounce others as un-Islamic, rather than their official functions. Gualtieri refers to this as the "excommunicatory power" they hold over society. Gualtieri, p. 37.

[25] Dard. See note 23.

Turning to non-Ahmadi works, Antonio R. Gualtieri also looks at the blasphemy laws in Pakistan, known officially as Ordinance No. XX of 1984. His book, *Conscience and Coercion,* is one of the few detailed scholarly works on the Ahmadi community in Pakistan.[26] While the focus of this work is more on the community itself, rather than the larger political dynamics that define their status, he does also point out that the mullahs have been mainly responsible for the discrimination against Ahmadis.

In conclusion, this limited survey indicates a role for the ulama and the state in explaining Ahmadi marginalization in Pakistan. This works aims to extend this analysis further, looking at changes in the ulama-state relationship in the early 1950s and 1980s, as well as other additional factors that affect Ahmadi status.

The Baha'i

What does the literature on the Baha'i indicate about their marginalization in Iran, and how does this study relate to this existing literature? In contrast to the Ahmadis, there is considerably more scholarly work on the situation of Baha'is in Iran.

Denis MacEoin summarizes and critiques religious and political explanations for the status of Iranian Baha'is.[27] The most common religious explanation that has been advanced is that the Baha'i are murtaddun, apostates from Islam, and therefore subject to the punishment for apostates, which includes the death penalty. Linked to this idea of doctrinal deviance is the charge of immorality. Since Baha'i marriages are not recognized as legal by the state, these marriages are termed "prostitution" and the children of these marriages are

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[26] Antonio R. Gualtieri, *Conscience and Coercion: Ahmadi Muslims and Orthodoxy in Pakistan*, (Montreal: Guernica Editions, 1989).

[27] See Denis MacEoin, *A People Apart* (London: Centre of Near and Middle Eastern Studies, 1989); and also Denis MacEoin, "The Baha'is of Iran: The Roots of Controversy," *British Society for Middle Eastern Studies*, vol. 14, 1(1987): pp. 75-83.

"illegitimate."[28] Although some Baha'i practices which are different from Islamic traditions in Iran also add fuel to this accusation, such as a rejection of veiling, MacEoin notes that some of these practices are no different from those of other non-Muslim minorities in Iran, who have not been similarly targeted.[29] This indicates that religious reasons cannot serve as the entire explanation. Political motives usually underlie the religious explanations that are given as the basis of persecution.[30]

Political explanations deal with the perception of the Baha'i as "outsiders," as well as active persecution undertaken by the ulama and the Iranian state. The first of these explanations characterizes the Baha'is as "spies," accused of collusion with foreign powers seeking to interfere in domestic Iranian affairs. The identity of specific "foreign powers" has varied over time, from the Russian to the British to the Americans to the Israelis.[31] What should be noted is the changing nature of "the enemy." Why have the Baha'i served as a convenient scapegoat for these charges?

Related to this line of argument is the shift in the Iranian state's *declared* reasons for Baha'i marginalization, from religiously-oriented to political explanations, even though they are still perceived as being a "subversive political movement."[32] We need to assess why this change has occurred and why it is important because it points to the predominance of political considerations in defining the Baha'i as "the Other." Who are the political actors involved in this process of change and what are the political factors underlying it?

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[28] MacEoin, *A People Apart*, pp. 4-5.
[29] *Ibid.*, p. 5.
[30] For more on this line of argument, see Michael J. Fischer, "Social Change and the Mirrors of Tradition: the Baha'is of Yazd," Heshmat Moayyad, ed., *The Baha'i Faith and Islam* (Ottawa: Association for Baha'i Studies, 1990), pp. 25-53; Will C. Van den Hoonaard, "Emerging from Obscurity: The Response of the Iranian Baha'i Community to Persecution, 1972-1982," *Conflict Quarterly* 3,1 (1982), pp. 5-16; William Sears, *A Cry from the Heart: The Baha'is in Iran* (Oxford: George Ronald, 1982).
[31] MacEoin, *A People Apart*, p. 6.
[32] MacEoin, *A People Apart*, pp. 4-6.

Turning to theories that privilege particular actors as the primary reasons for Baha'i persecution in Iran, past studies have focused on the role of the ulama and the state. For example, Van den Hoonaard states that most of the documented materials on the persecution of Iranian Baha'is hold the Shi'a clergy and their "fanaticism" [33] as being responsible for the waves of persecution.[34]

Another explanation that points to the role of the ulama has to do with the larger social context. MacEoin argues that Baha'ism came to be associated with forces of social progress, secularization, Westernization and anti-clericalism - all of which came to be viewed as threats to the continued power of Islam and Islamic traditions as components of Iranian life.[35] In particular, the power of the Shi'a clerics was threatened by these forces, which in turn provided the impetus for the clerics to fan anti-Baha'i hatred among the population in order to cement their own power. This is an important point to keep in mind. What specifically did the clerics achieve, in terms of political outcome at particular points in time, through such pressure tactics?

The Iranian state has also been the focus of blame by Baha'i writers and scholars, once again, without going into depth in explaining the motivations behind the state's behavior. One author, William Sears, emphasizes that the discrimination against Baha'is in Iran is not just an unfortunate outcome of the Islamic Revolution in Iran. Rather, it is part of a "separate, carefully conceived...and systematic plan to exterminate the Baha'i community in Iran."[36] While there is evidence to indicate that the state has participated in marginalizing and actively discriminating against Baha'i, especially during the 1955 riots and

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[33]Baha'i website.
[34] Van den Hoonaard, p. 5.
[35]MacEoin, *A People Apart*, p. 9.
[36] Sears, p. 97.

the post-1979 time period, this assessment also needs to be examined more carefully, and the motivations behind these state actions probed further.

This study will build on the findings of previous studies and examine these factors further by focusing on moments in time – the early 1950s and the early 1980s – when anti-Baha'i sentiment is particularly pronounced. A deeper look at the political actors involved these events – the ulama and the state – and an analysis of their motivations, will serve explain why this particular group has been targeted in Iran.

Islam

While some scholars have focused on the "unity of politics and religion in Islam,"[37] our argument is that Islam can be deconstructed as an explanatory variable, between Islam as doctrine and Islamic political theory and political tradition. Chapter Two will focus in more detail on the role of Islam in this study, and issues surrounding its salience in Iranian and Pakistani politics.

At this point, we need to briefly discuss the literature on Islam's treatment of sects and Islamic interpretations of the concepts of orthodoxy versus heterodoxy, and what impact these factors have on the characterization of the Baha'is and Ahmadis as religious minorities.

One line of argument views sectarianism as a challenge to both the central political authority and theological doctrine of "mainstream" Islam. Gellner defines sects as "outsiders" or "dissident communities" because they are viewed as splits from the "orthodox" community.[38] However, this contrasts with an alternative perspective advocated by sectarian groups, which stresses the diversity of approaches to Islam and the need for

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[37] See Leonard Binder, *Religion and Politics in Pakistan* (Berkeley: University of California Press, 1961).

tolerance towards all of them.[39] The literature therefore indicates the tensions between the self-understanding of sects and the perception of them by "mainstream" Muslims.

Knysh notes that understandings of orthodoxy are not necessarily static.[40] Various scholars have interpreted the dichotomy of orthodoxy versus heterodoxy in a flexible manner, such that "orthodoxy" covers both a theological position, as well as the larger system that enforces this particular brand of theology. [41] Key in the enforcement of this system are the "learned ulama" who emphasize the scriptures and puritanism. [42] Similarly, the opposite of orthodoxy has been termed "heresy", "heterodoxy", "sects" and "folk Islam" and includes the local, synthetic practice and perception of Islam, rather than just a textual interpretation of it. [43] Despite the fluid definitions employed here, what remains key in this discussion is the idea of opposites, and the use of orthodoxy as the standard against which everything else is measured. This facilitates the exclusion of Baha'is and the Ahmadis from the orthodox definition of Muslim, as defined by those who have the power to interpret and enforce it.

Although religious doctrine is clearly important in defining the status of the Baha'i and the Ahmadis as heterodox Muslim minorities, the tensions in the interpretation of Islam suggest the need to also examine the role of those who interpret the religion and the political context in which one particular interpretation is enforced over another. In order to explore this issue, we need to focus on how Islam is mediated in the political arena in Iran

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[38] Ernest Gellner, *Muslim Society* (Cambridge: Cambridge University Press, 1981), p. 44.
[39] Yvonne Y. Haddad and Jane I. Smith, *Mission to America: Five Sectarian Islamic Communities in North America,* (Gainesville: University Press of Florida, 1993), p. 1; For a list of these sects, see chapter 8 in Tara Charan Rastogi, *Muslim World* (New Delhi: Ashish Publishing House, 1986).
[40] Alexander Knysh, "'Orthodoxy' and 'Heresy' in Medieval Islam: An Essay in Reassessment," *The Muslim World* (Jan. 1993) pp. 48-67.
[41] H.A.R. Gibb, *Mohammedanism* (London: Oxford University Press, 1962), pp. 107-108.
[42] Ernest Gellner, *Saints of the Atlas* (London: Weidenfeld and Nicolson, 1969), pp. 7-8.
[43] Clifford Geertz, *Islam Observed: Religious Development in Morocco and Indonesia* (New Haven: Yale University Press, 1968), p. 15.

and Pakistan, since it is this political arena that has shaped the outcome, i.e. marginalization and discrimination of these two groups. This requires us to explore Islamic political theory and tradition in order to cast light on the salience of Islam as a political "tool" in each country. The role of the ulama as arbiters of religious doctrine, the role of the state, and the use of Islam as a component of state ideology are all political factors that play a role in this process. Chapter Two focuses on this dynamic in more detail.

The State

Scholars agree that the state is an important component of defining minority status. The predominant definition of a state is that of a Weberian type, emphasizing its institutional, coercive nature. As an independent variable, it is viewed as a discrete, autonomous unit, with administrative, legal and coercive capabilities. By autonomous, we mean that its goals and policies are formulated and pursued independently of the demands or interests of social groups, classes or society.[44]

This study draws on parts of this Weberian definition, focusing specifically on the state as a legal and administrative unit. However, it is not viewed as autonomous, since we argue that social actors, such as the ulama, do have an impact on state policy and goal formation. Instead, we utilize Joel Migdal's "state-in-society" approach, which emphasizes the interactive, mutually empowering relationship between states and societies.[45] Thus, the state's effectiveness cannot be completely divorced from an understanding of its ties to

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[44] Theda Skocpol, "Bringing the State Back In: Strategies of Analysis in Current Research," P.Evans, D. Rueschemeyer and T.Skocpol, eds. *Bringing the State Back In* (Cambridge:Cambridge University Press,1985), p. 9.

[45] Joel S. Migdal, "The State in Society: An Approach to Struggles for Domination," Migdal, Kohli and Shue, eds., *State Power and Social Forces* (Cambridge: Cambridge University Press, 1994), p. 4.

society. States are not autonomous, but disaggregate units, characterized by push and pull factors and a blurring of boundaries.[46]

Migdal argues that the relationship between states and social forces in Third World states is characterized by both actors vying for a monopoly over the ability to formulate the rules that govern peoples' private and public lives, what is termed "social control."[47] One way for the state to further its social control is by the use of ideology, which, according to Sanasarian, sets "the parameters of political action, dominant and subordinate status of agendas and indicates who is or is not entitled to membership in the polity and why."[48] The use of Islam as a component of state ideology sets specific boundaries for the exclusion of non-Muslim minorities. This dynamic will be assessed further in the next chapter.

Utilizing this definition of state-society relations allows us to appreciate the role of the ulama as a political force, competing for power and influence vis à vis the state. In Pakistan, the religious leaders have acted within the arena defined as the state. In contrast, in Iran, the ulama have acted outside the boundaries of the state (established by the Pahlavi Shahs) and established themselves as the *new* state in 1979. Therefore, the ulama can exercise a substantial degree of autonomy, in terms of being supportive of or in opposition to state power. The state-ulama relationship is also important to consider in determining how the ulama are able to enforce their particular interpretations of Islam in each country, which in turn has consequences for minorities who do not fit in with these clerics' "Islamic worldview."

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[46] *Ibid.*, pp. 2-3.
[47] Joel S. Migdal. *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World* (Princeton: Princeton University Press, 1988), p. 27.
[48] Sanasarian, p. 7.

This study, therefore, illustrates the permeability of ulama-state boundaries and the impact of the push-pull factors that mediate this relationship on two specific aspects of the state: its legal and administrative capabilities and constructions of state ideology.

Ulama

Who are the ulama? Nikki Keddie describes them as "orthodox religious scholars and jurists."[49] The ulama are not a single homogeneous body or class,[50] although they are often referred to as such for the sake of analysis. While distinctions between different types of ulama should be kept in mind, i.e. those living in different countries and during different time periods, we need to assess both their role as an influential group in Muslim societies historically, and their role in the contemporary Iranian and Pakistani states.

The first issue to be addressed in this context is the dynamic between the state and the ulama. Historically, Keddie notes that after the early Abbasid period, a variety of religious, legal and social functions came to distinguish the ulama as a class within society, and allowed them to gain religious and social legitimacy as well as respect.[51] With the rise in importance of Muslim law, the functions of legal scholars and jurists merged with these religious scholars to form a body of educated, theological scholars, jurists and teachers. In addition, the ulama played an important role in society as guardians and beneficiaries of donations, which were to be used for charitable and/or religious purposes.[52]

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[49] Nikki Keddie, ed., "Introduction," *Scholars, Saints and Sufis* (Berkeley: University of California Press, 1972), p. 1. We noted earlier the variable nature of definitions of "orthodoxy" and the associated implications of a normative standard. In this case, Keddie uses "orthodox" to refers to learned scholars of Islam who have particular religious training and carry out particular religious functions, such as officiating at marriages and deaths, collecting zakat, etc.

[50] Nikkie Keddie, "Religion, Ethnic Minorities, and the State in Iran: An Overview," Banuazizi and Weiner, eds. *The State, Religion and Ethnic Politics* (Syracuse: Syracuse University Press, 1986), pp. 158-159.

[51] Keddie, "Introduction," p. 2.

[52] *Ibid.*

All of these conditions led to the development of a symbiotic relationship between the early caliphate and the ulama. The caliphate needed to preserve and enforce its authority, and theologians and jurists were willing to develop political theories that supported the existing order and affirmed the strong central authority of the caliphate. Under the early Islamic caliphates, the ulama and the state were allied together in their desire to "promote orthodoxy, acceptance of authority by the populace, and social peace."[53] Thus, the literature indicates a strong historical link between the state and the ulama as a way of furthering a particular interpretation of Islamic political theory and tradition.

One caveat needs to be made for the above discussion. This explanation of state-ulama relations applies mostly to Sunni ulama living in predominantly Sunni societies.[54] Therefore, we need to examine the history and experience of Shi'a ulama in Iran to determine if and how they relate to this general trend. Although there are several different Shi'a schools of thought,[55] we will focus primarily on the Twelver Shi'as,[56] who constitute the majority of the Iranian population, and indicate the relevance of their political doctrine for understanding the state-ulama dynamic in twentieth century Iranian politics.

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[53] Keddie, "Introduction," p. 3.

[54] Fuad Khuri makes this link, equating state authority with Sunni Islam, in his work, *Imams and Emirs: State, Religion and Sects in Islam* (London: Saqi Books, 1990).

[55] Other "mainstream" Shi'a groups include the Zaidis, also known as the "Fivers" and the Ismailis, or the "Seveners". Offshoots of Shi'ism include groups such as the Druze and the Alawi.

[56] Twelvers trace the lineage of Imams through to the twelfth Imam, Muhammad al-Muntazar, who is believed to have gone into major occultation(ghayba al-kubra) when he was still a child. He is expected to return to this plane of existence at the end of time, thus ushering in the day of resurrection.

Iran

Algar argues that the doctrinal beliefs of Twelver Shi'a situate the ulama in opposition to the state.[57] The definition of the Imamate, according to Twelvers, gives greater legitimacy to the rule of the Imam over that of the state.[58] It follows, then, that the power of the state is illegitimate. Algar argues that this dynamic explains the opposition of the Shi'a ulama to both the Qajar dynasty and the Pahlavi regime. [59]

Keddie argues that the structure of religious authority in Twelver Shi'ism, adopted by the Usuli school of thought, also perpetuates a hostile stance by the ulama against the state.[60] While the Hidden Imam remains in occultation, practical guidance of the community is undertaken by the mujtahid, through the practice of taqlid. Taqlid is "submission to the authoritative direction of a religious scholar in matters touching on the enactment of religious ordinances."[61] The mujtahid, then, is the scholar who dispenses this guidance. He has the religious training to allow him to exercise his personal judgment on these religious matters.[62] A believer is supposed to choose the most learned and pious amongst the mujtahids as the one whose guidance he will follow. That person – the mujtahid - is referred to as the marja'i taqlid, "the source of imitation."[63]

The religious authority of the marja'i taqlid can be parlayed into political authority in opposition to the state very easily, since he is able to dispense guidance on political matters

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57 Hamid Algar, "The Oppositional Role of the Ulama in Twentieth-Century Iran,"Nikki Keddie, ed., *Scholars, Saints and Sufis* (Berkeley: University of California Press, 1972), p. 232.
58 *Ibid.*
59 *Ibid.*, 230.
60 Nikki R. Keddie, "The Roots of the Ulama's Power in Modern Iran," Keddie, ed., *Scholars, Saints and Sufis* (Berkeley: University of California Press, 1972), p. 223.
61 Algar, pp. 234-235.
62 *Ibid.*
63 *Ibid.*

as well as religious ones.[64] This political authority, though, is a relatively recent acquisition, since Twelver Shi'a political theory was modified in the late eighteenth century to emphasize the political authority of the mujtahids, in addition to their religious authority.[65] It should be noted, however, that the marja'i taqlid has not always adopted an antagonistic stance in relation to the Iranian state. Burujirdi, who became the sole marja'i taqlid in 1947, and was so until his death in 1961, was known for his political quietism.[66]

Having traced these general trends in the relationship between the ulama and the state historically, it is time to turn more specifically to the contemporary time period to examine if and how ulama have interacted with political, state authority in Iran.

The political power of the ulama is most prominent today in Iran, particularly because of the 1979 Iranian Revolution led by Khomeini, which overthrew the Pahlavi throne and established the current Islamic Republic. The Shi'a ulama therefore went from being political actors in opposition to the Pahlavi state, to becoming the state themselves. As a whole, Iranian Shi'a clerics are more hierarchical as a religious establishment, in contrast to Sunni ulama. Today, they are also much more institutionalized as a body within the Iranian state, though this does not preclude significant tensions among factions, divided primarily along on ideological lines.

The literature on Iranian ulama is primarily preoccupied with their political role, especially in the Revolution.[67] Floor argues that it was the ability to mobilize other groups within Iranian society - most significantly the merchants and students – and to create a

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[64] *Ibid.* Theoretically, the political sphere is subservient to the religious one, according to Twlever Shi'a political theory.
[65] Keddie, "Roots," p. 217.
[66] Algar, pp. 242-244.
[67] See Roy Mottahedeh, *The Mantle of the Prophet* (New York: Simon & Schuster, 1985); and Shaul Bakhash, *The Reign of the Ayatollahs*, (New York: Basic Books, Inc, 1984) for a detailed look at this topic.

significant oppositional coalition that allowed the Revolution to be successful.[68] Rose examines the role of Khomeini's theory of political leadership, (velayat-e-faqih), which gives importance to the faqihs - Islamic jurisprudents - as the sole guardians of the state, and concludes that it was used primarily as a complement to the uprising, as a way to justify taking power as well as articulating opposition to the Shah, rather than just a purely "Islamic" idea. [69] A third scholar, Tabari argues that although historically the ulama's involvement in Iranian politics has varied over time, nevertheless, the clerics have remained important actors in society.[70]

Thus, the literature illustrates a significant religious, social, political role for the Iranian ulama historically and in contemporary times, which has had an impact on their relationship with the state. The specific relationship between the Iranian ulama and the state in the early 1950s and early 1980s will be discussed in Chapter Three, in order to explain its impact on Baha'i marginalization.

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[68] Willem M. Floor, "The Revolutionary Character of the Ulema: Wishful Thinking or Reality?" Keddie, ed. *Religion and Politics in Iran,* pp. 73-97.

[69] Gregory Rose, "Velayat-e-Faqih and the Recovery of Islamic Identity in the Thought of Ayatollah Khomeini," Keddie, ed. *Religion and Politics in Iran,* pp. 166-188.

[70] Azar Tabari, "The Role of the Clergy in Modern Iranian Politics," Nikki Keddie, ed., *Religion and Politics in Iran* (New Haven: Yale University Press, 1983), pp. 47-72.

Pakistan

In contrast to the political role of the Iranian ulama, members of the ulama in Pakistan have always functioned in the parameters defined by the state. They are not as hierarchical or as institutionalized as a body. The Pakistani ulama have a varied membership and include not just religious scholars and theologians, but also members of the religious political parties, Islamic teachers(mullahs), and religious officials authorized by the state to conduct religious ceremonies.

Among the larger group of Pakistani ulama, the Jamaat-I-Islami(JI) has been the best organized and politically active. Although the Jamaat has never won political office in any election, it continues to exercise influence in politics and has been able to put pressure on the state to enact various policies over time. The Jamaat-I-Islami was founded by Maulana Maududi in 1941, and is not necessarily synonymous with the views of the traditionalist ulama. However, Maududi has come to be the most well known proponent of the application of an Islamic state in Pakistan by virtue of being the most prolific and politically organized. Consequently, the JI has been studied by various scholars examining the role of religion in Pakistani politics.[71]

Turning to the importance of Islam and the ulama in the establishment of Pakistan, the idea that Pakistan was both a "Muslim homeland" and an "Islamic state" meant that Islam had to play a significant role in the nation- and state-building processes. The former concept emphasized the fact that the population, or *society* was made up of Muslims, while the latter emphasized the composition of the *state.* However, the founder of Pakistan, Mohammad Ali Jinnah, favored the former idea. He firmly believed in a secularist vision,

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[71] See Kalim Bahadur, *The Jamaat-i-Islami of Pakistan* (New Delhi: Chetana Publications, 1977); S.V.R. Nasr, *Maududi and the Making of Islamic Revivalism* (New York: Oxford Press, 1996; K. Rahman, M. H. Sahibzada and M. Ahmed, eds. *Jamaat-e-Islami and National and International Politics* (Islamabad: Book Traders, 1999).

one which kept religion confined to the private sphere, and did not allow it to overshadow the relationship between the state and the society it governed.[72]

Initially, members of the Indian ulama did not support the creation of Pakistan as an Islamic state, among whom was also Maulana Maududi. However, after 1947, when Pakistan became a reality, members of the ulama began to put forward their own visions of what Pakistan should be as an "Islamic state." This tension between competing visions of what Islam means for the political identity of Pakistan has been the subject of a number of works, and continues to provide the context for understanding the larger relationship between the state and society.[73]

Given these competing visions then, the issues of who has the authority to interpret Islam as it pertains to the Pakistani state, as well as who is able to enforce it, become key. It is in this context that we should view the role of the ulama, as actors jockeying for greater political power in relation to the state. Aziz Ahmad focuses on this role of the ulama, as political activists, in the first twenty years of Pakistan's existence. [74] He argues that while there are doctrinal and political divisions among the members of the ulama in Pakistan,[75] in certain key moments, these differences have been overcome long enough to allow for a coalition that has then been able to put pressure on the Pakistani state. These moments are related to the drafting of the constitutions and law-making, particularly under the rule of Ayub Khan(1962-1969) and Zulfiqar Ali Bhutto(1971-1977).

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[72] For more on this subject see also Akbar S Ahmed, *Jinnah, Pakistan and Islamic Identity* (London: Routledge, 1997); and Riaz Ahmad, *Quaid-e-Azam's Perception of Islam and Pakistan* (Rawalpindi: Alvi Publishers, 1990).

[73] See Mumtaz Ahmad's chapter on Pakistan in Shireen T. Hunter, ed. *The Politics of Islamic Revivalism* (Washington D.C.: Center for Strategic and International Studies, 1988), pp. 229-246; S.S. Bindra, *Politics of Islamisation* (New Delhi: Deep and Deep Publications, 1990); Daniel Pipes, *In the Path of God: Islam and Political Power* (New York: Basic Books, 1984), pp. 225-229.

[74] Aziz Ahmad, "Activism of the Ulama in Pakistan," Keddie, ed., *Scholars, Saints and Sufis*, pp. 257-270.

[75] Rivalry between the Deobandi and the Barelvi school of thought has been one of the main divisions. For more on this, see Leonard Binder, *Religion and Politics in Pakistan.*

This study will draw upon the literature exploring both the political involvement of the ulama in Pakistan and their tensions with the state regarding the application of Islam to political life. The ideological influence of the JI in this struggle is also important to note. Khan argues that the Jamaat's ideological influence pervaded Zia-ul-Haq's "Islamization program" through the positioning of key JI supporters in the regime.[76]

The tensions between the state, Islam and the political role of the ulama in Pakistan provides the context for understanding why the Ahmadiyya have been the specific targets of state-sponsored, discriminatory legislation that excludes the community from full citizenship rights. Chapters Two and Four will advance this hypothesis further.

Significance of this Study

Why is it important to examine this problem of the marginalization of the Ahmadis and the Baha'i? There are a number of theoretical areas that will benefit from a further study of this problem. One issue is that of the role of Islam in politics, and how it does (or does not) affect political behavior. A culturalist explanation emphasizes the comprehensiveness of Islam as an explanatory variable, such that it explains all aspects of political life in an Islamic country simply because it professes to be an "Islamic Republic." However, this study steps away from this culturalist perspective and focuses on exploring the *political* motivations, in addition to religious ones, of the state and social actors in self-professed "Islamic states", in order to explain their combined impact on minority treatment. In doing so, this work adds to the complexity of understanding politics in non-Western societies.

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[76] Omar Asghar Khan, "Political and Economic Aspects of Islamisation," Asghar Khan, ed. *Islam, Politics and the State: The Pakistan Experience* (London: Zed Press, 1985), pp. 127-163.

State-building versus nation-building efforts in developing countries is another area that can benefit from a focused look at the position of the Ahmadis and the Baha'i as minorities who do not fit into the larger "Islamic ideal" of the Pakistani or Iranian nation and state. While the role of non-Muslim minorities in an Islamic state has been discussed by scholars,[77] the discussion of these heterodox Muslim minorities in relation to nation-building and state-building efforts has been largely ignored. Particularly in countries where the state has adopted "Islamic, purist" principles, such as that in Iran after the Revolution and in Pakistan under Zia-ul-Haq, it is more likely that religion will play a dominant role in the state-building process. This will necessarily impact heterodox Muslim minorities more strongly. Therefore, a closer look at how these groups have been marginalized will illuminate a broader understanding of "Islamic" nation-building efforts.

From a more "practical" perspective, however, understanding the position of the Ahmadiyya and the Baha'i in Pakistan and Iran will contribute to a further understanding of the fight against human rights abuses on the basis of religious identity. Part of the outcome of this research is to demonstrate the degree and pervasiveness of the persecution of these two groups. Not only are they politically marginalized, but also socially and economically, to the extent that they become prisoners in their own countries - without the protection of civil or legal rights available to other citizens. What does this mean for the larger field of international human rights as well as an understanding of human rights in Muslim societies? Do human rights violations in Muslim countries stem from "Islam", or are they the outcome of political repression by the state? This study illustrates that while Islam may be used as a partial justification, political conditions are equally important.

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[77] See Kavita Khory, "The Ideology of the Nation-State and Nationalism," Rasul Baksh Rais, ed. *State, Society and Democratic Change in Pakistan* (Karachi: Oxford University Press, 1997), pp. 131-157.

CHAPTER TWO: ISLAM, STATE AND SOCIETY

Both Iran and Pakistan are self-declared "Islamic Republics"(as demonstrated by their official titles), as well as countries with populations that are predominantly Muslim. Thus, in the most general sense, Islam has some significance - politically and socially – in both countries.

It is necessary, though, to define the theoretical parameters of analysis, especially regarding the role of Islam as an independent variable. First, we need to define Islam more specifically. We can draw a distinction between Islam as a doctrine and Islam as it relates to political theory. Although this study will focus primarily on the latter, we will also briefly consider the role of doctrinal Islam in defining the status of the Ahmadis and the Baha'i as heterodox Muslim minorities. The outcome is a tension between the self-definition of each minority and the definition imposed upon them by the surrounding majority, as well as by the state. Although the interpretation of Islam as religion is important in this context, we also need to examine the political context that facilitates the enforcement of the majority's definition of a "Muslim."

In order to analyze this dynamic, we need to focus on the role of Islam in politics in Iran and Pakistan. This involves three points. The first is the role of Islam as a guiding factor, historically, in state-society relations and its relevance for the contemporary Muslim states of Pakistan and Iran. The second is the contrast between "modernist" and "fundamentalist"[78] interpretations of Islam in politics and the tensions between these perspectives in each country. The third is the role of Islam as a component of state ideology. Here we examine how a fundamentalist interpretation of Islam has come to play a stronger role in the construction of state ideology in Iran and Pakistan over time. All three

of these concepts indicate the ongoing political battle between the state and religious elements regarding the interpretation and application of Islamic principles, values and beliefs to the political arena in each country.

However, interpretation also needs to be enforced, and that is where the political role of the ulama, the role of ideology and that of the state intersect. Politically, a particular faction of the fundamentalist ulama in each country has gained greater influence over time, signified by their closer association with the legislative mechanisms of the state. Thus, they have the ability to not only interpret Islam, but to make sure that their interpretation is institutionalized through state laws. This political victory of the fundamentalist perspective is illustrated by the particularly "purist", "Islamic" state ideology that gained dominance under Khomeini in Iran and Zia-ul-Haq in Pakistan in the 1980s. The impact of such an ideology is felt most strongly by those who do not fit into the worldview of the "Islamic state" as proposed by these clerics – specifically heterodox minorities such as the Ahmadis and the Baha'is.

In short then, while, theologically, Islam does provide an explanation of why these two groups are treated as "inferior" religious minorities, there remains the issue of the circumstances under which that interpretation is enforced by the state. Doctrinal Islam does not adequately explain the increasing degree of state-sponsored marginalization and persecution over time. If the Baha'i and the Ahmadis are defined as apostates or heretics, one would expect to see the prevalence of "unofficial" persecution against them, instigated by the ulama as well as a constancy in their treatment over time. As has already been noted, this is not the case. Therefore, we need to examine not only Islam as doctrine, but also who gets to interpret, how it is interpreted and how it is enforced. All of these questions point to

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[78] These terms will be defined later on in this chapter.

the need to examine political factors as variables affecting the treatment of the Ahmadis and the Baha'i.

Islam as an Explanatory Variable

Before we begin however, we need to be aware of some theoretical pitfalls in examining the role of Islam as an explanatory variable. There are two extremes that we need to avoid. One is using Islam to explain everything, including ulama behavior, state behavior, and state ideology. A primary weakness in using Islam as a culturalist explanation is that it does not delve deeper into the motivations of religious actors, such as the ulama, nor does it to adequately examine changes in ulama behavior or degree of minority persecution. Thus, it overlooks key political variables. For example, both the Baha'is and the Ahmadis occupied influential government positions and enjoyed a certain degree of official tolerance in the 1950s and 1960s, while the political power of the ulama was not as consolidated. However, in the 1980s when a particular faction of the ulama became closely allied with the state in Pakistan and Iran, these groups also became subject to harsh repression. Consequently, we need to examine the political context, the political behavior of the ulama and the state, in equal depth and not just accept at face value the fact that the ulama or the state proclaim "Islam" as their motivating factor behind the treatment of religious minorities.

The other side of the coin is that Islam does not matter at all, but rather, it is just "a shell" within which other explanations are couched. Although this perspective does have weight, again, there is the danger of oversimplification. We need to be more nuanced in our analysis and look at how elements of the religion are used to legitimize other – primarily political - agendas or interests. What is the overlap between religious legitimacy, drawn from

Islam, and state behavior? The two are not necessarily mutually exclusive. We need to be aware of and incorporate the complexity of Islam as a variable into our study.

Islam as Doctrine

Earlier, we made the distinction between the definition of Ahmadis and the Baha'is as heterodox Muslim minorities and as political minorities in their respective countries. Both groups claim that their respective founders were mujadids, or "reformers" who also received prophetic revelations. This is perceived by the majority of Muslims as heretical since Prophet Muhammad is considered to be the last Messenger who received Divine Revelation and brought forth a Divine Message from God. Both the Baha'is and the Ahmadis respond that they do not deny the Prophet's status. However, according to their respective interpretations, this doctrine does not preclude a continuation of the *process* of prophetic revelation and the expectation of the coming of a messianic figure.

Clearly then, Islam matters in defining their doctrinal identity as religious minorities. However, we also need to make a distinction between Islam's treatment of sects versus religious minorities, and then consider how/if this is relevant to these two groups.

We noted earlier one view on sectarianism as a challenge to both the central political authority and theological doctrine of "mainstream" Islam. However, this contrasts with an alternative perspective advocated by sectarian groups, which stresses the diversity of approaches to Islam and the need for tolerance towards all of them.[79] This leads to tension between the self-understanding of sects and the perception of them by "mainstream" Muslims.

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[79] Haddad and Smith, p. 1.

How did the view of sects as subordinate groups gain strength in Islamic history and thought? Among the evidence cited is the Shi'a-Sunni split in the early centuries of Islam. Although the issue of political leadership was paramount in the struggle between the Sunni and the Shi'a (particularly over Ali's claim to leadership by virtue of his closeness to the Prophet), theological considerations also came to play a role in the decision for Ali's followers to diverge from the Sunni community. The element of opposition (to the political authority of Sunni Islam) characterized the creation of the first major Muslim sect. Since then, other sects have formed, within both the Sunni and the Shi'a communities, that have also been expressions of protest and opposition, whether political or theological, to the surrounding larger Muslim community. What is key is the creation of majority and minority communities, characterized by not only numerical differences, but also a power imbalance.

Does the position of minorities differ from that of sects in Islam? Theoretically, classical Islam calls for a separation between the treatment of People of the Book, (Christians and Jews primarily, although Zoroastrians are also sometimes included) and other non-Muslim minorities. As a "protected people," Christians and Jews living under Muslim rule are considered dhimmis, meaning they are accorded protection of life and property by the authorities in return for payment of a tax and submission to other rules of conduct.[80] In contrast, theoretically, all other non-Muslims living under Muslim rule must either convert to Islam or face death. In principle then, the subordinate status of non-Muslim religious minorities does not differ too much from the subordinate status of sects.

There is considerable debate, however, about the application of these concepts and whether early Islam's attitude towards non-Muslims was one of tolerance or harshness.

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[80] For more on amount of jizya to be paid and other obligations and rights of non-Muslims, see Kasim Abdo Kasim, "Dhimmis and Political Authority," *Religion and Citizenship in Europe and the Arab World*, ed. Jørgen S. Nielsen (London: Grey Seal, 1992) pp. 31-37.

Some scholars point to various battles fought by the Prophet, as well as military campaigns carried out under the Caliphs, and cite the tolerance shown to defeated (non-Muslim) parties.[81] Others have argued that the status of dhimmis is based on Arab nomadic practice of stronger tribes protecting the weak and stems from a victor-vanquished relationship rather than religious doctrine. Thus, the Covenant of Umar, which imposes harsh restrictions on the freedom of non-Muslims, is more indicative of this relationship rather than the tolerant attitude of Islam.[82]

What are the implications of these views for the contemporary treatment of the Baha'i and the Ahmadiyya? First, we need to determine into which category these groups fall: sects or minorities, and whether that makes a difference in their status. Here we see tension between the state's definition and the self-definition of these communities in both Iran and Pakistan. The Baha'i do not consider themselves to be Muslims, although they do stress that the origins of Baha'ism are in Islam. However, the present Iranian state does not recognize Baha'ism as an independent religion, nor the Baha'i as a religious minority on par with other religious minorities such as the Jews, Christians and Zoroastrians. They are condemned as apostates and heretics.[83] The views of Iranian society also coincide with those of the state, to the extent that anti-Baha'i sentiment is also widely prevalent, although the reasons may not always be purely religiously-based.[84]

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[81] See M.A. Muhibbu-din, "Ahl al-Kitab and Religious Minorities in the Islamic State," *Journal of Muslim Minority Affairs* 20:1 (2000), pp. 111-127; Ahmad Yousif, "Islam, Minorities and Religious Freedom," *Journal of Muslim Minority Affairs* 20:1 (2000) pp. 29-41.

[82] See W. Montgomery Watt, *Islamic Political Thought: The Basic Concepts* (Edinburgh: Edinburgh University Press, 1968); Bat Ye'or, *The Dhimmi: Jews and Christians under Islam* (Cranbury: Associated University Press, 1985).

[83] However, more recently, non-religious explanations have also been furthered, such as the accusation that the Baha'i' are "foreign spies." The general theme of exclusion by virtue of being "outsiders" and "the enemy" remains consistent though, and does not preclude the need to explore the basis of religious accusations altogether.

[84] Other reasons may be based on class differences. The urban Baha'i communities have usually done well in business, and under the Shah, prospered in government-appointed positions. Sanasarian, p. 114.

Similar tension exists regarding the definition of the Ahmadis in Pakistan as well. In contrast to the Baha'i however, the Ahmadis *do* consider themselves to be Muslims. Therefore, they identify themselves as a sect of Islam, not as a non-Muslim religious minority. The Pakistani state disagrees and classifies them as non-Muslims, which was codified in a 1974 constitutional amendment. The majority of Pakistani(Sunni) Muslims also believe that Ahmadis are heretics, and not "real" Muslims. This lays the foundation for discrimination against Ahmadis as non-Muslims living in a Muslim state, which excludes them from full citizenship rights given to other Pakistani Muslims.[85] The problem here is that the Ahmadis refuse to accept the state's definition and the definition imposed upon them by the majority Sunni population. Hence, they leave themselves open to continuing persecution by both society and the state.

What is important is that in both cases, regardless of whether they are described as sects or religious minorities, these minority groups are viewed as doctrinally deviant by both the society and the state, despite their varying self-definitions. Furthermore, from the 1980s on, the state has decided to impose the majority definition upon these groups, leaving them open to discrimination and state-sponsored persecution. It is this latter phenomenon that needs to be assessed in greater detail. The importance of Islam as doctrine needs to placed in the larger context of the role of Islam in politics in Iran and Pakistan in order to explain the change in degree of Baha'i and Ahmadi marginalization over time.

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[85] Non-Muslim minorities such as the Christians in Pakistan are allowed freedom of worship. Legally speaking, they are subject to civil law except in matters of marriage, divorce, inheritance (personal law) which are covered by their own religious laws. Regarding political participation, they are granted separate electorates, and there is a fixed quota of seats for non-Muslims in the Assembly.

Islam and Politics

Defining the role of Islam in politics calls for an understanding of what the goal is of such an exercise. Often, the creation of an "Islamic state" is held out as the goal, without necessarily defining the concept in substance. However, the concept remains one that is difficult to pinpoint, primarily because of the flexibility of interpretation surrounding it. Smith offers one approach that takes into account this subjective nature. He defines an Islamic state as one in which "its people are in the process of endeavoring to make an Islamic state."[86] What is key is the tension between the "actual" and the "ideal": the "reality" of *being* an Islamic state and the process of *becoming* an Islamic state. This tension between the "actual" and the "ideal" applies to both Iran and Pakistan, and the relationship between the state and its opposition, usually spearheaded by members of the ulama. The opposition to the state gains support for its Islamic "agenda" not necessarily from the substance of its criticism, but from the degree to which the present regime is(or is perceived as being) unconcerned with pursuing "the ideal."[87] In contrast, the state can also "turn the tables" and render the opposition as "heretical" by portraying itself as having already become "the ideal."

This dynamic is illustrated both in Iran and Pakistan. Opposition to Reza Shah's regime was articulated in terms of the Shah's "anti-Islamic" attitude and policies. While there was substance to this criticism, it also allowed Khomeini to portray himself and his theories as "the ideal." After the establishment of the Islamic Republic, the "ideal" of an Islamic state was realized, to some degree, by the consolidation of the conservative ulama

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[86] Wilfred Cantwell Smith, *Pakistan as an Islamic State* (Lahore: Shaikh Muhammad Ashraf Publishers, 1951) p. 30.
[87] *Ibid.*, p. 36.

and the implementation of an "Islamic" state ideology that was far removed from that of the Pahlavi regime.

Similarly, in Pakistan, the conflict between the ulama and the state in the 1950s was based primarily on the former's insistence that they were the appropriate interpreters and enforcers of Islam, and that the state was lacking in "Islamic values." As time has progressed, however, the state, particularly under Zia-ul-Haq, has been able to appropriate "official Islam" for itself and portray its opponents as "heretical." In both cases, the flexibility regarding who gets to interpret and enforce Islam in an "Islamic state" becomes important for explaining the treatment of "outsiders." This dynamic will be assessed in greater detail in the following sections.

Early Islamic Political History

How much does Islam matter as a guiding factor in political affairs of the state as well as state-society relations in Muslim societies, and specifically in Pakistan and Iran? In order to answer this question, we need to consider briefly the political history of early Islam. Haddad and Smith argue that Prophet Muhammad's leadership of the first Muslim community in Arabia in the seventh century can be viewed as one that was both religious and political. In other words, the Prophet was both a religious leader, as the founder of Islam, as well as a political leader, charged with the political survival of his community in the face of opposition from hostile enemies. After his death in the year 632, a dispute arose over the issue of leadership, since there were no male heirs, nor clear instructions on how to choose a successor. Eventually, Abu Bakr, one of the leading Companions of the Prophet,

was elected as the first leader of the Muslim community, or the Caliph, and this line of leadership came to be known as the caliphate.[88]

However, although the Caliph was the leader of the umma, his legitimacy as a political leader was not necessarily connected to religious learning or training. The caliphate was primarily a political institution, to serve the current needs of the Muslim community. It was a way of imposing order, as well as making sure the piety of the community was maintained, but it did not itself aim to act in anything beyond a symbolic spiritual role.[89]

However, this rupture between the political and religious components of the caliph's leadership did not crystallize until the end of the Abbasid dynasty. Ahmed argues that the organic link between religion and state power was severed in 945, along with the end of the Abbasid caliph's role as a temporal and spiritual leader.[90] Some Sunni ulama believe, however, that no Muslim state has been "Islamic" – in other words has had both religious and political legitimacy in its ruler – since the Umuyyud dynasty came to power in 650.[91] The Shi'a believe that the split came even earlier, since they reject the leadership of 'Umar and 'Uthman(among the first four caliphs) as legitimate rulers.[92] In short, while we see increasing divergence of views on *when* the crisis of legitimacy in the leadership of the Muslim community comes to a head, the common denominator remains that there does occur a crisis.

In conclusion then, there has come to be a divergence between the political and religious components of legitimacy in the leadership of the Muslim community. Given the fragmentation of the Muslim umma into numerous modern-day states, this divergence

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[88] Haddad and Smith, p. 2-3.
[89] *Ibid.*, p. 3.
[90] Ahmed, p. 18.
[91] *Ibid.*, p. 18.
[92] Shi'a political theory and views on the leadership of the Muslim community will be developed in greater

continues to plague the legitimacy of regimes in Muslim countries such as Iran and Pakistan today. It is particularly important for understanding challenges to the contemporary state by the ulama.

The Interpretation of Islam: Modernists vs. Fundamentalists

Turning to the contemporary time period and the role of Islam in state-building processes in Iran and Pakistan, we need to focus on the increasing importance given to religion as a guiding factor in state ideology over time. This has not been a smooth or steady process, but one characterized by struggle between modernists and fundamentalists. Although this distinction is usually applied to Sunni Islam, it also exists in Twelver Shia Islam, in Iran. Thus, it is useful to look at these distinctions, in general, and as they have played a role in politics in both countries.

What do we mean by "modernists" and "fundamentalists"? In a general sense, fundamentalists adhere to a conservative, literal, textual interpretation of Islam, and therefore stress the fact that Islamic laws and customs should take predominance in an Islamic state. Modernists, on the other hand, do not eschew a literal interpretation; rather, they favor a synthesis that takes into account a larger framework of Islamic principles and values and applies it to a modern society. In other words, they believe that while the Quran and hadith provide important insight and examples, they must be re-interpreted to conform to the needs and characteristics of this time period, and not that of seventh-century Arabia. What should be emphasized in the debate between these two schools is a disagreement not only over the interpretation of the Quran, and other Islamic teachings, but also over *how* it should be carried out. Fundamentalists often favor qualified, Muslim scholars who in turn,

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detail later on.

base their view on the precedent set by the body of Quranic interpretations by medieval Muslim scholars. They limit the role of ijtihad (Quranic interpretation) to following precedent, although not necessarily exclusively so, as demonstrated by Khomeini's novel theory of "rule by jurists." Modernists, in contrast, believe that the gates of ijtihad are not closed and that interpretation is open to any "rational" individual. [93]

Relating specifically to Shi'a political thought, there is also a division between modernists and fundamentalists. Zonis and Brumberg define the modernists' method as one which allows for "democratic pluralism within the broader endeavor to mold a "unified" Islamic community."[94] This is illustrated by the demands of the modernist movement of the early 1960s, which criticized the elitist nature of Shi'i thought that gives the marja-i-taqlid substantial authority by virtue of his power to exercise ijtihad. These modernists instead stated that the ijma(consensus) of the community was equally important (as ijtihad), and that the mujtahids were not necessarily superior to other Muslims by virtue of their position.[95] In contrast, neofundamentalist Shi'a thought emphasizes unity(doctrine of tawhid) to the extent that it places the rights of the community over that of the individual and does not give importance to pluralism or freedom. It also supports the elite role of the mujtahid class, and their ability to unilaterally define the rights of community over which they rule.[96]

The modernist movement has not achieved mass popularity or support in Iran, with the exception of the ideas of a few, in particular Ali Shari'ati, who has been termed the "ideologue" of the Iranian Revolution. But even his ideas have only been aired selectively by

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[93] The term "rational" here is drawn from the emphasis on "reason" and "rationality" that characterized the European Enlightenment period, ie. philosphers like Descartes. The intellectual training of many modernists(such as al-Tahtawi, Muhammad Abduh' and Sayyid Ahmed Khan) included a study of nineteenth century European philosphers.

[94] Marvin Zonis and Daniel Brumberg, "Interpreting Islam: Human Rights in the Islamic Republic of Iran," *The Baha'i Faith and Islam*, H. Moayyad, ed. (Ottawa: Association for Baha'i Studies, 1990), p.122.

[95] *Ibid.*, p. 133.

[96] *Ibid.*, pp. 133-134.

rival political groups, in order to advance their own particular interests.[97] In contrast, neofundamentalist Shi'a thought, as advocated by Khomeini, has triumphed politically in Iran, illustrated by the consolidation of power by conservative clerics in the Iranian state after 1980.

In Pakistan, a key difference between modernists and fundamentalists has been the absence of the ulama among the former. Modernists such as Fazlur Rahman and Iqbal were not theologians. Rather, their perspective was primarily an intellectual one, and one that did not gain any mass support or significant influence in the political sphere. One caveat needs to be made here about Maududi, who is normally classified as a fundamentalist because of his conservative interpretation of the Shari'a and the Quran. Maududi did not have any Islamic theological training either. However, his views gained predominance because of his success in being able to translate them into the political agenda of the Jamaat-I-Islami, which garnered some degree of mass support, as well as his political alliance with members of the traditional ulama and religious parties in Pakistan. Thus, we see that the success of fundamentalists in each country is related to their ability to adapt to political realities in order to further their agendas.

Although tensions between modernists and fundamentalists have been significant in the political interpretation of Islam in both countries, one group that also needs to be mentioned is that of the secularists. Secularists believe that religion does not need to be incorporated into the mechanisms and affairs of the state at all. Rather, it is a private matter for each individual, and does not need to be regulated by the state.

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[97] Ervand Abrahamian, "'Ali Shari'ati: Ideologue of the Iranian Revolution," *Islam, Politics and Social Movements*, ed. E. Burke and I. Lapidus (Berkeley: University of California Press, 1988) p. 296. For more on Shari'ati's ideas, see chapter 2 in Hamid Dabashi's *Theology of Discontent*, (New York: New York University Press, 1991).

A key similarity in both Iran and Pakistan has been the secular leanings of the state in the 1950s. Pakistan was established initially as a secular state by Mohammad Ali Jinnah in 1947. After his death, Liaquat Ali Khan and Ayub Khan attempted to preserve this characteristic during their respective periods of rule, despite pressure from the ulama and religious parties. In Iran, the Pahlavi state, was known for its modernizing and secularizing agenda. The role of a secularist state needs to be acknowledged as well, amidst the larger conflict between varying interpretations of Islam in Iran and Pakistan.

The next section will discuss how these tensions between the state and the fundamentalist ulama were played out in the construction of an "Islamic" state ideology and in the drafting of the constitution in Iran and Pakistan in the 1980s.

Islam and Ideology

As a political ideology, Islam has served a dual purpose. It has been used to mobilize political opposition to the state as well as manipulated by ruling elites to bolster state legitimacy. The Iranian case illustrates this dynamic most emphatically. For the purposes of this study however, we are focusing on the use of Islam as a political ideology by the state.

Ideology can be defined as a coherent set of articulated beliefs which sets the parameters of political action by the state.[98] It serves as the standard against which identity and membership in the polity is defined: who belongs and who does not, and why. Ideology reflects the "image" of the polity held by the ruling elites.[99] Rashid notes the "binding function" of ideology, such that it allows the ruling elite to "disarm, in an ideological sense, a large section of the population...by appearing to conform to values that people cherish."[100]

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[98] Sanasarian, p. 7.
[99] Milton J. Esman, *Ethnic Politics* (Ithaca: Cornell University Press, 1994), p. 250.
[100] Abbas Rashid, "Pakistan: The Ideological Dimension," *Islam, Politics and the State: The Pakistan Experience.*

What is key in the construction of "Islamic state ideology" is the interpretation of Islam by ruling elites such that it furthers their legitimacy, authority and political power.

The criteria for membership in a state defined by Islamic ideology then reflects the overlap between membership in the religious community of orthodox Muslims as well as membership in the political community defined by the state. With "official Islam" as the standard for defining membership, those who are "outsiders" – i.e. non-Muslim minorities or those who do not conform to "official Islam" - are labelled "apostates" or "heretics". They are also excluded from the full rights of citizenship, since their civil and political rights are severely curtailed, if not taken away altogether. This marginalization is clearly demonstrated in the treatment of the Baha'is and the Ahmadis in post-1980 Iran and Pakistan.

Earlier, the point was made that the victory of the fundamentalist perspective was illustrated by its close association with the construction of a purist, Islamic state ideology in both countries. How do we see this synthesis comng about? In a practical sense, the fundamentalist perspective wins because of the consolidation of political power by its proponents in the state. Thus, in Iran, after the establishment of the new Islamic Republic in 1979, within a few months, the moderate elements were purged, with the downfall of Bazargan's provisional government in November 1979. At the same time, the June 1979 draft constitution was criticized by a coalition of clerics and Islamic organizations for not being "Islamic enough" in character. Ultimately, the rewriting of the draft was taken up by the Assembly of Experts, composed primarily of clerics. The new constitution, ratified in December 1979, reflected the political shift in power from the moderates to the

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ed. M.A. Khan (London: Zed Books 1985), p. 70.

conservative clerics.[101] This consolidation of political power continued for the first few years, while political opposition from liberal nationalists and moderates was removed, and Khomeini and his proponents were firmly entrenched within the state.

In contrast to Iran, Pakistan's "Islamic Republic" did not come about by the establishment of a state run by clerics. Rather, it was by military coup, instigated by Zia-ul-Haq in 1977. From 1979 onwards, Zia-ul-Haq launched the process of "Islamization" that would overhaul the country's political, legal and economic systems and theoretically imbue "Islamic values" into the running of the state. The focus of these reforms was primarily legal, and aimed more at the application of restrictions on present laws than establishing a new, substantively "Islamic" set of laws. Although Zia-ul-Haq's regime was primarily a military one and not one based on religious legitimacy *per se*, he made a concerted effort to coopt the Jamaat-e-Islami and the mullahs to bolster his "Islamic" credentials. Jamaat-e-Islami members were given key positions in the upper echelons of the military government,[102] while the mullahs were given constitutional legitimacy through the establishment of the "Islamic" laws such as the Hudood Ordinances(which enforced harsh punishments for a number of crimes) and anti-Ahmadi laws. The ideological influence of both these fundamentalist groups is seen in the state's application of shari'a-based laws, its curtailing of women's rights and the official marginalization of non-Muslim religious minorities during the 1980s.

Since Pakistan's constitution was suspended under Zia's military rule, we cannot compare its treatment of religious minorities with the position adopted by the post-Revolution Iranian constitution. However, we can ascertain the general attitude towards non-Muslims of both the Iranian and Pakistani states by looking at the views of influential

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[101] Ann Elizabeth Mayer, *Islam and Human Rights* (Boulder: Westview Press, 1991), p. 67.

fundamentalist figures in these countries. Their fundamentalist interpretation of the rights of non-Muslims living in Islamic state was codified in the laws promulgated by Zia's regime and the 1979 Iranian constitution.

Maududi adovocated outright discrimination against non-Muslims because he believed that Muslims were superior in terms of a religious and political status in an Islamic state. He favored the imposition of a tax on non-Muslims, as well as exclusion from military service and any positions in government.[103] Regarding the punishment of apostates(which is what he considered Ahmadis to be), he supported the death penalty for conversion from Islam.[104] His Jamaat-e-Islami party was key in acting on these ideas by instigating the anti-Ahmadi campaigns in Pakistan in 1953 and 1974. [105]

The promulgation of three blasphemy laws in 1980, 1984 and 1986, respectively, also reflects Maududi's ideological influence. All three pieces of legislation designate blasphemy as a crime, subject to punishment by imprisonment and the death penalty. The 1984 ordinance specifically targets Ahmadis, defining them as guilty of blasphemy only because they are Ahmadi. What is key in these laws is the state's "negative" definition of Muslim(i.e. who is not Ahmadi) and the use of the death penalty, which was already supported by Maududi. The impact of the blasphemy laws for the Ahmadis will be discussed in further detail in Chapter Four.

While Maududi's views on the treatment of non-Muslims took on an official guise in Pakistan, his counterpart in Iran was Sultanhussein Tabandeh. Tabandeh published a work

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[102] Muhammad Asghar Khan, *The Pakistan Experience: State and Religion* (Lahore: Vanguard Books, 1985), p. 8.
[103] Mayer, p. 137.
[104] Mayer, p. 153. Maududi published a pamphlet in the 1950s on the "Qadiani problem", indicating the arguments for why Qadianis could not be considered Muslims and should be called Kafirs. See Syed Abul Aa Maududi, *The Qadiani Problem* (Karachi: Maktaba Jamaat-e-Islami Pakistan).
[105] Mayer, p. 137. The role of the Jamaat in the 1953 anti-Ahmadi riots will be discussed further in chapter Four.

in 1966 presenting the Islamic perspective on human rights, including the treatment of non-Muslims. His views have been put into practice in Islamic Republic through the constitution.[106] According to Tabandeh, although the People of the Book deserve respect, their status is still inferior to Muslims. Those who are not Jews or Christians do not warrant any legal recognition at all. Non-Muslims must be excluded from all aspects of the state and furthermore, no "propoganda" for any non-Muslim religion may be allowed.[107] Regarding religious freedom, Tabandeh states while dhimmis may enjoy the right to follow their own religions, defectors from Islam must be forced to recant or put to death. This serves as a thinly veiled attack on the Baha'i, whom he considers to be descended from Muslims who converted and therefore renders them subject to the punishment for apostasy.[108] Tabandeh states that the followers of a religion contrary to Islam have no official rights of religious freedom in an Islamic country, any more than "political parties which are contrary to the ideology of the regime can claim freedom since they are declared to be inimical to the welfare of the land and people."[109] This links together religious and political bases for exclusion and marginalization of the Baha'i, which is key in the understanding of an Islamic state that uses religion as a definitive criteria for membership.

Tabandeh's ideas are codified almost verbatim in Articles 13 and 14 of the Iranian constitution. Article 13 pointedly excludes the Baha'is by stating that only the Jews, Christians and Zorastrians(People of the Book) shall be recognized as religious minorities by the state. Article 14 states that while all non-Muslims shall be treated "in comformity with ethical norms and principles of Islamic justice and equity," this will not apply to those who

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[106] Sanasarian, p. 25.
[107] Mayer pp. 129-131.
[108] *Ibid.*, p. 147.
[109] Quoted in Mayer, p. 147.

"engage in conspiracy or activity against Islam and the Islamic Republic of Iran."[110] This refers indirectly to the Baha'i in Iran, who have been accused of political treason as justification for their continuing persecution by the state, although clearly their religious status also ties in with this. The impact of this discriminatory legislation on the Baha'is will be assessed in detail in the following chapter.

An important theme that needs to be drawn from this discussion is the interpretation of Islam for political purposes and the authority and legitimacy of the ulama which allows them to stake a claim in this interpretation exercise. Although Maududi was not a member of the traditional ulama in the same way as Khomeini, nevertheless, his views came to dominate "official Islam" in Pakistani politics. This supports the idea that the religion *per se* is not as important as the interpretation of it, which gives weight to the ulama, and particularly the fundamentalist ulama, in each country, in order to explain the marginalization of the case studies.

However, this approach does not preclude a focus on the relationship between the state and the fundamentalist Islamic perspective. The outcome of the intersection between the role of the state, the ulama, and the application of a fundamentalist perspective in Islamic ideology is a "political doctrine that denies basic human rights to those individuals who do not accept the prevailing Islamic ideology as defined by that segment of the ulama" who have the political power to enforce it.[111]

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[110] Constitution of the Islamic Republic of Iran, available http://www.iranonline.com/iran/iran-info/Government/constitution-1.html[Accessed December 10, 2001.]

[111] Zonis and Brumberg, p. 122.

Conclusion: Does Islam Matter?

The discussion in this chapter has indicated the importance of Islam in understanding the context for state-society relations in Pakistan and Iran. Specifically, the dynamic ideological role of Islam in politics in both countries, as well as changes in the state-ulama relationship, point to the eventual political victory of the fundamentalist Islamic perspective, as adopted by the state. The consequence of this is the increased marginalization of those who do not fit into the "Islamic worldview," i.e. the Baha'i and the Ahmadis, as defined by the current Iranian and Pakistani states, respectively.

Thus, on one hand, we are faced with an obvious answer to the question of "does Islam matter?" Yes, it does. However, we also need to ask whether these minorities are discriminated against *purely* for the sake of Islam. There are some questions that remain unanswered if we accept doctrinal explanations as the sole reason for marginalization.

Islam does not explain why only the particular minority under study is targeted so extensively in each country. If there is limited room for non-Muslims to be included in a Muslim state, then one would expect that all non-Muslims in each country would be similarly persecuted.[112] Also, one would expect that the Baha'i and the Ahmadiyya would be treated consistently over time. In other words, they would always be discriminated against to the same extent, since clearly their identity(as alleged apostates) cannot change over time. However, as stated earlier, this is not the case, and it is only from the 1980s onward that we see the institutionalization of discrimination. How do we explain this change over time? Again, there is the need to assess explanatory variables beyond doctrinal Islam.

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[112] Although non-Muslim minorities in both countries have been subject to discrimination, these particular minority groups remain distinguished by the lack of official recognition – and therefore protection of rights - available to other minorities. Thus, state-sponsored discrimination against them takes on a unique significance.

A better question for our study might be "when does Islam matter, and how?" This points us toward the underlying importance of political variables as well, which include moments when state-building or regime consolidation efforts are key.[113] Thus, although a particular version of political Islam may be one explanatory variable, others, such as the political role of the actors engaged in these endeavors – the state and the ulama – also need to be explored in further detail.

The next chapter will introduce the two case studies, and focusing on two time periods for each group, will show how during moments of increased marginalization/ persecution when ostensibly Islam would serve as the explanatory factor, there are underlying political factors that also need to be considered in order to explain the dependent variable.

[113] We will see in the following two chapter that this is true for both the early 1950s and early 1980s in Iran and Pakistan, when state-ulama relations are particularly tense. These time periods also coincide with a greater degree of persecution directed against heterodox religious minorities.

CHAPTER THREE: THE BAHA'I

The Baha'i have served as convenient political targets throughout Iranian history. However, in the past fifty years, the political dynamic between the members of the Iranian ulama and the state has set the stage for increasing marginalization of the minority. This chapter will set out the empirical evidence for explaining this outcome, by focusing specifically on the roles of the ulama and the Iranian state in the anti-Baha'i campaigns of 1955 and the early 1980s. The context for this analysis is based on state-building and regime consolidation efforts, which characterize these two time periods, as well as the relationship between the Baha'i community and the Pahlavi state.

The Baha'is and the Pahlavi State: 1941-1979

In general, the Baha'i community was able to prosper and live relatively peacefully under the rule of Mohammad Reza Shah(more commonly known as the Shah). There were two main reasons for this. One was due to the educational level of the Baha'i community. In comparison to the rest of Iranian society, most Baha'is were better educated, and more likely to belong to the professional and entrepreneurial classes. This made them suitable candidates for the "modernizing" state envisioned by the Shah, and gave them access to government positions.[114] The second reason was related to Baha'i principles and ideals which coincided favorably with those of the Shah's regime. These included the pro-monarchist stance of Shoghi Effendi(the Baha'i leader at the time), the injunction towards political obedience to the ruler in all circumstances, and emphasis on secularization and anti-clericalism. All of these ideas enhanced the perception of Baha'is as "loyal subjects" in Iran, and allowed them a relative degree of protection.

However, these same reasons also attracted the hostility of the clergy as well, especially as the Shah's regime came to be increasingly perceived as autocratic and bent on destroying the influence of the Shi'a clerics. Thus, association with the Pahlavi state served as a double-edged sword for the Baha'is, leaving them trapped in the middle between the state and the ulama.

The 1955 Anti-Baha'i Campaign

In 1955, the Shah was in power in Iran, having been restored to the throne by American intervention after the abortive Mossadegh episode of August 1953. He was under pressure to consolidate his power, in particular by engaging the support of the clerics. Likewise, this also presented an opportunity for members of the ulama to gain greater political influence vis à vis the state, in return for their support of the Shah.

The ulama did not act as a single cohesive political unit in relation to the state. Different factions were often at odds with each other, in jockeying for political influence. Akhnavi identifies five main factions among the ulama in the late 1940s and early 1950s in Iran: 1) Burujirdi-Bihbihani network, representing the interests of the ulama elite; 2) the Fida'iyan-i-Islam, a militant movement; 3) Kashani and the non-elite members of the ulama professional stratum; 4) parliamentary contingent of clerics who had supported Mossadegh against the Burujirdi-Bihbihani faction; and 5) a miniscule, politically weak alliance between Bura'i and Lankarani(two members of the Shi'a clergy).[115]

The Shah chose to work with the Burujirdi-Bihbihani faction because "it was the majority element, most respected among the professional clergy, and not insignificantly, it

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[114] Sanasarian, p. 53.

[115] Shahrough Akhnavi, *Religion and Politics in Contemporary Iran: Clergy-State Relations in the Pahlavi Period* (Albany: SUNY Press, 1980), p. 69.

had already indicated its readiness to mediate among quarreling social forces in the interests of order and security."[116] Burujirdi was also the marja-e-taqlid of the time, and thus, commanded a significant degree of influence in Iranian politics and in Iranian society.

Fischer notes that the Shi'a clerics were selective about when to flex their political muscles by targeting minorities, especially the Baha'i. They were "very clear that when their messages were allowed to reach the Shah with favorable response, they could and did counsel patience, even to the point of saying that fighting public sale of alcohol or Baha'ism should be left to the government, that it should not be pressed by the people."[117] However, in 1955, it suited both the clerics and the state to manipulate "the Baha'i issue" for their own political goals. While this resulted in anti-Baha'i violence and destruction of Baha'i centers, the clerics' attempt to translate anti-Baha'i discrimination into law was blocked by the state. The reasons for this will be examined in detail later on in this chapter, after a discussion of the events of the 1995 anti-Baha'i campaign.

On April 21, 1955 the Baha'i National Center in Tehran, where the Baha'i Annual Convention was being held, was surrounded by troops and shut down. On May 7th, the building was occupied, and later on destroyed. Photos of the incident show both the Chief of Staff of the Army and the Military Governor of Tehran participating in the destruction of the dome of the Baha'i center in Tehran. [118] At the same time, anti-Baha'i riots began in various parts of the country, incited by the clerics.[119] The involvement of state officials in these events indicate the government's tacit consent for the clerics' campaign, even if it did not "officially" instigate the riots.

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[116] Akhnavi, p. 72.
[117] Fischer, p. 45.
[118] Sears, p. 32.

On May 9th, the contents of two telegrams were published in the press. One was from Ayatollah Bihbihani to Ayatollah Burujirdi and the Shah, congratulating both on the destruction of the dome of the Baha'i center in Tehran and its occupation by the military. Bihbihani reassured the Shah that these anti-Baha'i actions would elicit support for him from among the larger Shi'a population. The second was from Ayatollah Burujirdi to another Shi'a cleric, Abu al-Qasim Falsafi, stating that the Baha'is were threats to the security of the monarchy and the state, as well as to Islam.[120] Burujirdi concluded with a statement that Baha'is should be purged from all government positions.

The main theme of these two telegrams was the link between the monarchy and Islam, and more specifically the idea that a weakening of Islam(i.e. as a result of the Baha'i threat) would be equated with a weakening of the state and the power of the monarchy. This was an attempt by the clerics to "push" Islam as a stronger component of regime and state legitimacy, by indicating their own role as the "guardians of Islam"(and instigators of the anti-Baha'i campaign). This could be interpreted as either a veiled threat directed towards the government, if the Shah did not acknowledge their influence, or a show of support, if he chose to engage them. In either case, the Baha'is served as the scapegoats.

Even though the clerics were successful in inciting violence directed at the Baha'i community, they pushed for further measures in the form of legislation. The Safa'i Bill was introduced into the Majlis by a supporter of the Burujirdi-Bihbihan alliance the following day, on May 10, 1955. It called for Baha'is to be declared an illegal sect because their presence was interpreted as an attack on the security of the state. Other points in this bill were: 1) a two to ten year prison sentence for those found guilty of belonging to the sect,

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[119] Sansarian, p. 52.
[120] Akhnavi, pp. 77-78.

2) the confiscation of Baha'i property and its turnover to the Ministry of Culture, which would then use it towards the construction of religious schools and propagating Islamic propaganda, and 3) a complete removal of all Baha'is from regime and state administration.[121]

The government response to this, however, was not as enthusiastic as the Ayatollahs would have liked. Although the Shah met with representatives from the Burujirdi-Bihbihani faction, he simply reassured them that all proper steps would be taken to deal with the Baha'i issue, without committing himself further. The regime also proceeded to deal with the Baha'i issue through administrative decrees, rather than parliamentary legislation(as exemplified in the Safa'i bill). This gave the regime the advantage of retaining some degree of control over the whole incident, which it was afraid would spiral out of control and make the Shah appear to be an ineffectual ruler in the international eye.

The Minster of Interior, Asadullah 'Alam, met with the Majlis deputies who supported the Safa'i bill in a closed session on May 17, 1955. He read out to them a draft of a decree that did not refer to the Baha'i specifically, but stated that due course of law would be used to deal with any threats to the security of the state. Safa'i, who had originally introduced the anti-Baha'i bill in the Majlis, protested the decree, since clearly it did not explicitly support ulama demands. Eventually, an amendment was proposed by another deputy, Dr. Shahkar, which linked political objectives to the existence of the Baha'i sect, and admitted that the existence of such sects was illegal and a threat to the security of the state. This amendment stressed the political implications of the Baha'i issue, rather than the

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[121] *Ibid.*, pp. 78-79.

religious ones, making it more palatable to government concerns about proceeding according to the law and to the issue of international repercussions.[122]

Based on the outcome of ulama-state negotiations on the Baha'i issue, it would appear that the Burujirdi-Bihbihani faction did not really "win", in that they were not able to achieve as much support from the government as they would have liked in their anti-Baha'i campaign. The Shah's decree made it clear to the ulama that they were not going to receive a blanket endorsement from the government for their actions. Also, it warned them not to take the matter into their own hands, and to respect the authority of the state in carrying out any and all related actions against the Baha'i community.

However, the ulama did not suffer complete defeat either. They had managed to incite a substantial degree of violence against the Baha'i community in Iran, as well as linked the state directly with the destruction and military occupation of Baha'i centers. Also, they had gained influence in other areas. In June 1955, the Minister of Culture announced that religious instruction would be increased in public schools starting in the fall. Restrictions were placed on the operation of movie houses, liquor stores and public music establishments for the first fifteen days of Muharram, a restriction which had not been previously enforced by the regime. The Shah initiated ground-breaking ceremonies for a new mosque at Tehran University. And lastly, the regime allowed the creation of a Religious Studies High School as part of the overall high school system. It is evident that the ulama was able to put pressure on the state for concessions in other areas, even if they were not as successful at institutionalizing anti-Baha'i discrimination.[123]

A notable point in these events is the state's preference for characterizing the Baha'is as a political threat, rather than a religious one. While the clerics initially

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[122] *Ibid.*, pp. 80-81.

characterized the presence of the Iranian Baha'i community as a "threat to Islam," they pushed the issue further and linked it to a security threat as well. The link to religious issues was important, because it indicated the basis for the ulama's authority and influence in Iranian political affairs. The Shah's refusal to acknowledge religious motives, and to focus only on political ones for dealing with the Baha'i issue were indicative of his regime's refusal to give Islam a dominant role in defining regime legitimacy or state ideology.

In conclusion, the mutual political needs of the ulama and the state in 1955 created the conditions for negotiation over the Baha'i issue, with each side pursuing its own interests. On one hand, the campaign represented the confidence felt by the Shi'a ulama, vis à vis their ability to negotiate with the Shah for their own interests. On the other hand, it represented the Shah's need to garner support and to distract the country from economic difficulties that might serve as destabilizing influences. [124] The outcome was a violent anti-Baha'i campaign in Iran, resulting in destruction of Baha'i centers and religious sites.

The Baha'is and the Islamic Republic: 1979-1989

As the Shah came to be increasingly unpopular, and his rule criticized as being too Western and secular(and therefore "un-Islamic"), the Baha'is also came under attack for collusion with the Shah and by association, with "foreign powers." For example, prior to the Revolution, Khomeini described the Baha'is as a political party, aided by Zionists, with the express goal of undermining Iran.[125]

The birth of the Islamic Republic represented the convergence of three factors – the political role of the ulama, the dominance of Islam as a component of state ideology,

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[123] *Ibid.*, p. 87.
[124] *Ibid.*, p. 77.
[125] Sanasarian, p. 30.

and the coercive powers of the state. In contrast to 1955, when the ulama and the state were engaged in a confrontation over the Baha'i issue, in 1979, that dynamic no longer existed. The ulama had *become* the state, and therefore their political power was significantly enhanced. However, tensions were now concentrated *within* the state, amongst competing factions of the ulama. At issue was control over state institutions and the drafting of the constitution.

Initially, Bazargan, a liberal and moderate, headed the Provisional Government that was set up in 1979. He attempted to rein in some of the excesses of the more fundamentalist clerics. [126] However, ultimately, the weak and disorganized Provisional Government proved unable to provide the Baha'is with any significant degree of protection.[127] After the fall of the Bazargan government and the 1980 election of President Bani-Sadr, a much more intense campaign was unleashed against the Baha'is, as the more fundamentalist clerics consolidated their positions in power.

The new Iranian Constitution represents one of the main arenas of legalized discrimination against the Baha'is. Its fundamentalist perspective, which emphasizes the "unity of Islam", discriminates against non-Muslim minorities. According to Article 13, Baha'is are not recognized as a religious minority by the state. Only Zoroastrians, Jews and Christians, who are "People of the Book," have the right to practice their religion and are allowed to have personal affairs dictated by religious law. This provides the justification, to some degree, for unchecked harassment of the Baha'i community. Since Baha'is are excluded, they are not allowed to elect leaders, organize schools or conduct other religious activities. Their marriages are not recognized, their children are deemed "illegitimate" and do not have the right to inherit from their parents.

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[126] Zonis and Brumberg, p. 124.

Article 14 adds to the marginal status of Baha'is, by indirectly referring to them as "conspirators." It states:

> In accordance with the sacred verse; ("God does not forbid you to deal kindly and justly with those who have not fought against you because of your religion and who have not expelled you from your homes" [60:8]), the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their human rights. This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.[128]

This characterization of the Baha'i community as a political threat is not new or unique to the Islamic Republic. However, the official emphasis on political explanations allows for state discretion with regard to when and how minorities are targeted.

Expulsion of Baha'is from jobs, schools and government positions also increased substantially after 1980, on the basis of their subordinate status in society. In 1981, as part of overall purges, the "Law for Renewal of Manpower Resources in the Ministries and Government Offices" pushed out Baha'is and other "antirevolutionaries" from government service.[129] As a result, Baha'is were also denied government pensions. Also in the same year, in a letter from the Islamic Ministry of Foreign Affairs, dated August 12, 1981, a compilation of lists of Baha'is living in each jurisdiction was ordered, and sent to the central government. Representatives were also advised not to extend the passports of Baha'is, but instead issue them laissez-passer documents.[130] In a 20 point curricular issued by the Ministry of Education on November 11, 1981, all special schools run by national and religious minorities were ordered closed, and all non-Muslim school teachers and principals were to be replaced by Muslims.[131]

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[127] Sanasarian, p. 115.
[128] Constitution of the Islamic Republic of Iran, online.
[129] Bakhash, p. 113.
[130] Quoted in Sears, p. 212.
[131] Suroosh Irfani, *Iran's Islamic Revolution* (London: Zed Books, 1983), p. 212.

Initially, in the aftermath of the Revolution, the organizational assets of the Baha'i community were targeted by the state. In March 1979, the House of Bab, a holy site, was officially transferred by the government to fundamentalist clerics, who later destroyed it. On May 11, 1979, the authorities took over the central financial institution of the Baha'i community in Iran, the Shirkat-i-Nawnahalan, froze its assets, expelled its staff and terminated all salaries. They then took over the body that held title to all Baha'i shrines, cemetaries and holy places, the Umana Corporation. A few days later, the largest Baha'i charitable institution, the Mithaqiyyah Hospital, was also seized, as well as the Baha'i home for the aged, both in Tehran. The occupants and patients in both were evicted. [132] The director of the Mithaqiyyah Hospital, Dr. Manuchihr Hakim, was later assassinated in 1981.[133]

After 1980, as the process of consolidation of power by fundamentalist ulama continued, the targeting of individual Baha'is became much more intense. On August 21, 1980, all nine members of the Baha'i National Spiritual Assembly(NSA) of Iran were arrested by the Revolutionary Guards, and subsequently disappeared. It is assumed they were killed, although the authorities denied any knowledge of their whereabouts. Nine Baha'is were elected to a new NSA, eight of whom were arrested on December 13, 1981 and executed two weeks later. [134] Throughout 1982, the entire memberships of Baha'i Spiritual Assemblies in Tehran, Shiraz, Qazvin, Yazd, Mashhad, Hamadan, Karaj and Tabriz were arrested and tortured.[135] In 1983, the House of Bab in Shiraz was destroyed. In June

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[132] Zonis and Brumberg, p. 123.
[133] Tahirih T. Danesh, "Persecution of the Baha'i Community under the Islamic Republic," *Converge* 1:1 (Winter 2000). Available online.
[134] Zonis and Brumberg, p. 116.
[135] Danesh, p. 8.

1983, ten Baha'i women were executed after being tortured.[136] The trend of arrests and executions continued, and according to Baha'i sources, by the end of 1984, 177 Baha'is had been killed by the state. [137]

In August of 1983, all Baha'i administrative and community activities were banned by the government. 390 Baha'is were arrested in the wake of the edict.[138] The NSA agreed to comply with this ban, although they registered their protest at this "unfair and unjust" order. The NSA also circulated a letter addressing the accusations raised against the Baha'i community in Iran. It acknowledged the collection and transfer of funds abroad, but stated that this was the contribution by Baha'is for the maintenance of shrines and other holy places. It reiterated the Baha'i doctrine on noninvolvement in politics, as an answer to the charges of agitation and espionage. Lastly, the letter stressed Baha'i compliance with the regime's dictat, in exchange for a lessening of the restrictions against them and guarantees of personal safety.[139] However, this call was not heeded by the regime.

Conclusion

The 1990s saw some minor improvements in the treatment of the Baha'i community by the state. They were given permission to bury their dead in some cemeteries, passports were issued to some, and there was partial lifting of the ban on meetings. Baha'i children were allowed to attend elementary and secondary schools, but still prohibited from enrolling in universities.[140] However, Baha'i arrests and disappearances still continued. Baha'i-owned properties, holy places and other assets remained under state control. The

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[136] Sanasarian, p. 117.
[137] *Ibid.*, p. 116. The rate of executions decreased substantially between 1985 and 1988, and there were no reported executions between 1989 and 1991.
[138] *Amnesty International Report, 1984* (London: Amnesty International Publications, 1984), p. 335.
[139] Sanasarian, p. 119.

community was still denied property rights. Marriages, divorces and inheritance rights were still not legally recognized.[141] A UN Resolution adopted by the General Assembly in March 2001 noted the "unabated pattern of persecution of Baha'is, including continuing detention and sentencing to death."[142]

Although the charge that Baha'is are guilty of conspiring against Islam and Iran has never been expressly proven, and has often been repudiated by the Baha'i community, it still remains the most commonly cited reason by the state for Baha'i persecution.[143] The characterization of the Baha'i community as a political threat is not new or unique to the Islamic Republic, however, since the Shah's decree also accepted the same rationale. However, the official emphasis on political explanations allows the state to deflect international criticisms that it might not be able to if it put forward an explicitly religious explanation for Baha'i treatment. Political explanations thus serve as a thin veil for religiously-motivated behavior.

In conclusion, while Baha'i persecution in 1955 and the early 1980s was characterized by violence, harassment, and the destruction of Baha'i property and holy places, the main difference between these two time periods is the scale on which it was carried out after the Revolution. Discrimination became much more violent, pervasive, and, most importantly, it became state-sponsored and institutionalized. The change over time can be explained by the increased political influence of a fundamentalist faction of the ulama, led by Khomeini, which resulted in the establishment of a state that adhered to a fundamentalist interpretation of Islam as its official, state ideology. While this perspective

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[140] Sanasarian., p. 121.
[141] United Nations, 49th Session, Agenda Item 100, *Report of the Special Representative on the Situation of Human Rights in the Islamic Republic of Iran*, A/49/514, 14 October 1994.
[142] United Nations, 55th Session, Agenda Item 114(c), A/RES/2001/55/114, March 12, 2001.
[143] Sanasarian, p. 121.

marginalized all non-Muslims, since they did not fit in with the "official, Islamic" view of state-society relations, it came down hardest on the Baha'i community, as a result of their already controversial doctrinal status.

The next chapter will assess the situation of the Ahmadis in Pakistan, in order to carry out a detailed comparative analysis of the two case studies in the last chapter.

CHAPTER FOUR: THE AHMADIYYA

This chapter will introduce the second case study, the Ahmadis in Pakistan, in order to lay the foundation for a comparative analysis with the Baha'is in the following chapter. Focusing on the early 1950s and the1980s, when anti-Ahmadi persecution is at a high, we will examine the political influence of the ulama and the state in order to understand the increasing institutionalization of minority discrimination. While an anti-Ahmadi campaign was used by the ulama to put pressure on the state in the early 1950s, conversely, it was adopted by the state in the 1980s to boost its "Islamic" credentials and gain ulama support. In both cases, the importance of the Ahmadi issue is illustrated.

A few points need to be kept in mind. One is that the ulama are not a monolithic pressure group. In certain time periods, particular factions have allied with others in order to achieve common political agendas. However, this does not take away from the usefulness of the "Qadiani problem"[144] for any of the ulama factions, in terms of drumming up support from the populace and using it to put pressure on the state, whatever their own internal differences might be.

Second, the larger political context during these two time periods also needs to be noted. State-building and regime consolidation efforts were key endeavors during the early 1950s and the early 1980s. Jinnah, the founder of Pakistan, died in 1948, and the leadership of the fledgling state was divided between Khawaja Nazimuddin as Governor-General and Liaquat Ali Khan, who continued as Prime Minister.[145] Similarly in the early 1980s, Zia-ul-Haq was in the process of consolidating his new regime, having taken power through military coup in 1977.

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[144] Ahmadis are pejoratively referred to as Qadianis in Pakistan.

[145] Muhammad Munir, *From Jinnah to Zia* (Lahore: Vanguard Books, 1980), pp. 35-36.

The 1953 Punjab Disturbances

One of the mullahs' demands for a stricter application of Islam in Pakistan has called for the exclusion of Ahmadis from the official definition of a Muslim. The main reason for this has been the ease with which it allows the mullahs to display their "Islamic credentials," by marginalizing a group that is too small in number and lacking in significant political presence to challenge them. The already negative perception of Ahmadis amongst most Sunni Muslims in Pakistan further contributes to this effort. The events of 1952-1953 were the first time, though, that an anti-Ahmadi campaign was brought explicitly into the political arena by the ulama. Although ultimately, they did not achieve their goals in pushing out Ahmadis from all government positions, they did, however, manage to orchestrate anti-Ahmadi riots in various parts of the country and to create, in the terms of Pakistani government officials, a "law and order situation."

Outline of Events

The impetus for the violence was allegedly a speech given by the then Foreign Minister Chaudhry Zafrulla Khan to the Anjuman-i-Ahmadiyya in Karachi on May 18, 1952.[146] The speech stated that Ahmadiyyat played an important role in Islam as a guarantee of preservation for the religion.[147] This raised opposition from members of the ulama, who objected to this close identification between what they perceived to be a heretical sect and Islam. This resulted in riots and destruction of Ahmadi property in Karachi.[148]

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[146] Zafrulla Khan was also an Ahmadi.
[147] Mujeeb Ahmad, *Jam'iyyat 'Ulama-I-Pakistan 1948-1979* (Islamabad: National Institute of Historical and Cultural Research, 1993), p. 12.
[148] Binder, p. 262.

However, the issue would have ended there, had the Majlis–I-Ahrar party not taken it up the following year at a political convention, and used it to put pressure on the government. An All Pakistan Muslim Parties Convention, including both large and small religious parties, was convened in Karachi from January 16-18, 1953 in order to address ulama demands.[149] Key among them were: 1) Ahmadis should be declared a non-Muslim minority; 2) Zafrullah Khan should removed from the office of Foreign Minister;[150] 3) all Ahmadis should be removed from government positions.[151] They also demanded Nazimuddin's resignation as Prime Minister for refusing earlier to dismiss Zafrullah Khan. A Council of Action, called the Majlis-I-Amal, was appointed by the Convention to present an ultimatum to Prime Minister Nazimuddin to accede to these demands within a month. Other economic and political grievances were added to the list as well: food shortages, corruption in the civil administration, frustration over the Kashmir issue.[152] The ulama threatened to take the matter into their own hands(by inciting civil disorder) if the government did not agree to their demands.

Maududi and the Jamaat-e-Islami had also joined the fray by this point. Although Maududi was explicit in his opposition to the Ahrar, he ultimately added the Ahrar's demand that the Ahmadis be declared non-Muslims to the other eight "constitutional" demands of the JI for an Islamic constitution. In part, this decision was because his previous efforts to minimize the Ahmadi question and focus on building consensus around the need for an Islamic state did not bear fruit.[153] It was aided by the fact that he already believed that the Ahmadis were a heretical sect and had been one of their most vicious

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[149] *Munir Inquiry Report,* (Lahore: Government of Punjab, 1954), pp. 1-2.
[150] The demand for Zafrullah Khan's resignation had already been turned down by PM Khawaja Naziumuddin six months earlier to this incident. Binder, p. 262.
[151] Ahmad, *Jam'iyyat 'Ulama-I-Pakistan*, p. 12.
[152] Ahmad, "Activism of the Ulama in Pakistan," p. 263.

opponents. The combination of these factors led Maududi to join the agitation and try to keep it within constitutional channels. Ultimately of course, he did not succeed.

The ultimatum was rejected by the government, and members of the Majlis-I-Amal were arrested in both Karachi and Lahore. Rioting, which specifically targeted Ahmadis, ensued in Lahore and spread to other parts of Punjab as well. One Ahmadi recounts being confined to his house for a week in Sialkot, for fear of attack, and while violence ensued on the streets outside.[154] Ultimately, Martial Law was imposed in Lahore in April 1953, members of the ulama were arrested and a Court of Inquiry commissioned to investigate the incident. The outcome of this investigation was a 378-page document which came to be known as the *Munir Report*, written by two justices of the Lahore High Court, Justices Muhammad Muneer and M.R. Kiyani.

What did the ulama gain from orchestrating the 1953 anti-Ahmadi Punjab disturbances? The most common explanation advanced is that the Majlis-I-Ahrar party needed to prove its "credentials" to the population at large, after having opposed the creation of Pakistan right up to 1947. The Ahrar party was a Muslim offshoot of the Indian Congress Party. After Partition, the party announced that it would function primarily as a religious organization in Pakistan, although it was known to support the Muslim League.[155] The Munir Report noted that the party was able to gain popularity(in the early years of Pakistan's independence) among the Muslim masses of Punjab by "identifying themselves politically with the Muslim League and by an extensive anti-mirzaeet(Ahmadiyyat) campaign.

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[153] Binder, pp. 263-264.
[154] Telephone interview with Dr. Momen Khalifa, head of the Jama'at Ahmadiyya, Atlantic Province, Canada. March 9, 2002.
[155] Binder, p. 261.

The former brought them support from the popular ruling organization and the latter won them the goodwill of the general Muslim public."[156]

Members of the ulama were not united, however, in their support of the Ahrar's demands. Maulana Qadiri, the head of the Markazi Jam'iyyat-I-Ulamai-I-Pakistan, was reluctant to participate in the anti-Ahmadi movement, but felt compelled to join under pressure from Ahrari and Deobandi ulama.[157] The acceptance of the Ahrar demands meant that all the religious parties and the ulama could put pressure on the state, by claiming to represent the "unanimous demands of all the Muslims."[158] The Ahmadi issue served as a means for coalition-building for the ulama, to cement their own political status vis à vis the state.

The Munir Report

The Munir Report of 1954 reflected the then-prevailing view of the nature of the Pakistan state as a secular one. As such, it commented on the 1953 anti-Ahmadiyya campaign as being instigated by the Ahrar party solely for political gain. Religion "was with them a weapon which they could drop and pick up at pleasure to discomfit a political adversary."[159] It characterized the ensuing violence as a result of political infighting between the provincial and federal administrations which translated into considerable delay before martial law was imposed and order restored in Punjab.

With regard to the Ahmadis, the Report noted that "The Ahmadis or any section of people cannot be declared a minority community against their wishes. It is not part of the functions of government to coerce any group into becoming a

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[156] Quoted in Dard, p. 7.
[157] Ahmad, *Jam'iyyat 'Ulama-I-Pakistan*, p. 15.
[158] Quoted in Binder, p. 263.

minority."[160] Furthermore, it indicated that the basis for declaring the minority non-Muslims was problematic, because while all of the major ulama leaders could agree that the Ahmadis were not Muslim, they could not agree on a positive definition of a Muslim.[161] This highlights the political dimensions of the Ahmadi issue in Pakistan in the early 1950s.

The Munir Report illustrated the state's success in resisting pressure from the mullahs to link Islam with state legitimacy and official ideology, by denouncing the Ahmadis. What were the reasons behind this? One reason is the perception of state elites that the state should be a secular one, and not one based on Islam. This was Jinnah's vision of Pakistan, and in the years after his death, it remained influential.[162]

Another reason lies partially in the fact that Ahmadis occupied key government positions at the time, and had proven themselves in terms of their loyalties and abilities towards the state of Pakistan. The Prime Minister of Pakistan at that time, Khwaja Nazimuddin, strongly resisted the demands of the ulama precisely for the reason that he did not want to lose the services of Sir Zafrullah Khan.[163]

However, the outcome of the 1955 disturbances was not a complete defeat for the ulama. Although they did not succeed in institutionalizing Ahmadi discrimination, they were successful in demonstrating their own political strength, provided they were able to function as a united front. The Ahmadis served as convenient targets for demonstrating ulama strength and furthering criticisms against the state.

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[159] Quoted in Dard, p. 11.
[160] *Ibid.*, p. 12.
[161] A.G. Noorani, "Pakistan's Blasphemy – Exploitation of Religion for Political Ends," *Frontline* (online), April 7, 1995.
[162] It was already beginning to come under attack, however, in the 1950s. Debate over the insertion of Islamic principles in the constitution was pushed by the ulama, who saw themselves in the role of theocratic advisors to the state.
[163] Syed Munawar Hussain Shah, *Religion and Politics in Pakistan(1972-1988)* (Islamabad: National Institute of

Over time however, as the ideological role of Islam in politics increased, so too did the state's inability to ignore ulama demands for a more stringent application of Islam in political affairs. In particular, political self-preservation made it necessary for the regime in power to diffuse potential opposition from the religious parties by attempting to appease them whenever possible. On an ideological basis, the popular perception that a religious rationale was the basis for the establishment of Pakistan made it difficult for any government to exclude Islam from its rhetoric. The end result of this was a strong shift in the state's official attitude towards Islam, and the Ahmadis. This was exemplified in 1974, when the ulama were successful in pushing Zulfiqar Ali Bhutto's government to ratify a constitutional amendment that declared Ahmadis to be non-Muslims and therefore ineligible to serve in any government positions.

Zia-ul-Haq and "Islamization"

After General Zia-ul-Haq overthrew Bhutto's government in 1977, he made a conscious attempt to use Islam as a legitimizing force for his own rule since that was the only way for him to justify the coup. The ambiguity of defining an Islamic state did not deter him from conceiving of and implementing a very narrowly-interpreted version of an "Islamic polity," one that did not have any room for the Ahmadis.[164]

It did, however, have room for the ulama. In contrast to the Islamic Republic of Iran, the ulama were not synonymous with state elites in the Islamic Republic of Pakistan. Their political role was subordinate to that of Zia, who concentrated all state power within himself. However, they did enjoy ideological power, by virtue of their position as religious

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Pakistan Studies, 1996), p. 161.

[164] See John Esposito, *Islam and Politics* (Syracuse: Syracuse University Press, 1984), pp. 333-369 for more on Zia's Islamization policies.

actors in a self-declared "Islamic state." This was manifest in the control given to them regarding the setting of educational curriculum, determining TV programming and the public observation of religious rituals.[165] More importantly, the ulama gained the constitutional legitimacy they had previously lacked, since they had never managed to gain electoral support on their own. As the state moved to impose shari'a as law, this fulfilled the ulama's previously expressed demand for the legal "Islamization" of society.[166]

The ideological role of the Jamaat-I-Islami in Zia's Islamization regime is also noteworthy. Amongst the various ulama factions, the Jamaat developed the closest relationship with the military regime through the positioning of key party members in the upper-echelons of the military and the government. This, in turn, allowed them to propagate Maududi's interpretation of an Islamic state with greater ease.[167] The fact that Maududi's vision embraced a coercive, authoritarian state structure, implemented by a leader who was a "good Muslim," also bolstered the legitimacy of Zia's rule.[168] The mullahs who represented the orthodox perspective that characterized the Jamaat-I-Islami were also able to dominate the state ideologically, thus providing support for anti-Ahmadi legislation.

On one hand, the ulama's demand that Ahmadis be officially classified as non-Muslims had already been fulfilled by Bhutto in 1974. There did not seem to be any further need to marginalize the Ahmadis in the 1980s, since the most extreme measure had already been taken. Why then did Zia take up the Ahmadi issue? In contrast to 1953, when the ulama had incited riots in order to put pressure on the government, the repressive nature of Zia's military regime precluded similar pressure tactics in the 1980s.

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[165] David Forte, "Apostasy and Blasphemy in Pakistan," *Connecticut Journal of International Law* (1994)10:27, p.37.
[166] *Ibid.*, p. 35.
[167] Muhammad Asghar Khan, *The Pakistan Experience: State and Religion* (Lahore: Vanguard Books, 1985), p. 8.
[168] Khan, "Political and Economic Aspects of Islamisation," p. 144.

However, focusing on the Ahmadis was mutually beneficial to both the state and the mullahs. It allowed Zia to gain the support of the mullahs without having to implement any large-scale reforms.[169] For the mullahs, it allowed them to demonstrate their ideological power as "arbiters" of Islam.

Anti-Ahmadi marginalization in the 1980s was characterized by a strong legal component. The most pervasive anti-Ahmadi legislation in Pakistan dates from Zia-ul-Haq's regime. These are three amendments to the Pakistan Penal Code(PPC), which took place in 1980, 1984, and 1986. The text of all three will be presented below, followed by a discussion of their significance.

The first amendment was Section 298-A. Titled, "Use of derogatory remarks, etc. in respect of the Holy Prophet", it now stated:

> Whoever by words, either spoken or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet (peace be upon him) and other persons revered in Islam shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.[170]

1984 saw the most decisive anti-Ahmadi legislation in the addition of Section 298-C to the Pakistan Penal Code because it named Ahmadis specifically as the target group.[171] It stated:

> Any person of the Qadiani group or the Lahori group(who call themselves Ahmadis or by any other name), who, directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith or invites others to accept his faith, by words, either spoken or written, or by visible representations, or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.[172]

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[169] Khory, p.145.

[170] Mahmud A. Ghazi, "The Law of Tawhin-I-Risalat: A Social, Political and Economic Perspective," in *Pakistan: Between State and Secularism*, ed. Tarik Jan et al. (Islamabad: Institute of Policy Studies, 1998), p. 218.

[171] The additions of sections 298-B and 298-C were part of the Ordinance No. XX of 1984.

[172] Quoted in Gualtieri, p. 29.

In 1986, the PPC was amended by the Criminal Law Amendment Act, which added Section 295-C to the PPC. Most of the text remained the same as that of Section 295-A; however, it added capital punishment to the list of punishments, along with imprisonment and fine.[173]

Implications of the Blasphemy Laws

An analysis of the significance of these blaphemy laws will serve to explain the basis for Ahmadi marginalization in the 1980s. First and foremost, these amendments illustrate the state's claim to provide the normative definition and interpretation of Islam, exemplified through belief in Prophet Muhammad, practice of religious ritual and adherence to the symbols of Islam. This claim is extended further to include the ability to discern intention and to judge whether a person is "really" Muslim or not. The state is creating an *exclusive* definition of Islam and a Muslim, by targeting those who may be "posing" as Muslims, i.e. the Ahmadiyya community. This is a marked contrast to the Munir Report, which discussed the inability of the ulama to agree on a common definition of a Muslim. It also contravenes the self-definition of Ahmadis as Muslims, and by focusing on their religious behavior, which is synonymous with other practicing Sunni Muslims, it becomes the pretext for persecution simply for the fact of being Ahmadi.

This distinction between "insiders" and "outsiders", i.e. "Muslims" and "non-Muslims," exemplifies the increasing intolerance of the state towards those that do not conform to its interpretation of Islam. The original text of these sections of the PPC,

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[173] These amendments remained important even after Zia-ul-Haq's death and the restoration of democracy in Pakistan. In 1990, the Federal Shariat Court upheld capital punishment as a suitable punishment for blasphemy. In 1993, the Pakistan Supreme Court dismissed *Mujib-ur-Rehman Dard v. Pakistan*, which

drafted by the British in the 1860s, was meant to protect *all* religious communities from abuse or insult. Macauley, the drafter of the Penal Code, explained the rationale behind chapter XV: "Every man should be suffered to profess his own religion, and that no man should be suffered to insult the religion of others. The question whether insults offered to a religion ought to be visited with punishment does not appear to us at all to depend on the question whether that religion be true or false."[174] Therefore, the current emphasis on the protection of *Islam*, and *only* Islam, from abuse or insult illustrates the state's narrow interpretation of the legislation, as well as a degree of intolerance towards those who are perceived to be contravening it.

The punishment for these criminal offenses also needs to be noted, for it has become increasingly draconian, from imprisonment and/or fine to capital punishment. The decision to impose the death penalty has been backed by examples from the Prophet's time that indicated that death was the punishment given to those who insulted him. Furthermore, it is claimed that only the Prophet had the right to forgive offenders and therefore since he is no longer alive, the state, being a guardian of Islam, must continue to punish offenders in the same way that he advocated.[175] This indicates the state's attempt to co-opt history in support of its action - the basis for these blasphemy laws is said to be derived from "Islamic history", thus boosting its legitimacy.

However, this is only one interpretation of Islamic history. Opponents of the state's use of the death penalty for blasphemy laws posit that historically, capital punishment is linked to a particular circumstance, i.e. only for those who renounced Islam after the Prophet's death and attacked the Muslim community. Thus, it applies instances of rebellion,

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challenged the constitutionality of Ordinance XX.

[174] I.A. Rehman, "A Critique of Pakistan's Blasphemy Laws,"in *Pakistan: Between Secularism and Islam.* Ed. Tarik Jan et al. (Islamabad: Institute of Policy Studies, 1998), p. 200.

not of doctrinal deviance. Furthermore, Islamic law does not specify the exact difference between a dissenter, a heretic and an apostate, leaving the punishment subject to interpretation.[176] A third line of argument states that there is no earthly penalty specified in the Quran for apostasy. Rather, it is a private matter of faith between the individual and God, and as such will be decided by God in the Hereafter.

What has been the effect of the blasphemy laws, in practical terms? It means that Ahmadis are barred from practicing their faith, which is synonymous in practice with that of all other Sunni Muslims. They are excluded from worship in mosques, from calling their own buildings of worship mosques, from doing the prayer call, from displaying the kalima tayyaba(Muslim credo of faith), from using any Quranic inscriptions, and in general from appearing in any way to be "posing as Muslims." This also includes not using the traditional Muslim greeting, "Assalam alaikum" or the response to it, "Wa alaikum Assalam."

Ahmadis have been subject to arrest for all of the above "crimes." Between 1984 and 1988, over 3,000 cases were registered on the basis of violations against Section 295-A, 298-B/C of Pakistan Penal Code.[177] In 1989, the entire population(35, 000) of the Ahmadi town of Rabwah,(the headquarters of the organization in Pakistan) was charged with "posing as Muslims."[178] Between 1984 and 1999, 62 Ahmadi places of worship have been attacked, forcibly sealed by the police, and any Quranic inscriptions on the façade painted over.[179] Ahmadi publications have been shut down by the government and publishers arrested. According to Ahmadi sources, 86 cases have been registered against Ahmadi

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[175] Ghazi, p. 217.
[176] Forte, pp. 44 and 49.
[177] *Amnesty International Report, 1989* (London: Amnesty International Publications, 1990), p. 192.
[178] A translation of the relevant charge sheet is givin in *Plight of Ahmadi Muslims in Pakistan(1989-1999)*, p. 116.
[179] *Plight of Ahmadi Muslims in Pakistan(1989-1999)*, p. 110.

publications since 1984.[180] Burial grounds have been desecrated and Ahmadis are not allowed to bury their dead in cemeteries used by other Muslims. Congregation for religious purposes is either attacked or threatened.[181] For example, in Mardan, on August 17, 1986, over a hundred Ahmadis who had gathered for Eid prayers were arrested by the police and their place of worship demolished. Similar arrests took place in Karachi and Quetta. Those convicted under Section 298-C were given one to ten year prison sentences.[182]

The blasphemy laws facilitate harassment of Ahmadis because of the ease with which they can be invoked. For example, these laws are enforced on the basis of private complaint rather than an arrest warrant. The accuser only needs to go to the police and register an FIR(First Investigation Report) in order to have an Ahmadi arrested. For example, in one incident, an Ahmadi traveling on a bus to Faisalabad was confronted by two young men who demanded he give them his ring, because it had Quranic inscriptions on it and under the law, he had no right to wear it. When he resisted, they took him to the police station and registered a case against him.[183]

For the most part, the victims are considered guilty, until proven innocent, and detained in jail without bail. They have also been subject to torture or beatings by the police while in prison.[184] A 1994 Amnesty International report on the "Use and Abuse of Blasphemy Laws" in Pakistan noted that "A common feature of accusations of blasphemy in Pakistan is the manner in which they are uncritically accepted by prosecuting authorities,

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[180] *Ibid.*, p. 110.
[181] Hina Jilani, "Human Rights and Democratic Development in Pakistan," p. 2; *Plight of Ahmadi Muslims in Pakistan(1989-1999)*, pp. 110-114.
[182] *Amnesty International Report, 1987* (London: Amnesty International Publications, 1988), pp. 257-258.
[183] *Ibid.*, p. 192.
[184] Forte, p. 58.

who themselves may face intimidation, threats and accusations should they fail to accept them."[185]

The fact that Ahmadis are not protected by law has also engendered "unofficial" violence against them. There have been numerous cases of violence or murder of Ahmadis, particularly in rural areas of Punjab.[186] In all cases, the police and judiciary let the cases drag on indefinitely and were not proactive in finding the perpetrators or bringing them to justice. For example, thirteen Ahmadis were killed in their homes and shops in Gujranwala between the mid-70s and late-80s. Although the number is not a large one; nevertheless, what is notable is that not a single person had been charged with any of these crimes in ten years, although the identity of the killers was general knowledge.[187] Accounts of mobs attacking private homes, Ahmadi-owned businesses and mosques have also been reported. Again, none of the perpetrators were ever found or brought to justice.[188]

Apart from the legal persecution on the basis of the blasphemy laws, there have also been efforts by the state to identify the religious affiliation of all citizens, in order to target Ahmadis. In May 1986, lists of Ahmadis serving in government positions were received by the federal government from the provinces. Part of the reason for this identification was to facilitate their removal from the military services. An examination of the letters of dismissal given to Ahmadi servicemen by the Government of Pakistan indicates the reason as "renouncing Islam" and "committing apostasy."[189] In other cases, Ahmadis in the military services have been demoted or consistently passed over

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[185] Quoted in Noorani.
[186] Jilani, p. 2.
[187] Gualtieri, p. 39.
[188] Jilani, p. 2.
[189] Letters reproduced in Dard, pp. 27-31.

for promotions. As a result, many have resigned voluntarily and taken up jobs in the private sector.

Other areas where the identification of Ahmadi citizens has been employed is in voting procedures and passport applications. In 1985, separate electorates were created for non-Muslim minorities, with a fixed quota of 10 out of 217 seats in the federal parliament. This required Ahmadis to register as non-Muslims in order to vote. Applications for Pakistani passports also required religious affiliation, and added a statement at the end that required all Muslim applicants to affirm that they did not belong to the Ahmadi sect and furthermore that the Ahmadis were imposters. This disproportionately singles out Ahmadis for state-sponsored discrimination.

Conclusion

In contrast to the 1953 anti-Ahmadi campaign, the 1980s saw ongoing, legalized harassment and state-sponsored persecution of the minority. While violence against Ahmadi individuals and property was still prevalent, there were no ulama-incited anti-Ahmadi riots. The main explanation for this change lies in the greater ideological and political influence of the ulama, especially of the Jamaat-e-Islami, in the state under Zia-ul-Haq. This collaboration facilitated the creation of an Islamic state ideology that specifically targeted "dissenters" such as the Ahmadis, in order to bolster state power and legitimacy.

One caveat needs to be made, however, about the political power of the ulama. Greater ideological influence and constitutional legitimacy did not necessarily translate into significant political power vis à vis the state. Martial rule precluded the devolution of power to any actor other than the dictator. The Jamaat-e-Islami, despite its

ideological alliance with the state, was still not allowed to function as a political party. Nor were any other political parties allowed.

The role of Islamic state ideology and a fundamentalist interpretation of an Islamic state is nevertheless important to consider because the Ahmadis are the disproportionate victims of it. The emphasis is on punishments for those defying the official, state Islam, rather than an outline of a positive definition of Islam and state-society relations.

This chapter has illustrated the changes in the ideological and political nature of ulama-state relations in Pakistan over the past thirty years, which have resulted in the increasing degree of institutionalized persecution of the Ahmadi community. Having outlined the empirical evidence surrounding both case studies in the previous two chapters, we will now turn to the concluding chapter and engage in a comparative analysis of the two case studies, and assess the theoretical implications arising from this analysis.

CHAPTER FIVE: ASSESSMENT AND IMPLICATIONS

This study advanced a combination of four variables, political Islam, the ulama, the state, and an "Islamic" state ideology, as explanations of the marginalization of the Baha'is and Ahmadis. Having detailed the empirical evidence in the past two chapters, we will now turn to an assessment of the similarities and differences in the impact of each variable, indicate any prospects for changes in marginalization, and lastly, draw general conclusions across the two case studies. This chapter will close by applying these conclusions to the theoretical area of the role of Islam in politics and the broader field of comparative politics.

A Comparative Analysis

In order to begin our comparative analysis, we need to indicate any similarities or differences in the dependent variable: the degree, scope and nature of Baha'i and Ahmadi discrimination in Iran and Pakistan, respectively. After that, we will turn to a discussion of the independent variables.

In the early 1950s, persecution was primarily in the form of specific incidents of violence against members of the relevant minority in society, including riots and destruction of homes and businesses. In Pakistan, the riots were limited to the province of Punjab mainly, while in Iran they were spread out geographically. Although violence, harassment, destruction of property was experienced by both minority groups, there are differences in the degree and nature of persecution experienced after 1980. In Iran, the Baha'is have been targeted much more extensively by the state, both as individuals and as a community, in terms of the numbers arrested, executed and others who have simply "disappeared." Altogether, more than 200 have been killed and approximately the same number have been imprisoned or are presumed dead. Although discrimination is institutionalized to the extent

that Baha'is are excluded from legal recognition as a religious minority and are restricted from enjoying certain civil, political and social rights, the pervasiveness of state actions against the Baha'i indicate a degree of vengeance that surpasses state concerns for enforcing anti-Baha'i laws.

In contrast to the Baha'is, Ahmadi discrimination in Pakistan after 1980 is primarily on a legal basis. Although there have been incidents of violence, they are not necessarily state-instigated in the same way that we see violence against the Baha'is in Iran. Ahmadi sources document that only 39 individuals have been killed between 1984 and 1999,[190] which illustrates that the state has not enforced the death penalty against Ahmadis as extensively. The majority of the instances of persecution and discrimination in employment, religious freedom and other areas is on the basis of contravention of law, as defined by the state. The fact that the laws are discriminatory is, of course, clearly problematic. However, what we are trying to underscore are differences in the nature and degree of Ahmadi marginalization after 1980, in comparison to the Baha'i case, where we see much more extensive and violent state behavior.

Turning to our explanatory variables, we will begin by examining the role of Islam. Chapter Two indicated that doctrinal Islam matters only to the extent that a particular version of it is interpreted and enforced in such a way that it explicitly marginalizes Baha'is and Ahmadis. This is realized in Iran and Pakistan after 1980, when the political victory of the fundamentalist perspective of Islam becomes important in shaping state ideology and furthermore, facilitating the institutionalization of anti-Baha'i and anti-Ahmadi sentiment. It

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[190] *Plight of Ahmadi Muslims in Pakistan*, p. 110.

should be noted that in both countries the introduction of an "Islamic" regime comes about through violent means, and not through an electoral victory.

However, this does not take away from two points that need to be noted about the political ascendancy of the fundamentalist perspective in Iran and Pakistan. One, the fundamentalist position has been disproportionately concerned with legal implications and legal punishments in Pakistan rather than putting forward an explicit, positive interpretation of Islam for all aspects of social, economic and political affairs. In Iran, it has taken the form of emphasis on Islam as the rationale for ordering state-society relations, but only Islam as interpreted by a handful of conservative clerics who control the helms of the state. Therefore, there are clearly limitations to how this perspective has been conceived and applied in the political arena in each country.

Two, the fundamentalist interpretation regarding the rights of non-Muslim minorities in Islamic states has been applied differently in each country. Both the Pakistani and Iranian fundamentalists, Maududi and Tabandeh, supported capital punishment for those defined as apostates in Islam, such as the Baha'is and Ahmadis. This is illustrated in Pakistan by the inclusion of the death penalty in the list of punishments for the blasphemy laws promulgated under Zia-ul-Haq. However, there is no counterpart in Iranian laws. Although the Baha'is are excluded from legal recognition, which is evidence of Tabandeh's views on non-Muslim minority rights, there is no explicit fundamentalist injunction for the destruction of Baha'i properties, harassment and other individual anti-Baha'i actions undertaken by the state. Instead, what is notable is that among the Baha'i executed by the state, the stated reason is not that the state is enforcing the death penalty for apostasy(as is the case in Pakistan), but rather that there are political reasons, i.e. accusations of conspiracy, which are the paramount. These differences lead us to conclude that the

fundamentalist perspective has not been necessarily uniformly articulated and applied in both countries, even if their proponents have gained political dominance in each case. The outcome, however, for both minority groups remains the same: increased persecution with the political rise of fundamentalist ulama.

The second variable, the political role of the ulama, has also differed in terms of the strength and degree of institutionalization in each country. In both, Iran and Pakistan, the ulama have functioned as important political actors, either in opposition to or in collaboration with the state, in the 1950s and 1980s respectively. In Iran, however, the ulama have become more institutionalized as a group within the state over time, while this is not the case in Pakistan under Zia. In the latter case, only one religious political party, the Jamaat-i-Islami, has enjoyed any significant influence in the military regime. In general, religious parties have enjoyed greater electoral support in Iran than their counterparts in Pakistan.

However, the degree of institutionalization of the ulama as state elites does not necessarily change their impact on minority marginalization. In both Pakistan and Iran in the 1950s, we see that ulama factions were successful in inciting riots against the minority groups. In the 1980s, again, regardless of the exact nature of their influence within the state, members of a particular ulama faction were again successful in institutionalizing Baha'i and Ahmadi discrimination. The fact that in both countries in the early 1950s, they were blocked by the state in their attempts to legislate discriminatory laws suggests that the political strength of the ulama is mitigated by the corresponding political and ideological strength of the state. This leads us to a discussion of the role of the state as our next variable.

State strength in both time periods in Iran and Pakistan has been a factor of the consolidation efforts of the leader/regime in power. In the 1950s, it serves as a more

important component of politics and provides the context for negotiations between ulama factions and the regime over the minority issue in each country. In the 1980s, while state and regime consolidation efforts are still ongoing, reflected in elite struggles over control of state institutions in the new Iranian state and in Zia's need to use Islam as a legitimizing factor for his military dictatorship, it again facilitates the targeting of Baha'is and Ahmadis. The only change is in the nature of discrimination, which is now much more institutionalized. In short then, while the role of the state is important in indicating the relative degree of Baha'i and Ahmadi marginalization, its greater importance lies in its relationship with the political role and strength of the ulama in any given time period in Iran and Pakistan.

The last variable, state ideology, and the construction of "Islamic" state ideologies in Iran and Pakistan after 1980, has also had a significant impact on the status of Baha'is and Ahmadis. On one hand, a more self-avowed "Islamic" state ideology clearly facilitates the exclusion of those who do not fit into the orthodox definition of a Muslim, which is evidenced in the 1980s in both countries. Conversely, a "secular" state ideology, one that does not include religion as a formal component of political life and as a factor in the state's relationship to society, is less likely to target any particular religious minority over another. We see this in the events of the 1950s in both countries, when a "secular" state ideology allows the state to resist the ideological pressure by the ulama to incorporate Islam more strongly into the rationale for state and regime legitimacy.

However, we need to examine the differences in the content of these "Islamic" state ideologies in more depth, and assess their implications for heterodox minority status. In the discussion above, of Islam as a variable, we noted the flexible application of the fundamentalist perspective regarding non-Muslim minority status in the laws of Iran and

Pakistan after 1980. This applies more generally to the larger "Islamic" aspect of state ideology as well, under Zia and the Ayatollahs, respectively. In Pakistan, there was no coherent articulation of state ideology as being specifically "Islamic", as opposed to any other type. While Zia used Islam as a superficial, legitimizing factor and instituted more "Islamic" legal punishments consistent with the imposition of shari'a as law,[191] beyond that, religion did not substantively change the impact of repressive, martial rule on society. Scholars note that Islam served as a mantra, which the population greeted with increasing disillusionment, cynicism and opposition.[192]

In contrast, the new Islamic Republic of Iran was more "Islamic", in the sense that it represented an Islamist interpretation of state-society relations, in particular, Khomeini's vision of velayat-e-faqih(rule by jurists). Islam was used as the guiding ethic for determining membership in the Iranian polity, so that People of the Book were relegated to a subordinate status to Muslims, as well as a way of institutionalizing the political power of the clerics. However, neither the existence or absence of a *substantively* "Islamic" state ideology in the 1980s mitigated the impact on the Baha'is or Ahmadis. While the lack of a coherent state ideology under Zia allowed him to push a "negative" definition of Islam, and target the Ahmadis under the guise of proving his regime's "Islamic" credentials, even a more substantively Islamic Iranian ideology, did not change Baha'i persecution. Instead, religious issues were combined with political accusations to further Baha'i marginalization.

An important point to note in the Iranian case is that other "dissident groups" were also targeted by the state after the Revolution. This included other non-Muslim minorities, as well other Muslim Iranians whose political views were a potential threat to the regime.

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[191] The Hudood Ordinances are particularly notable in this regard. See Forte, p. 37.

[192] Esposito, p. 360, Anwar Hussein Syed, *Pakistan: Islam, Politics and National Solidarity* (New York: Praeger Publishers, 1982), pp. 150-151.

Thus, any ideological differences with the state, in general, regardless of religious identity, marked particular individuals or communities for persecution and repressive state action. In this atmosphere, the association of Baha'ism with secularist, Western ideals and principles, in addition to their already problematic doctrinal identity, heightened their vulnerability. However, as a religious minority, the Baha'is remained unique as targets, illustrated by the pervasiveness, violent nature of state persecution.

In conclusion, while there has been some variation in their relative impact, all four explanatory variables have played a role in the increasing marginalization of the Ahmadis and Baha'is in Pakistan and Iran, respectively. One point that can be drawn from this analysis is the emphasis on elite-level political bargaining between ulama factions and the state, which took place at the expense of these two minorities. In both countries, we see heightened discriminatory sentiment being manipulated by either of these two political actors. While there is hatred against these minorities at the societal level, evidenced by instances of personal violence against minority group members and destruction of their property, it does not necessarily translate into political and legal discrimination in any substantive way on its own.

Prospects for Change?

Given the combined strength of the four explanatory variables, unless there is change in any of them, the situation for the Baha'is and Ahmadis in Iran and Pakistan does not appear likely to improve. The political strength of the modernist ulama in each country, and their potential ability to challenge fundamentalist interpretations about non-Muslim minority rights, is effectively non-existent. In Pakistan, the modernists have not been members of the ulama, which has taken away from their credibility and ability to gain any

popular support for their views. It has also provided the grounds for attack by the fundamentalist ulama, especially the Jamaat-I-Islami, who have responded by labelling any potential opponents as "non-Muslims" and therefore ended debate on the role of Islam in Pakistani politics. Also, historically, those among the state elites who espoused modernist views on Islam were pushed out after Zia-ul-Haq's coup in 1977.

In Iran, for the most part after the Revolution, we have seen the construction of an increasingly repressive state structure, propagated by a faction of conservative, fundamentalist clerics. While there was some hope of change with the election of Reformist candidate, Mohammad Khatami as Prime Minister in 1997,[193] it has not led to any significant change in the membership among state elites, nor any lessening of Baha'i persecution. Rather, it has provided the opportunity for greater tensions within the state apparatus, between reformists and the conservatives.

Another factor is the entrenchment of Islam as a component of state ideology in each country. It has become politically impossible for any Pakistani leader to repeal or change any of the blasphemy laws or other anti-Ahmadi legislation, now, almost twenty years after they were created. To do so is to open the regime up to accusations of "undermining Islam and Pakistan" from the religious parties and the ulama. The pressures of maintaining regime support amongst the various political parties and appearing to the public, at least in rhetoric, as supportive of Islam, do not allow any political leader to change anti-Ahmadi state policies. Furthermore, the Ahmadi issue still serves as an effective way for the ulama to demonstrate their "religious" credentials in politics.

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[193] *Congressional Testimony by Dr. Firuz Kazemzadeh, Secretary of External Affairs of the NSA of the Baha'is of the United States,* before the Subcommittee on International Operations and Human Rights of the House International Relations Committee, June 16, 1998. Available http://www.bahai.org/article-1-8-3-12.html.

Similarly, in Iran, as noted earlier, the political struggles between factions prohibits the reformists from exercising as much control as they would like, even if Khatami wanted to change the state's treatment of Baha'is and other non-Muslim minorities. Also, the dominance of Islam as *the* definitive rationale for the creation of the Islamic Republic in 1979 prohibits any action that could be interpreted as a challenge to the "unity and security of Islam and the Iranian Republic." Therefore, the strong link between religion and nationalism in each country does not leave much room for change in the state's attitude towards these two minority groups.

There is also limited scope for the impact of international pressure, in the form of campaigns by human rights organizations or the United Nations, in alleviating the situation of these two minorities. One characteristic that both the Baha'is and Ahmadis share in common is the meticulousness with which they have documented incidents of persecution in their respective countries. The Baha'i, in particular, have been very proactive in publicizing their plight in international forums, especially at the United Nations. While this has helped to generate general support among Westerners for the Baha'is in Iran, it has not translated into effective pressure on the Iranian state to change its domestic behavior. Instead, the Iranian state has been notable in its consistent denial of Baha'i persecution on the basis of religion, and in its refusal to allow international observers, such as UN Special Rapporteurs, to enter the country on their fact-finding missions.

The disdain for international opinion was also demonstrated by Zia-ul-Haq in a 1986 interview with an American human rights lawyer who asked him about the impact of the blasphemy laws on the Ahmadi community in Pakistan. He responded with, "Ahmadis offend me because they consider themselves Muslim...Ordinance XX may violate human

rights, but I don't care."[194] While personal animosity may have played a role then, other governments after Zia-ul-Haq have also been consistent in their refusal to heed pressure from international human rights organizations. The United Nations and Amnesty International, in particular, have noted Ahmadi persecution regularly and pushed for change, but have not been successful.[195]

Theoretical Implications

We will now assess the theoretical implications of this study for the field of comparative politics as a whole, and especially on the role of Islam in politics. This study has illustrated that while doctrinal issues are important in indicating why the Baha'is and Ahmadis are marginalized by Muslims in general, there are other additional political variables that need to be considered in order to explain their increasing marginalization in the contemporary states of Iran and Pakistan.

This dynamic forces us to consider the implications of Islam as a political variable. Does the presence of an "Islamic state" matter for explaining the marginalization of heterodox Muslim minorities? On one hand, the answer is yes, given the attractiveness of the use of religion as a component of state ideology, and the political dominance of the ulama in such a state. On the other hand, we have indicated that political issues of who gets to interpret Islam, how it is interpreted and how it is enforced, are all equally important in determining the exact nature and scope of discrimination. This study then negates the view

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[194] Quoted in Karen Parker, "Religious Persecution in Pakistan: The Ahmadi Case at the Supreme Court," p. 3.

[195] Amnesty International Reports all throughout the 1980s and 1990s note Ahmadi persecution in Pakistan. The United Nations Commission for Human Rights has also commented extensively on the subject in the reports by the Special Rapporteur throughout the 1990s.

of Islam as a comprehensive explanatory variable in Muslim countries and self-professed Islamic Republics.

It also lends itself to the issue of human rights violations in Muslim countries. Given the track record of human rights violations in many Muslim countries, is "Islam" incompatible with the protection of human rights as enshrined in international law? The Saudi government for example, has long insisted on religion as the justification for restrictions of women's rights and political freedom in Saudi Arabia. This study critiques this idea. As a religion, Islam does not automatically entail a curtailing of any kind of citizenship rights. Rather, its application in the political arena calls for a look at political explanations.

This work also negates the idea that religious or ethnic minority groups are more likely to be targeted in states that are dominated by the opposing religious/ethnic majority. In other words, no particular kind of state has a "monopoly" on targeting particular minorities. Any state can target minorities in order to distract its population from other external problems, to garner support from specific constituencies within society, to consolidate its support from political elites or for any other reasons of *political* expediency, rather than purely doctrinal reasons.

Furthermore, discrimination does not necessarily have to be in the form of violence or coercion by the state. Rather, a state can use other means, such as a different set of criteria for citizenship or limited access to educational or employment opportunities in particular areas, in order to "mark" a particular minority group. We see this happening in the Gulf states in the Middle East, for example, where non-Arab residents are not allowed full citizenship rights and also face employment restrictions, in owning and operating businesses.

In conclusion, this study advances a combination of four variables to explain Baha'i and Ahmadi marginalization in Iran and Pakistan over the last few decades. Although the unique doctrinal identity and small numbers of these two group preclude a generalization of these conclusions to other heterodox Muslim minorities, nevertheless, this work aids in broader understandings of state-society relations in other Middle Eastern, Muslim and developing countries.

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