

THE AHMADIYYAS OF PAKISTAN

A HISTORICAL OVERVIEW AND AN ASSESSMENT OF
THEIR CURRENT POSITION

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1. The origins and current situation of Pakistan's Ahmadiyya minority

1.1. Origins

The Ahmadiyya movement is composed of the followers of Mirza Ghulam Ahmed (1835 - 1908), the intensely charismatic leader of a late nineteenth century Islamic reform movement.¹ In this period Ghulam Ahmed attracted a great deal of support from amongst the well-educated sections of Punjab's urban Muslim elite, so much so that he became the chief representative of the Muslim cause in a series of intensely competitive debates which took place in Lahore during the course of the 1890s. Fired off by evangelical Christian missionaries' efforts to use what they described as rational arguments to show that Christian theology was infinitely superior to any of the local faiths, whose characteristics they were only too happy to describe in thoroughly scurrilous terms, representatives of the local Hindu, Sikh and Muslim communities soon set about challenging the missionaries' arguments. However not only did they give as good as they got vis-à-vis their evangelical antagonists, they also began to attack each other, whilst also proposing reforms to their own tradition to bring it back to what they insisted was its original pristine state. However most of the everyday followers of the established tradition, and especially those resident in rural areas, quietly ignored the reformers' modernising proposals.

Nevertheless in urban contexts much more active discussions about these issues soon erupted. Like many other prophetically inclined Islamic reformists, Ghulam Ahmed's impact and charisma gave rise to a theological debate about the source and character of his inspiration. Was he merely a *mujtahid*, and inspired reformer of Islam? Or was he the promised *Mahdi*, the messiah whom the Muslims, like the Christians, believed would appear shortly before judgement day? Or was his inspiration of such depth that he stood in the very shadow of the Prophet Mohammed himself? Or was he merely an impostor who was making a preposterous claim about standing in the line of Prophetic succession himself?

Whilst Ghulam Ahmed does not appear to have any explicit position with respect to his own personal status – for he preferred simply to let his teachings and his accounts of his ecstatic experiences stand for themselves – his enthusiastic followers were only too keen to promote their hero up the hierarchy of prophetic inspiration. But to Muslims less impressed by Ghulam Ahmed's teachings, his claims – or rather those promulgated by his most enthusiastic followers – appeared to be wholly sacrilegious. Specifically the suggestion that Ghulam Ahmed was a fully-fledged *nabi*, or Prophet, was seen as challenging the finality of the Prophet Mohammed's Prophethood – a core component of Islamic theology. If it was true that the Ahmadiyas denied that Mohammed was the last and most perfect in the line – a charge which the Ahmadiyyas emphatically denied, insisting that their leader was merely a profoundly inspired *mujtahid* – it followed that they had fallen into *kufr*, unbelief, and as such were *kaffir* who stood entirely outside the pale of Islam.

It is also worth noting that debates amongst the '*ulema*, the scholarly keepers of Islamic theological rectitude, can only be described as muscular in the extreme. In South Asia, and indeed throughout the Islamic contemporary world they specialise in nit-picking scrutiny in an effort to pull each other's arguments apart. Moreover given that their objective is to search out the absolute truth, they refuse to have any truck with those whose arguments they conclude are ill-founded. Since analytical mistakes have the consequence of leading the

¹ A detailed study of Ghulam Ahmed Mirza and his teaching can be found in Yohanan Freidman *Prophecy Continuous: aspects of Ahmadi religious thought and its mediaeval background* Delhi: Oxford University Press 2003.

faithful astray, *'ulema* have no compunctions of accusing rival scholars of being *kaffir*: and it goes without saying that their rivals most usually promptly return the compliment.

1.2. Political developments

Whilst the Doctors of Islamic Law – no less than the mediaeval Christian counterparts – have a well-deserved reputation for issuing scabrous denunciations of each other's opinions, until quite recently the vast majority of everyday Muslims paid little attention to their arcane scholarly squabbles. During the course of the past century, however matters have become a great deal more complex. As each of the major religious traditions in South Asia – and then sectarian interpretations within each of those traditions – began to be utilised as vehicles for political mobilisation, so these theological arguments began to be used with ever increasing frequency as ammunition in political debates.

At an ideological level Partition was in large part a product of just such processes, as politicians began to suggest that the Hindu, Sikh and Muslims traditions were so different from one another that they could not be expected to live together in a single nation – even though they had in fact been living side by side for the best part of a millennium. But even when Partition was indeed precipitated in 1947, these arguments did not stop: instead they shifted ground to a more sectarian focus. It was in this context that the Ahmadiyyas really began to run into trouble.

Despite Ghulam Ahmed's influence at the end of the nineteenth century, come Independence in 1947 his distinctive interpretation of the Prophet's message had not attracted many followers outside the Punjab's middle classes. On the other hand the Ahmadiyyas' rejection of the anachronistic teachings of the majority of classically trained *'ulema*, together with their openness to, and engagement with, European philosophical debates proved very attractive to many professionally and academically successful Muslims. Hence when the new Pakistani order began to crystallise in the aftermath of the chaos of 1947, Ahmadiyyas were disproportionately well represented in the senior ranks of government and administration.

If the newly founded Pakistani state had managed to establish itself on a stable basis that might not have mattered much – however that was not to be. Not only did Jinnah, the Qaid-i-Azam, succumb to tuberculosis within months of the foundation of the state, but the Prime Minister was assassinated little more than three years later. This was followed by a military take-over, the further partition of Pakistan and Bangladesh in a bloody and humiliating civil war, a brief democratic interlude and then yet further military take-overs – a process which continues to this day. To put it bluntly, ever since its foundation Pakistan has suffered from what can best be described as a democratic deficit, such that all its governments, whether composed of elected civilians or of martial rulers, have had very shaky claims to legitimacy whenever they found themselves faced by popular dissent. One consequence of this is that Pakistan's rulers have often found themselves extremely vulnerable to being thrown off-course by extremist groups, most especially when they used accusations that the Government was going soft on 'the enemies of Islam' as means of whipping up popular dissent.

1.3. The political role of 'Islamist' groups in Pakistan

One of the perennial problems of Pakistan's Islamist groups is that until the events of 9/11 and its aftermath (of which more below) candidates nominated by parties of the religious right invariably attracted derisory support in both national and regional elections (on the relatively rare occasions when they were held). Hence one of the few ways to make their voices better heard was to make extra-parliamentary attacks on the government under one variant or another of the slogan 'Islam in danger'. With this in mind the Ahmadis made an excellent target. Not only could they readily be accused of being *kaffirs*, but since so many of

them held senior positions in Government (if only because they were disproportionately represented amongst the better educated), but their very presence could be used to argue that because the Government harboured so many infidels in its ranks, thereby endangering the integrity of the Islamic state of Pakistan, it deserved to be toppled, elections or no elections.

The first serious effort to achieve this end occurred early in 1953, when a group of *'ulema* submitted an ultimatum to the Prime Minister of Pakistan, demanding that the Ahmadiyyas should be formally classified as non-Muslims, and that in consequence the Foreign Minister Chaudhry Zafar Ullah Khan should be dismissed from office on the grounds that he was an Ahmadiyya. After a period of prevarication the Prime Minister eventually made it clear that he was not prepared to dismiss Chaudhry Zafar Ullah, the was a major anti-Ahmadiyya insurgency in Punjab, which eventually became so serious as to lead the authorities to declare martial law to bring the province back under control. In his magisterial *Report of the Commission of Enquiry into the Punjab Disturbances of 1953* – which remains to this day one of the most instructive sources on the political and ideological foundations of the whole issue – Mr. Justice Munir concluded, amongst other things, that the principal blame for the disturbances had to be placed at the feet of two Islamic revivalist movements, the *Majlis-e-Arar*² and the *Jamaat-i-Islami*. He concluded that both of these movements had deliberately used the slogan of *khatme-Nabuwaat* to stir up anti-Ahmadiyya feelings amongst the population at large, and to suggest that the Ahmadiyyas were not only *kaffirs*, but traitors to Pakistan, thereby precipitating widespread violence.

However despite Mr. Justice Munir's scabrous conclusions – for he also went on to castigate the authorities for the failure to take firmer action in good time to contain these developments – his efforts to defend the legitimacy of plurality did not survive the test of time – or rather of politics. As Mr. Justice Munir made quite clear, the object of the proponents of *khatme-Nabuwaat* was not just to demonstrate that the Ahmadiyyas were *kaffirs*, but also that Pakistan was (or at least should be) an Islamic republic in which such blaspheming heretics would have no place. But although the authorities eventually decided that they would have no truck with such arguments in 1953, when Prime Minister Zulfikar Ali Bhutto found his popularity fading a few years later, he made a last desperate throw to restore his credibility by turning to the religious right for support. In an effort to do so he introduced the notorious Ordinance XX in 1984, which declared that the Ahmadis did indeed stand outside the fold of Islam. This was the origin of the notorious amendments to Sections 295 and 298 of the Pakistan Penal Code, passed under the subsequent military regime headed by General Zia-ul-Haq.

² During the early 1930s the Arars and the Ahmadiyyas became involved in a vicious internecine dispute over the most effective way to challenge the autocratic rule of the Hindu Maharaja of Kashmir, the great majority of whose subjects were Muslims. Whilst the Arars – whose principal source of support lay in the Potohar region of Punjab – actively supported a peasant uprising in that part of Kashmir which lies to the south of the Pir Panjal mountains (which immediately adjoins the Potohar plateau), much to the alarm of the British authorities, the Ahmadiyyas provided equally active support for protests articulated by elite Muslim leadership in Srinagar.

When the Maharaja managed to restore order (with extensive British assistance), the Arars and the Ahmadiyyas blamed each other for the failure of the enterprise. In doing so the Arars took the opportunity to suggest that the Ahmadiyyas had deliberately undermined their efforts on two grounds: firstly that they were in the pay of the British authorities, and secondly that they were not even Muslims at all, but mere *kaffirs*. In the immediate post-independence period the Arar movement transformed itself into the Khatme-Nabuwaat, and since then the movement has gone from strength to strength as a vehicle for neo-fundamentalist mobilisation.

1.4. *The consequences of being formally identified as not-Muslims*

Since then the Ahmadis have found themselves ever increasingly marginalised, no less by Islamist fanatics looking for scapegoats than by the authorities themselves. A particularly clear indication of the contradictions which they have encountered faced can be found in a much-quoted ruling by Supreme Court Justice Abdul Qadeer Arshad, who held that although religious freedom was guaranteed in Pakistan, Ahmadis must nevertheless “*never desecrate or defile the pious personage of any other religion including Islam, nor should they use their exclusive epithets, descriptions and titles, and also avoid using exclusive names likes mosques, and practices like Azan so that the people are not misled or deceived as regard to the faith...*”

This effectively placed the Ahmadis in a quite impossible double bind, since their everyday religious practices – given that they identified themselves as Muslims – required them to do precisely those things which this ruling deemed unacceptable. Hence simply by being even a mildly pious Ahmadi – by, for example reciting the *shahada*, the Islamic statement of faith in public – necessarily fell foul of Mr. Justice Choudhry’s strictures. It followed that any practicing Ahmadi was by definition wide open to finding himself being charged with a very serious criminal offence.

The suggestion that the followers of Ghulam Ahmad Mirza are not, and cannot legitimately describe themselves as Muslims has likewise been taken up by Pakistan’s educational authorities. Hence the textbooks dealing with Islamiyyat – a compulsory subject at all levels in the Pakistani educational system – explicitly identify the movement as having rejected the finality of the Prophet Mohammed, and hence as having rejected one of the most fundamental tenets of Islamic theology. In other words the tenets of the *Khatme-Nabuwaat* are explicitly underlined by the educational system, so much so that any challenge to the arguments on this score set out in *Islamiyyat* textbooks are now popularly regarded not just as blasphemously heretical, but as a traitorous betrayal of Pakistan’s national integrity.

By no means everyone is fooled by such arguments, however. As Pakistan’s educational system has succumbed to a rising tide of authoritarian and anti-intellectual neo-fundamentalism, an ever increasing number of more thoughtful students have begun to think outside the box, and to explore the contents of the forbidden fruit on the far side of the fence. This is not difficult to do in the Ahmadi case, since the movement now has a large and comparatively wealthy following outside Pakistan. From there it runs a global satellite-based TV service, which can readily be watched in Pakistan, as well as producing extensive literature setting out views of a kind which can readily be described as ‘moderate Islam’. To disaffected and intellectually starved young Pakistani students who come across such material, the teachings of Ahmadiyya movement are frequently read as a breath of fresh air – leading them readily to accept the invitation to join in. Whilst all who do so have little alternative but to pursue their new-found interests surreptitiously, such developments – which are becoming increasingly widespread – have begun to precipitate steadily rising levels of alarm amongst those holding more ‘orthodox’ opinions.

2. Subsequent Developments

2.1. *The settlement in Rabwah*

Prior to partition, the headquarters of the Ahmadiyya movement had been in the East Punjab town of Qadian, Ghulam Mohammed’s birthplace. However when Qadian was swallowed up by India in 1947, Ghulam Mohammed’s successor and his followers were forced to flee.

They soon set up an alternative settlement in District Jhang on the far side of the newly established border, which they named Rabwah ('high ground' in *qur'anic* Arabic). In its early years Rabwah became a thriving town, not least because of the strength of the movement's transnational linkages. Over the years a substantial number of Ahmadis migrated overseas, most particularly to Western Europe and North America, partly in pursuit of professional careers, but also as proselytising Islamic missionaries. In so doing they have attracted a large number of non-Pakistani converts, especially in West Africa.

But although the Ahmadiyyas consequently have a large transnational presence – the movement's satellite TV broadcasts (which are originated in North America) can be picked up in most parts of the world – in no way does Rabwah have any kind of sovereign status: instead it is still firmly located within, and indeed subordinated to, Pakistan's established socio-political order. Not only has the town been renamed Chenab Nagar by the authorities, but it also falls under the administrative jurisdiction of the nearby Tehsil headquarters in Chiniot. Nor do the town's Ahmadi inhabitants have any kind of administrative autonomy: as the President of the Rabwah Human Rights Committee has indicated that all the most significant administrative offices in the town are headed up by either Shi'a or Sunni Muslims.

It is also worth noting that although Rabwah is regularly identified as the 'headquarters' of the Ahmadiyya community in Pakistan, and that the town is exceptional in the sense that Ahmadis form make up a substantial proportion of the local population, the great majority of Pakistan's Ahmadi population live elsewhere, either in the villages in which conversion took place during the early years of twentieth century, or in the cities of Lahore, Faisalabad, Multan and Karachi. Moreover as hostility to the movement became steadily more institutionalised, Rabwah lost its initial position of administrative autonomy, and the town soon begun to haemorrhage the best and brightest members of its population. Those who still remain find themselves a focus of harassment, which in recent years has largely, although not exclusively been articulated through a reinvigorated *khatme-Nabuwaat* movement.

2.2. *The origins of the rise of neo-fundamentalism*

Following the Soviet invasion of Afghanistan and American support for the resultant anti-communist *jihad*, together with matched Saudi financial sponsorship, channelled largely through the ISI (Inter-Services Intelligence, a semi-autonomous branch of the Pakistani Army) for guerrilla operations in both Afghanistan and Indian-held Kashmir, there has been a significant resurgence of support for neo-fundamentalist Islamist movements in many parts of Pakistan. The central reason for this is that majority of those who went off to fight these twin *jihads* were drawn from *madrassah* (seminaries) run by the hard-line Deobandi movement, which were largely funded by donations from Saudi Arabia, and their interests protected by senior officers in the ISI. It was from precisely these seminaries that the Taliban movement emerged.

But although the ISI – which operated largely autonomously of the formally constituted Pakistani government – expected that the impact of the shock-troops emerging from the seminaries, together with the *'ulema* who trained them would largely be felt across the border in Afghanistan and India, there was no way in which their influence could be so confined. Although still a very small minority, these well armed thugs, together with the *'ulema* who provided them with their ideological inspiration, also began to have an increasing impact within Pakistan itself. The result was the emergence of a series of groups of militant extremists such as the *Sipah-i-Sahaba*, *Lashkar-i-Toiba*, *Jaish-Mohammedi* – and a newly revived manifestation of the *Khatme Nabuwaat* – all of whom were as eager to pursue their

objectives by violent means within Pakistan as they were across the border in Afghanistan and Kashmir.

Pakistan's weak civilian governments – led on a box-and-cox basis by Benazir Bhutto and Nawaz Sharif – were largely unable to contain the increasingly violent activities of these movements, which is one of the reasons why General Musharraf's military coup in 1999 was greeted with a sigh of relief by large sections of the population. But although General Musharraf fairly soon proscribed the most violent of these movements (although not the *Khatme Nabuwaat*) he has not been able to eliminate them. A few of their leading members may have been incarcerated, but vast majority of their foot-soldiers still remain at large, and regularly implement major atrocities.

2.3. *The dilemma currently faced by the Pakistani authorities*

There can be little doubt that 'internal terrorism' of this kind causes great concern to General (and now President) Musharraf and many of his immediate advisors, both because it disturbs the social order, and because they are personally opposed to most aspects of the fundamentalist ideologies which inspire those who carry out such atrocities – some of which have been directed at the President himself. However in the aftermath of the events of 9/11, Musharraf has found himself unable to make much more than symbolic gestures of disgust towards their activities and supporting ideologies. Whilst the President's decision to back the American invasion of Afghanistan in 2002 may have been strategically sensible, it was one to which the vast majority of the population were bitterly hostile. Hence when elections were held later that year – as was essential if Musharraf was to establish the legitimacy of his regime – the MMA, a rag-tag coalition of Islamist parties – received sufficient votes to hold a balance of power in the new Parliament. It followed that if President Musharraf was to keep his fledgling democracy afloat, he could do nothing which would upset the MMA. Otherwise the whole fragile edifice which he has so carefully constructed would in all probability collapse like a pack of cards. Hence whilst General Musharraf regularly makes speeches expressing his commitment to open liberal democracy and his intense hostility to most aspects of the neo-fundamentalists' agenda, especially when addressing international audiences, he is largely unable to implement those policies in practice.

This state of affairs is firmly underlined in the widely respected International Crisis Group's report on the *State of Sectarianism in Pakistan*, published in April 2005.³ The Executive Summary of the report opens by noting:

Sectarian conflict in Pakistan is the direct consequence of state policies of Islamisation and marginalisation of secular democratic forces. Co-optation and patronage of religious parties by successive military governments have brought Pakistan to a point where religious extremism threatens to erode the foundations of the state and society. As President Pervez Musharraf is praised by the international community for his role in the war against terrorism, the frequency and viciousness of sectarian terrorism continues to increase in his country. Instead of empowering liberal, democratic voices, the government has co-opted the religious right and continues to rely on it to counter civilian opposition.

In the body of the text the Report went on to note

³ The International Crisis Group operates autonomously, but receives its finance from numerous Governments. In the case of the UK, contributors include the Foreign and Commonwealth Office, and the Department for International Development.

Sectarian terrorists in Pakistan are thriving in an atmosphere of religious intolerance for which its military government is largely to blame. General Musharraf has repeatedly pledged that he would eradicate religious extremism and sectarianism and transform Pakistan into a moderate Muslim state. In the interests of retaining power, he has done the opposite.

Instead of empowering liberal, democratic voices, the government has co-opted the religious right and continues to rely on it to counter civilian opposition. By depriving democratic forces of an even playing field and continuing to ignore the need for state policies that would encourage and indeed reflect the country's religious diversity, the government has allowed religious extremist organisations and jihadi groups, and the madrasas that provide them an endless stream of recruits, to flourish. It has failed to protect a vulnerable judiciary and equip its law-enforcing agencies with the tools they need to eliminate sectarian terrorism. (page 29)

2.4. *The resurgence of the Khatme Nabuwaat movement*

All this has provided fertile ground for the resurgence of the *Khatme Nabuwaat* movement. The neo-fundamentalist Islamist groups which emerged during the 1990s, and whose popularity gained a further boost following the American invasion of Afghanistan in the aftermath of 9/11, fell into two broad categories: firstly those who sought to wage war on those whom they identified as Islam's enemies without, the Russians, the Hindus, and above all the Americans; and secondly those who specialised in seeking to extirpate those groups whom they regarded as Islam's 'enemies within'. Amongst the latter two groups proved to be particularly significant, most especially in terms of the mayhem they have achieved. The *Sipah-i-Sahaba*, who initially targeted Christians and then moved on to mount equally homicidal attacks on Shi'a Muslims (whom they likewise identified as *kaffir*), and the *Khatme-Nabuwaat* movement, whose sole target was the Ahmadiyyas.

Whilst the *Sipah-i-Sahaba* swiftly moved towards out and out terrorism, such that bombing Churches and Mosques became their tactic of choice, members of the *Khatme-Nabuwaat* movement has for the most part restricted itself to a more 'legalistic' approach. Hence they began to specialise in launching criminal complaints against leading members of local Ahmadi communities. This was relatively easy to do, since Section 295 provided a ready basis on which to register an FIR against any Ahmadi who made any kind of public manifestation of their religious commitment. The result patterns of harassment continue to this day.

To be sure the *Khatme-Nabuwaat* tend to be rather less violent than their *Sipah-i-Sahaba* counterparts, since the most recent murder reported in the press appears to be that of Brigadier Iftikar Ahmed, who was gunned down in broad daylight by three assailants in his house in Rawalpindi cantonment in July 2003. Nevertheless legal harassment continues: as the BBC reported on 30th November 2004, an Ahmadi convert named Iqbal Ahmed was arraigned under Section 295 before the District Court in Chiniot, under whose jurisdiction Rabwah falls; having been found guilty, he was sentenced to Life Imprisonment.⁴ It is also worth noting that the recent Crisis Group report indicates that the KN has now located its national headquarters in Chiniot:

Sipah-i-Sahaba reinforces and complements the Majlis-e-Tahaffuz-e-Khatme Nabuwaat (Movement to Protect Finality of Prophethood), based in Chiniot, Jhang's neighbouring town. Chiniot is also close to Rabwah, the Ahmadi religious centre and a frequent target of Sunni, particularly SSP-led, violence. (page 15)

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http://news.bbc.co.uk/1/hi/world/south_asia/4055723.stm

2.5. *The character of the Khatme-Nabuwaat threat to the Ahmadiyyas in contemporary Pakistan*

Nevertheless it is worth noting that the *Khatme-Nabuwaat* made no attempt to target *all* Ahmadis, wherever they were to be found in Pakistan. Rather they preferred to focus on those who had some kind of public profile, and/or those who were active in student affairs. (most members of the *khatme-Nabuwaat*'s hit-squads are young men of student age). This is significant both because Ahmadis are committed to *da'wa* ('spreading the word' or as the legal literature often puts it, 'preaching'), and because many students from non-Ahmadi backgrounds have become thoroughly disillusioned with the mindlessly thuggish tactics of the neo-fundamentalists. On the one hand Ahmadi students frequently find a ready audience when they share their careful and considered approach to Islam with interested non-Ahmadi class-fellows; and on the other it is becoming increasingly frequent for young people who have become disillusioned with mindless authoritarianism neo-fundamentalist teachings to look for potential alternatives. Should they stumble their way onto an Ahmadi website in amongst the forest of sites maintained by the *khatme-Nabuwaat* opponents, they may well find themselves drawn into the movement through cyber-space.

Such developments cause a great alarm amongst supporters of the *khatme-Nabuwaat*. If the prospect of Ahmadis conducting *da'wa* appears, from their perspective, to be an outrageous challenge to the true faith, the prospect of good Muslims committing apostasy seems quite preposterous, and demands the strongest possible counter-measures. However the Maulvis who maintain a tight hold over *khatme-Nabuwaat* activities for the most part take care to avoid the simplistic 'kill the *kaffirs*' position adopted by their more violent counterparts, for just as they did way back in 1953 their ultimate target still appears to be the 'authorities who permit unbelief to persist in their midst', rather than just the 'unbelievers' themselves. Hence the fact that the FIRs which they regularly register against Ahmadis relatively rarely make much progress through the courts suits their persecutors down to the ground.

On the one hand these delays enable them to argue – just as they did in 1953 – that the authorities secretly support the unbelievers; and on the other the very fact a charge has been registered provides endless opportunity to tie their victims up in court appearances, and in doing so whip up popular hostility towards them. Sometimes the crowds of protestors become so excited that they cause the victim's death. More usually, however, they take the line of least resistance and flee. However even that is by no means always an effective solution. The *khatme-Nabuwaat* is an organisation with branches in all parts of Pakistan, and since their victims normally flee to take shelter with relatives, it appears that members of a branch in any one neighbourhood very often manage to establish the destination to which their victim is most likely to flee. This seems likely to be the most reasonable explanation as to why it is that those Ahmadis who flee for safety from one part of Pakistan to another are so often – although by no means always – picked up, and picked upon, by the local *khatme-Nabuwaat* group so soon after their arrival.

3. **The Legal Foundations of the so-called Blasphemy Laws**

Besides setting out a devastating critique of the administration of justice in contemporary Pakistan, the International Crisis Group's report entitled *Reforming the Judiciary in Pakistan*, published in October 2008 also includes an illuminating legally-grounded commentary on the way in which additional clauses were inserted into sections 295 and 298 of the Pakistan Penal Code to produce what are currently popularly identified as the blasphemy laws, together with a commentary on the impact which they have had on a variety of minority

communities, including the Ahmadis. The analysis set forward is so detailed and illuminating that it is worth quoting in full:

III. ISLAMISING THE LEGAL SYSTEM: INSTITUTIONALISED DISCRIMINATION

A. THE BLASPHEMY LAW

The Pakistan Penal Code is based on colonial India's Penal Code of 1862, which has however been amended several times since 1947. Pakistan's blasphemy law might, for instance, appear to be based on the British colonial law that prohibits the denigration of religion, but the Pakistani version is significantly different. Section 295A in the PPC that addresses religion is certainly inherited from the Indian Penal Code. Prohibiting "deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs", it is not in itself discriminatory and is generally consistent with international standards on the defamation of religion. The Zia-ul-Haq regime's amendments, however, placed special emphasis on the protection of Muslims; called for harsher punishments for offences against Islam; and required trials under Section 295 to be presided over by a Muslim judge. Said a Karachi-based human rights lawyer and Supreme Court advocate: "It is these provisions that make the PPC a discriminatory system".

They include:

Section 295B (1982): Calls for life imprisonment for anyone who "wilfully defiles, damages or desecrates a copy of the holy Qu'raan ... or uses it in any derogatory manner". It allows for such a person to be arrested without a warrant.

Section 295C (1986): Imposes the death penalty, or a life sentence, on anyone who, "by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad".

The blasphemy law's vague language makes no reference to a potential offender's state of mind or intention, exacerbating its impact and inviting widespread abuse and "the harassment and persecution of minorities in Pakistan." It effectively delegates authority to private citizens and public officials to enforce social biases. Radical Sunni outfits in particular have exploited the law to target religious and sectarian minorities, using trials for religious offences as occasions to rally their base. In May 1994, for example, a group of clerics used a blasphemy hearing against two Christians in the Lahore High Court as a stage for public calls for Pakistan's "Talibanisation".

Since 1991, blasphemy cases carry a mandatory death penalty. Although such a sentence has never been carried out, the blasphemy law remains, in the words of an analyst, "a lethal weapon in the hands of religious extremists?" and "the handiest instrument for mullahs to persecute rivals, particularly members of the Christian community [as well as] liberals". It also encourages violence.

In July 2002, an inmate belonging to the radical Sunni Sipah-i-Sahaba (SSP) murdered a scholar convicted of blasphemy by a Lahore district court." In August 2003, a Christian was arrested under Section 295 for littering near a mosque in Lahore. A police officer killed the man while he was in custody out of a sense of "religious duty".

Blasphemy cases are not treated as typical criminal trials. LA. Rehman, director of the independent Human Rights Commission of Pakistan (HRCP), emphasised:

"In blasphemy cases involving minorities, lower courts invariably convict the accused. They cannot take the risk of acquitting the person". Lahore's police chief admits that religious groups pressure the police into lodging charges under the blasphemy law." Such groups also attack and intimidate defence lawyers, making it difficult for the accused to get legal representation. "I cannot dare to file a petition in court that this is a discriminatory provision of law", said a Supreme Court advocate and human rights lawyer. "Even as a teacher of law, I was hesitant to talk about the blasphemy law, because of past incidents when students who belong to religious parties have filed blasphemy cases against such professors". Intimidation also extends to the higher judiciary; most notably, in October 1997, a Lahore High Court judge who had acquitted a teenaged boy of blasphemy was shot dead in his chambers.

Often defendants in blasphemy cases request a transfer of their case to another jurisdiction, which the law permits if a case is not heard on time or if the circumstances do not allow for a fair hearing." The superior courts have also limited the impact of the blasphemy law, overturning subordinate court verdicts or dismissing cases for lack of evidence." However, so long as the law remains on the books, Pakistani citizens, and minorities in particular, will be vulnerable to its abuse.

In 2000, shortly after seizing power, Musharraf promised to amend the blasphemy law to allow only senior district officials to register blasphemy cases but soon withdrew the proposed change under pressure from the religious lobby. In 2005, parliament passed a law requiring that a senior police official investigate a blasphemy accusation before a complaint was filed in the courts. Seldom implemented, the law has not led to a significant reduction in blasphemy charges." Well-off complainants who are seeking to use the blasphemy law in financial or property disputes can easily skirt the requirement: "All it takes is a well placed bribe to get around this safeguard".

In May 2007 Musharraf's PML-Q government rejected a private member bill by a ruling party parliamentarian, calling for changes that would make the blasphemy law less discriminatory. The parliamentary affairs minister was quoted as saying: "Islam is our religion and such bills hurt our feelings. This is not a secular state but [the] Islamic Republic of Pakistan",

In a major recent judgment, the Lahore High Court overturned a blasphemy conviction by allowing the defendant to recite the first Kalima as evidence of his innocence, thereby shifting the burden of evidence to the prosecution, as required by law." A legal analyst argued: "This decision as an operating precedent makes it difficult for a conviction to be obtained in the lower courts without a strict evidentiary standard."

B. TARGETING AHMADIS

Pakistan's anti-Ahmadi laws merit special attention because of their link with the sectarian conflict and violence that remains the primary source of terrorism in the country. Right-wing religious groups began demanding the Ahmadi seer" be declared a non-Muslim minority shortly after independence in 1947. In 1953, anti-Ahmadi riots led to the imposition of martial law in Lahore, Punjab's provincial capital, the fall of the provincial government and eventually the fall of the central government. A court of inquiry examining the disturbances issued a report stating that there was no consensus

amongst the ulema" on the definition of "Muslim", and therefore any Muslim individual or sect was entitled to its own interpretation of the religion."

Ahmadis were legally recognised as Muslims until 1974 when, capitulating to the religious lobby, following Jamaat-i-Islami-led street demonstrations in Punjab, Zulfikar Ali Bhutto's government passed a constitutional amendment that officially excommunicated Ahmadis. In 1984, to appease orthodox Sunnis, his main constituency, General Zia-ul-Haq further institutionalised Ahmadi segregation through amendments to the Penal Code. The Supreme Court dismissed a constitutional petition against these amendments, as did the Federal Shariat Court. The provisions include:

Section 298-B, which prohibits:

1. Any person of the Qadiani group or the Lahori" group (who call themselves Ahmadis or by any other name) who by words, either spoken or written or by visible representation:

a) refers to or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (Peace Be Upon Him-PBUH), as Ameer-ul-Mumineen [leader of the faithful], Khalifa-tul-Mumineen [caliph of the faithful], Khalifa-tul-Muslimeen [caliph of the Muslims], Sahaabi or Razi Allah Anho [companions of the Prophet];

b) refers to or addresses, any person, other than a wife of the holy Prophet Muhammad (PBUH), as Ummul-Mumineen [Mother of the Faithful, a title reserved for the Prophet's wives];

c) refers to, or addresses, any person, other than a member of the family (Ahle-bait) of the holy Prophet Muhammad (PBUH), as Ahlebait [family of the Prophet]; or refers to, or names, or calls, his place of worship as Masjid (mosque); shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to [a] fine.

2. Any person of the Qadiani group or Lahori group, (who call themselves Ahmadis or by any other names), who by words, either spoken or written, or by visible representations, refers to the mode or form of call to prayers followed by his faith as Azan [call to prayer] or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may be extended to three years and shall also be liable to [a] fine.

Section 298-C, which prohibits:

Any person of the Qadiani group or the Lahori group (who call themselves Ahmadis or 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 representation 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 [crimes under this section are non-bailable].

Ahmadis must either renounce their beliefs to be declared Muslim, or be declared non-Muslim. Muslims must officially declare that they do not recognise the Ahmadi community as Muslim before they can obtain a Pakistani passport. In 2004 the government introduced new

machine-readable passports that, unlike earlier ones, did not include a religion column. However, after hard-line clerics accused Musharraf of secularising the country, the government restored the religious column. In June 2007, the Election Commission of Pakistan issued separate electoral lists for the Ahmadi community for the February 2008 elections despite government commitments to end separate electorates.

Anti-Ahmadi laws have deepened sectarian fault lines, with the Sunni extremist Sipah-i-Sahaba, for instance, demanding that the Shia sect be also declared non-Muslim. This discriminatory legislation has also encouraged vigilantism and violence.

As with the blasphemy law, the vague language of Section 298 has resulted in a flood of cases, mostly trivial, against Ahmadis. For example, in 1989 Mirza Mubarak Ahmad, an Ahmadi, was arrested for distributing a pamphlet and, while in prison, was seen saying his prayers by a political opponent, who then filed a criminal case against him for posing as a Muslim. The case took eleven years, and a judicial magistrate in Hyderabad finally found Ahmad guilty under Section 298. In his judgment, the magistrate acknowledged that the constitution gives every citizen the right to practice his or her faith. However, since Ahmad had faced the Kaaba." while offering his prayers, "he posed himself as Muslim and injured the feeling of thoughts and the individual beliefs of citizens cannot be allowed to be interfered with". It further stated:

"Islamist jurists are unanimous on the point that except for Sallat [prayer] and Zakat [alms] no other obligation stipulated by Islam can be enforced by the state". The Court also reinforced the 1954 opinion of the court of inquiry that the ulema "had no unanimity before the Court of Inquiry on the definition of 'Muslim', because, everyone being a Muslim has his own interpretation of Quran and Sunnah. Therefore, [a state official] under the Hisba Bill, cannot be empowered to determine in his discretion whether any act is consistent with Islamic moral values and etiquettes or not".

The same court, however, failed to declare the blasphemy laws, anti-Ahmadi legislation or the anti-women Hudood Ordinances unconstitutional.

4. Sectarian conflicts and the steadily rising political impact of neo-fundamentalism

4.1. Escalation in the scale of neo-fundamentalist violence

The ICG report cited above is one of a long succession of reports published by the organisation during the course of the past decade which effectively serve to track post 9/11 political developments in Pakistan. In doing so they have consequently highlighted the way in which neo-fundamentalist groups have become steadily more politically influential over time, partly as a result of covert assistance from the ISI (The Pakistan army's equivalent to the CIA), partly as a result of the close links with the Taliban in Afghanistan and *jihadi* initiatives in Kashmir, together with the tendency of the authorities' marked preference for trying to appease their demands in the aftermath of the increasingly audacious in-country terrorist 'spectaculars', rather than actively confronting them.

In a report entitled *Pakistan's Tribal Areas: Appeasing the Militants*, published in December 2006, the ICG went on to describe how supporters of the Afghan Taliban (many of whom were of Pakistani origin) who had retreated (along with Osama bin Laden) fled across the border into neighbouring Districts along the Pakistani border had effectively managed to set up an alternative 'Islamic' administration of their own in many parts of the Federally

Administered Tribal Areas, so much so that the authors of the report included a chapter entitled 'The Talibanisation of Pakistan.' They were prescient in so doing: soon after the report was published disparate *jihadi* groups who have wrested control from properly constituted authorities in the greater part of FATA, and who also have an extensive following in much of the rest of Pakistan came together under a single umbrella organisation, the *Tehrik-e-Taliban-e-Pakistan*.

The roots and consequences of these developments – and most especially the ways in which they have begun to spread beyond FATA to precipitate rising waves of neo-fundamentalist violence across the length and breadth of Pakistan are discussed in chilling detail in a recently published book by Rashid Ahmed, entitled *Descent into Chaos: How the War against extremism is currently being lost in Pakistan, Afghanistan and Central Asia* (Allen Lane: the Penguin Press, 2008). As Rashid Ahmed notes in his conclusion

In 2007 there were 56 suicide bombings in Pakistan, which killed 419 security officials and 217 civilians, compared to just 6 such attacks the previous year. Despite this tenfold increase in suicide bombings, the regime had failed to track down a single culprit.'

In 2008 there has been no let-up in these developments. The bombers are becoming increasingly audacious, and although we are still little more than half way through the year, the number of those who have so far lost their lives on this basis is already comfortably in excess of those who met their end in this way in 2008. Indeed such is the scale of violence that only the more outrageous incidents are now reported in the press.

The opening paragraph of the ICG's report on, *Reforming Pakistan's Police* published in July 2008, takes up the same theme:

After decades of misuse and neglect, Pakistan's police force is incapable of combating crime, upholding the law or protecting citizens and the state against militant violence. With an elected government taking over power after more than eight years of military rule, the importance of reforming this dysfunctional force has assumed new importance. Elected representatives will be held accountable if citizens continue to see the police, the public face of government, as brutal and corrupt.

The police remain a political pawn, with transfers and promotions used to reward those willing to follow orders, no matter how illegal, and to punish the few professional officers who dared to challenge their military masters. The new civilian government has inherited a police force with a well-deserved reputation for corruption, high-handedness and abuse of human rights, which served the military well for over eight years, suppressing Musharraf's civilian opposition and more than willing to accept any task – from extrajudicial killings and torture to rigging elections. With public confidence in the police at an all-time low, reform will be difficult and require time, patience and resources, yet it is a task the new governments at the centre and in the provinces will ignore at their peril, as militant violence reaches new heights.

It is hardly surprising that this under-staffed, ill-equipped, deeply politicized, and pervasively corrupt force has failed to counter the growing extremist menace that is undermining the stability of the Pakistani state, claiming hundreds of lives in terror attacks.

A further ICG report entitled *Pakistan: the Jihadi Challenge*, dated 13th March 2009 further underlined the unwillingness, and indeed the inability, of Pakistan's properly constituted authorities to intervene on behalf of members of religious minorities when they found themselves targeted by rabble-rousing mobs whipped up by the religious right. Strikingly enough, the report makes scant reference to attacks on members of either the Christian or the Ahmadi minorities in its analysis of the Pakistani *jihadis* internal targets: instead it focuses on a much more alarming phenomenon: Sunni neo-fundamentalists' efforts to identify members of Pakistan's much more substantial Shi'a population as blasphemers and infidels, whose consequences the report discusses at some length. With the wider issues in mind (for it goes without say that the Christian and Ahmadi issues have not diminished in the midst of all this, but have merely been turned into mere political molehills in comparison with the rapid appearance of a neighbouring mountain) the conclusions which the report reaches can only be described as chilling:

The increased influence of radical Sunni groups, which remain the primary source of terrorism in Pakistan, and their links to international networks like al-Qaeda make them even more dangerous than before. Dismantling them must be the core of the government's counterterrorism policy. However, the military's patronage of regional jihadi groups like the Jamaat-ud-Dawa, also tacitly supported by some elements of the civil bureaucracy, is the primary impediment to sustained government action.

Decades of military rule have also weakened Pakistan's moderate and secular forces and emboldened the religious right. Even if the democratic transition continues uninterrupted, counter-terrorism will only be effective if it is not just robust but also accountable, based on identifying, arresting and ultimately convicting religious extremists in fair trials. Musharraf's eight-year rule caused a general breakdown of governance, leaving state institutions like the police and the courts in disarray. Political interference from the military establishment has not only limited the police's technical capabilities, but has more directly prevented consistent action against radical jihadi groups. The elected government must now vest significantly greater resources and authority in the IB, CIDs and FIA to enable these agencies to fulfil their mandate.

To date there is no sign whatsoever that such initiatives have been put in place, or that there is any likelihood of their being implemented in the immediate future.

5. The fall of the Musharraf regime and its consequences

5.1. Politics

The past year has seen tumultuous developments in Pakistan. Although democratic rule has nominally been restored in Pakistan as a consequence of the overwhelming popular demands that General Musharraf should resign from his position as President, his replacement Asif Zardari – who gained office on a wave of public sympathy in the aftermath of the assassination of his wife Benazir Bhutto – is proving to be a weak and fickle occupant of the post. There are several reasons for this

- Despite the fact that the PPP and its allies still have a threadbare majority in the National Assembly, the Zardari government no longer enjoys any kind of popular mandate, especially in the Punjab, Pakistan's largest and richest province,

- As a result of years of neglect, let alone the impact of the global credit crunch, Pakistan's economy is currently on its beam ends
- Driven by poverty and disillusionment, as well as by almost universal hostility to the US presence in Afghanistan, and especially regular sallies by US airplanes into Pakistani airspace in hot pursuit of terrorists, and further reinforced by revisions in the school curriculum, there is a powerful bedrock of support for neo-fundamentalist interpretations of Islam amongst the population at large.
- As a result the Zardari government, and indeed the military (which remains to this day the major power behind the throne) continues to prevaricate as to how far it should crack down on, and how far it should seek a compromise with, the agenda of the religious right.
- Hence despite the decision of the military to implement massive counter-insurgency operations in those where the writ of the authorities had ceased to run, it is by no means clear whether the underlying problems are being resolved. Once again the military has begun to make repeated announcements that the terrorist threat has been virtually eliminated; however most observers – including most of the two million inhabitants of the Swat valley who fled southwards for safety's sake – are not greatly impressed by those claims.
- As a result key aspects of the neo-fundamentalist agenda still attract widespread support on the grounds that they are protecting the integrity of Pakistan's established order from the threat of heresies within (e.g. in the form of non-Sunni interpretations of Islam, such as the Shi'as and followers of the Ahmadiyya movement), as well as from even more the serious threats stemming from what are perceived as being Pakistan's implacable enemies from without (India and the United States).

At practical level the consequences of these developments were immediately apparent during the course of my recent short visit to Pakistan. Even though the area in which I based myself was well clear of the areas in which the authorities have lost administrative control, the lack of security felt by those with assets to protect was palpable. Armed private security guards were much in evidence, and there was much talk of the robberies and kidnaps, which the authorities appeared to be largely unable to contain.

By chance I also ran into a clear example of just such a development when I made a brief visit to Pakistan in June 2009.

5.2. My own experience of the looming power of neo-fundamentalism

Although I asked my local informants about the position in which the Ahmadiyyas currently find themselves in Pakistan during the course of my recent brief visit, I did not receive anything in the way of a significant response. However they bubbled over to tell me another very recent incident, involving the experiences of a follower of Ghulam Ahmed Pervaiz, yet another religious reformer in a similar mould to Ghulam Ahmed Mirza, the founder of the Ahmadiyya movement. Born in 1904 in Gurdaspur, just across the border in what is now India, Pervaiz was inspired by the teachings of the Sufi Chistiyya sect, and in the course of an

extended commentary on the Qur'an and the Hadith he was deeply critical of the theological stance taken by the neo-fundamentalist movements which began to emerge around the time of Independence, and most especially of those developed by the Arars and the Jamaat-i-Islam. Ghulam Ahmed Pervez' followers – who can now be found in smallish numbers across the length and breadth of Pakistan – currently identify themselves as devotees of Tolu-e-Islam, but are popularly identified as Pervaizis.

The incident in question took place just over a fortnight ago in Jhelum, a major town approximately seventy miles to the South East of Islamabad. Approximately six months a local follower of Ghulam Ahmed Pervez had published an article supporting the Master's teaching, and in doing so had articulated an interpretation of the Islamic tradition which leading local mullahs regarded as blasphemous, and on that basis successfully lodged and FIR against him under Section 298c PPC. The 'blasphemer' was taken into custody, partly for his own protection, and after several adjournments the case had come before the District Judge. However the complainants were well aware that the District Judge had little sympathy with their cause. Hence in their Friday sermons immediately before the case was to be heard, they urged their followers to attend the court to make their position crystal clear.

But whilst a large crowd assembled outside the court on the day on which the trial was due to take place, the Judge once again adjourned the case, on the grounds that the prosecution had failed to produce sufficient evidence to substantiate their case. He also decided to remand the accused in custody, not least for his own protection. When news of his decision reached the crowd outside, they promptly attacked the District Court, and trashed the interior of many of the courts, before moving on to make an assault – which seems to have been repulsed – on the local prison.

However none of this was reported in either the local or the National Newspapers whilst I was in Pakistan, although I have come across a brief reference to the event in the on-line version of the Friday Times, which contained the following report, quoting an Urdu language newspaper:

Rage against blasphemers

Reported in Jinnah hundreds of protesters gathered at Sessions Court in Jhelum when the publishers of blasphemy were brought to the court but were given another date without hearing. The protesters entered the court and broke all furniture. They grabbed guns from the guards and beat up everyone in sight. The district jail doors were thrown down and much firing in the air was also resorted to by the protesters. They vowed to return to the courts to wreak more havoc before going away. Jhelum lawyers announced strike against the religious parties that had organised the protest.

How this issue – where the charges against the accused appear to be virtually identical with those directed at Ahmadis whom the neo-fundamentalists decide to target – will ultimately be resolved remains to be seen. The only move I am aware of so far is that the District Judge – with whom I had an opportunity to shake hands but not to converse – has been relocated to a similar post in relatively remote District Attock.

5.3. *A massacre in Islamabad*

On 1st June 2010 a violent attack on two Ahmadiyya mosques in Lahore hit the headline. Human Rights watch reported the incident thus:

On May 28, 2010, extremist Islamist militants attacked two Ahmadiyya mosques in the central Pakistani city of Lahore with guns, grenades, and suicide bombs, killing 94 people and injuring well over a hundred. Twenty-seven people were killed at the Baitul Nur Mosque in the Model Town area of Lahore; 67 were killed at the Darul Zikr mosque in the suburb of Garhi Shahu. The Punjabi Taliban, a local affiliate of the Pakistani Taliban, called the Tehrik-e-Taliban Pakistan (TTP), claimed responsibility.

On the night of May 31, unidentified gunmen attacked the Intensive Care Unit of Lahore's Jinnah Hospital, where victims and one of the alleged attackers in Friday's attacks were under treatment, sparking a shootout in which at least a further 12 people, mostly police officers and hospital staff, were killed. The assailants succeeded in escaping.

"The mosque attacks and the subsequent attack on the hospital, amid rising sectarian violence, underscore the vulnerability of the Ahmadi community," said Ali Dayan Hasan, senior South Asia researcher at Human Rights Watch. "The government's failure to address religious persecution by Islamist groups effectively enables such atrocities." Human Rights Watch called on Pakistan's government to immediately introduce legislation in parliament to repeal laws discriminating against religious minorities such as the Ahmadis, including the penal statute that makes capital punishment mandatory for "blasphemy."

Human Rights Watch also urged the government of Punjab province, controlled by former prime minister Nawaz Sharif's Pakistan Muslim League (Nawaz) party, to investigate and prosecute as appropriate campaigns of intimidation, threats, and violence against the Ahmadiyya community by Islamist groups such as the Sunni Tehrik, Tehrik-e-Tahafaz-e-Naomooos-e-Risalat, Khatm-e-Nabuwat and other groups acting under the Taliban's umbrella. Leaders of these groups have frequently threatened to kill Ahmadis and attack the mosques where the killings took place. The anti-Ahmadiyya campaign has intensified in the past year, exemplified by the government allowing groups to place banners seeking the death of "Qadianis" (a derogatory term for Ahmadis) on the main thoroughfares of Lahore.

The independent, non-governmental Human Rights Commission of Pakistan (HRCP) and Ahmadi community leaders told Human Rights Watch that they had repeatedly brought these threats to the notice of Punjab Chief Minister Shahbaz Sharif, the provincial government, and the police controlled by the provincial authorities, and that they had asked for enhanced security for Ahmadiyya mosques given their vulnerability to attack. However, Human Rights Watch research found that the provincial government failed to act on the evidence or to ensure meaningful security to the mosques.

On May 30, Zaeem Qadri, advisor to Punjab Chief Minister Shahbaz Sharif, said in an interview on Dunya TV that the provincial government had failed to remove the threatening banners from the city's thoroughfares in order to prevent "adverse reaction against the government" by the groups responsible. On the same day, a Taliban statement "congratulated" Pakistanis for the attacks, calling people from the Ahmadiyya and Shia communities "the enemies of Islam and common people" and urging Pakistanis to take the "initiative" and kill every such person "in range".

“The Punjab government is either in denial about threats to Ahmadis and other minorities or is following a policy of willful discrimination,” said Hasan. “The Punjab government’s law enforcement authorities need to dispense with traditional prejudices and proactively protect heterodox communities like the Ahmadis, who now are in clear and serious danger from both the Taliban and sectarian militant groups historically supported by the state.”

The persecution of the Ahmadiyya community is wholly legalized, even encouraged, by the Pakistani government. Pakistan’s penal code explicitly discriminates against religious minorities and targets Ahmadis in particular by prohibiting them from “indirectly or directly posing as a Muslim.” Ahmadis are prohibited from declaring or propagating their faith publicly, building mosques or even referring to them as such, or making the call for Muslim prayer.

Since the military government of Gen. Zia-ul-Haq unleashed a wave of persecution in the 1980s, violence against the Ahmadiyya community has never really ceased. Ahmadis continue to be killed and injured, and have their homes and businesses burned down in anti-Ahmadi attacks. The authorities continue to arrest, jail and charge Ahmadis for blasphemy and other offenses because of their religious beliefs. In several instances, the police have been complicit in harassment and the framing of false charges against Ahmadis, or stood by in the face of anti-Ahmadi violence.

“Ahmadis unfortunately become easy targets in times of religious and political insecurity,” said Hasan. “The Pakistani government has emboldened the extremists by failing to take action. It needs to repeal the laws used to persecute Ahmadis, and it must prosecute those responsible for anti-Ahmadi intimidation and violence.” However, the government seldom brings charges against perpetrators of anti-Ahmadi violence and discrimination. Research by Human Rights Watch indicates that the police have failed to apprehend anyone implicated in such activity in the last several years.

Since 2000, an estimated 400 Ahmadis have been formally charged in criminal cases, including blasphemy. Several have been convicted and face life imprisonment or death sentences pending appeal. The offenses charged included wearing an Islamic slogan on a shirt, planning to build an Ahmadi mosque in Lahore, and distributing Ahmadi literature in a public square. As a result, thousands of Ahmadis have fled Pakistan to seek asylum in countries including Canada and the United States. Human Rights Watch said that the Pakistani government continues to actively encourage legal and procedural discrimination against Ahmadis. For example, all Pakistani Muslim citizens applying for passports are obliged to sign a statement explicitly stating that they consider the founder of the Ahmadi community an “imposter” and consider Ahmadis to be non-Muslims.

“Under Pakistan’s Blasphemy Law, virtually any public act of worship or devotion by an Ahmadi can be treated as a criminal offense,” said Hasan “Ahmadis could be sentenced to death for simply professing their faith. Pakistan’s continued use of its blasphemy law against Ahmadis and other religious minorities is despicable,” said Hasan. “As long as such laws remain on the books, Pakistan will remain a laboratory for abuse in the name of religion.”

<http://www.hrw.org/en/news/2010/05/31/pakistan-massacre-minority-ahmadis>

5.4. The current COIR for Pakistan

It goes without saying that Governmental and non-Governmental agencies which seek to keep track of the experiences of religious minorities and to publish summary reports about

changing conditions take some time to register such developments, and that there is a further delay before those reports are picked up and republished by those responsible for updating the relevant COIRs. However the latest edition of the COIR for Pakistan substantially updates the observations of its predecessors:

- 19.74 The PHRG Report 2010 also cited the attack on two Ahmadi mosques that occurred in May 2010, subsequent to the Mission's visit of February 2010. The Report noted that:

"The attack happened on Friday the 28th May 2010 when two large Ahmadi mosques were full of worshippers who had gathered for Friday-prayers. A well coordinated attack for which the responsibility was claimed by Tehrik-e-Taliban, a hitherto unknown group but assumed to be a front for a sectarian organisation. Those who survived claimed that they heard the attackers shouting slogans of 'Khatm-e-Nabuwaat' and 'kill all!' Assailants entered the two mosques when the people were worshipping and in the end 85 people were killed and 150 injured."

- 19.75 The same source added that:

"Representatives of the Ahmadiyya community told the Mission that the situation [of discrimination and violence] that currently exists cannot be attributed solely to extremist Mullahs who openly incite hatred and murder. It is also the state and political parties in power who are contributing to the discrimination against and persecution of Ahmadis.

"The Mission met several state representatives, who without exception stated that state bodies were pressurised by religious extremists and that their own ability to reign in these parties was very limited. Representatives of the Islamabad Ahmadiyya community told the Mission that the reason for the failure of the government to take active steps against religious extremists was the fact that even the government was reliant on their support.

"In Lahore the Mission was told by the Human Rights Commission of Pakistan that extremist Mullahs have developed a power base and now wield much influence because they are being encouraged by the government's failure to act against them. While there is impunity there is no reason for these groups to stop. According to the Commission the government must make examples of extremist Mullahs. At the local level, the police are often reluctant to touch the Mullahs – again this reflects the failure of the government to deal with the situation at any level."

- 19.76 Thepersecution.org noted in its Annual Report 2009 that, between 1984 and 31 December 2009, 105 Ahmadis were murdered for their faith, 11 of whom were killed during 2009. The same source noted that there were 120 attempts of murder against Ahmadis in the same year. However the USSD Report 2006 provided different statistics on the numbers of Ahmadis killed, and observed that "The Ahmadi community claims that 171 of their

members have been killed since 1988 and that the government made little effort to bring those responsible for these and other acts of sectarian violence to justice or to provide protection for the targets or their families.”

- 19.80 The Ahmadi community claimed that, as of June 2010, 42 Ahmadis faced criminal charges on religious laws or because of their faith. (USSD IRF Report 2010), compared to 88 between July 2007 and April 2009. (USSD IRF Report 2009)). Another 25 Ahmadis faced charges under other sections of the penal code. (USSD IRF Report 2010)
- 19.81 The USSD IRF Report 2010 added that:
- “According to Ahmadiyya leaders, at the end of the reporting period [July 2009 to June 2010], six Ahmadis were in prison; one was facing life imprisonment, three were facing death sentences, and two were incarcerated on charges of preaching. The Ahmadiyya community claimed the arrests were groundless and based on the detainees' religious beliefs. Several criminal cases, ranging from killings to destruction of property, were filed against prominent members of the Ahmadiyya community during the reporting period. The cases remained unprosecuted, and the accused were allowed to post bail.”
- 19.82 The PHRG Report 2010 stated that “The Mission was told by a number of witnesses that the judicial process moved very slowly in the case of Ahmadis and that discretionary remedies, like the granting of bail, were frequently refused to Ahmadis.”
- 19.83 The same source cited a testimony from a witness whose husband, Mohammed Iqbal, had been sentenced to 25 years imprisonment for blasphemy. “The Mission met and interviewed Mr Iqbal’s wife and son, who said that they had been the only Ahmadi family in their village and that the incident arose because the imam of the local mosque did not approve of Mr Iqbal coming to the mosque to talk to him.” Mr Iqbal appealed against his sentence but, five years on, the appeal is still pending. In the meantime, Mrs Iqbal moved to Rabwah, where it was reported that she “feels safer”.
- 19.84 In its Annual Report 2009, thepersecution.org, listed the number of criminal cases brought against Ahmadis from April 1984 to 31 December 2009. The list included 434 cases of Ahmadis booked for ‘posing as Muslims’, 719 booked for preaching, and 295 charged under the “‘Blasphemy Law’, i.e. PPC 295-C.” The summary cited a total of 3,738 cases of Ahmadis being booked or charged on religious grounds. In addition, the report also noted that the entire population of Rabwah (more than 60,000 people) was booked under 298-C of the Penal Code on 8 June 2008. The USSD IRF Report 2009 also noted that “... police charged the entire Ahmadi populations in Rabwah and Kotli with blasphemy in June 2008 for celebrating 100 years of Caliph-ship and constructing a mosque for the community.”

6. Conclusion: The current plight of the Pakistan's marginalised 'kaffir' minorities

Over the years Pakistan has become a steadily more violent society, partly as a result of the weakening legitimacy (and hence the authority) of successive government regimes, and partly as a result of the ever-rising force of increasingly well-armed and audacious neo-fundamentalist activism. Moreover as a result of their growing confidence the neo-fundamentalists have progressively raised their sights: whilst the initially confined their targets to marginal groups such as the Ahmadis and the Christians, in the 1990s and the early years of the new millennium they moved on to attack Shi'as and Sufis. More recently still neo-fundamentalists have begun to engage in 'spectaculars', such as the attack on the Christian Colony at Sangla Hill on 1st August 2009, when a mob set forty houses ablaze with the result that at least seven of their occupants were burnt alive, followed by the even more audacious attack on two Ahmadi mosques in Lahore 28th May 2010 whilst the congregation were saying their Friday prayers, as a result of which 85 people were killed and 150 injured. Since then the militants has stepped up their campaign still further, as when the Governor of Punjab, Salman Taseer, was shot down in broad daylight on 4th January 2011 by one of his military bodyguards to great popular acclaim – since the assassin made it quite clear that his motivation for doing so was in retribution for his ungodly support for the repeal of the blasphemy law. Nor was that the end of it all. Two weeks later Shabaz Bhatti, a Christian member of the Federal Cabinet, in which he occupied the position of Minister of Minorities, suffered a similar fate in Islamabad as he was being driven to work.

Editorial in *The Friday Times* commented of Salman Taseer's assassination as follows:

The wanton assassination of Salmaan Taseer, Governor of Punjab, could be a tragic watershed in the history of Pakistan as it crumbles in the face of a severe onslaught by extremist religious ideology and passions. The tragedy is that some elements of the state are co-sponsors while others are hopeless accessories after the fact.

Mr Taseer opined that the blasphemy law should be amended to ensure that mischief mongers could not exploit it for mundane ends. He wasn't alone in advocating this line of action. Indeed, quite apart from the moderate silent majority, even the most rigid mainstream defenders of the blasphemy law admit that procedural changes can improve its efficacy and fairness. But the media and mullahs distorted the picture and painted him as an apostate. The mullahs put head money on him, the media frenetically drummed up their demands, and the state condoned it all.

Mr Taseer was moved by the plight of Aasia Bibi, a poor Christian woman, who had been awarded the death sentence by a court for blaspheming against Prophet Muhammad (PBUH). The facts suggested there had been a miscarriage of justice, a fairly frequent occurrence in such passionately charged cases. So he moved the President of Pakistan to commute her death sentence. But, under pressure from religious extremists, the Lahore High Court put a spoke in the wheels of the government by signaling its displeasure. As the media whipped up the chorus of extremist voices arrayed against the Governor, the President balked and the Prime Minister retreated shamelessly: "This is the Governor's personal point of view, I am a Syed, my government has no intention to dilute the blasphemy law", declared Mr Yusuf Raza Gilani self-righteously. Isolated and condemned, Mr Taseer became a sitting duck for the extremists.

The killer, Mumtaz Hussain Qadri, an Elite Force commando, brazenly maneuvered with police officials to join Mr Taseer's security detail on the ill-fated day. This, despite a forceful note on file by the Regional Police Officer in 2008 that Qadri should be removed from VIP security duty because of his extremist religious views. He took his commando colleagues into confidence and they stood by passively as he pumped 26 bullets into his target. There has not been a more outrageous lapse on the part of the police than this in Pakistan's history.

The political parties showed their pathetic colours after the assassination. Not a single politician from the ruling party or opposition had the guts to unequivocally condemn the passion behind the killing. Indeed, the PPP turned the state tragedy into a political conspiracy against the party and democracy. The opposition that routinely thunders against real and imagined excesses barely managed to mutter a word or two about the "unfortunate" incident. It was left to a group of Islamabad lawyers – part of the famed "lawyers' movement" – to shower rose petals on the assassin when he was brought to court to be remanded to the police. Civil society – that wonderfully elusive term denoting the conscience of society – could muster only a couple of hundred protestors the day after in contrast to the thousands of internet users who declared Qadri a hero on Facebook!

<http://www.thefridaytimes.com/cgi-bin/tftstoryeditorial.pl>

In an article in The Guardian published in the aftermath of Shabaz Bhatti's assassination, Peter Preston wrote as follows:

Take the young people of so many Islamic nations struggling to secure their democratic freedoms. Take large, very powerful armies used to running or controlling the show. Take big pinches of poverty, frustration and religious fanaticism. Spice with visceral violence. Stir briskly – and what have you got? Welcome back to Pakistan. We may be hoping for good things in Cairo and praying for good things in Libya. But good things, ominously enough, don't happen in Jinnah's "Pure State" any longer. Now here's one especially dismal thing among many others, because it tests principle as well as feeble political resolve. Shahbaz Bhatti, Islamabad's minister for minorities, is assassinated outside his home by four assailants who leave Taliban tracts behind them. Bhatti was a Christian, speaking out for an increasingly oppressed minority and ceaselessly advocating the repeal of Pakistan's blasphemy laws.

But a couple of weeks ago, while the world was watching Cairo and Tripoli, his own prime minister, quietly abandoned any attempt to repeal Pakistan's blasphemy laws – and the death penalty for breaking them. The battling woman backbencher who'd pushed for abolition retreated. The ministries working on amendments threw them away. Blasphemy, as defined in the statute book by Pakistan's last military dictator but one, remains a capital offence.

So the Christian peasant farm-worker and mother of four, Aasia Bibi, whose case crystallises the whole sorry debacle, remains in prison and in fear for her life. So the governor of Punjab province, Salmaan Taseer, murdered by his own bodyguard for speaking out, remains unavenged. Remember how 90 lawyers put their hands up

and volunteered to defend Taseer's killer for free. Remember how the elected government of the Pakistan's People Party, the party Taseer belonged to, did nothing but mumble. Remember how it promised reform then shuffled away. Don't forget, then, that Shahbaz Bhatti's murder comes as a direct consequence of the pusillanimity of an elected government.

It is the supposed bulwark of freedom, of democracy, of the supreme rule of law that we all like to hymn at suitably euphoric moments. But, at a time of true test, President Zardari and his ministers slide away. Why does this debacle, in its way, seem so much worse than Islamabad's lurching efforts to subdue the Taliban and give the west the help it craves in the battle against terrorism? Because the issues are clear enough. Because there's no need to get tangled in Afghan blame games, nor rows about CIA agents and American imperialism. Because this crisis is all about Pakistan.

Zardari's PPP is the supposed torch-carrier of enlightenment and reform here: a force for change amid a gaggle of parties in thrall to religious zealotry, and a foe of the army's tendency to play Islamic cards itself when its hegemony is threatened. There's no possible doubt which side it ought to be on. There isn't even much doubt which side it took as the case of Aasia Bibi developed. But now frailty leads its leaders by the nose.

Why? Of course you can blame them for personal fear: Bhatti's death underlines the grim message of Taseer. Speak out and you may not live long. Taliban extremism claims more victims every day. But the real problem is that, across Pakistan, ordinary people taught by ordinary mullahs to reach extraordinary conclusions, have come to side with the blasphemy laws as well. They don't want repeal. They want matters to rest as they are. Crude democracy, in a way, wants Aasia Bibi punished – and so for Pakistan's 4% of Christians to live in constant fear. There are thousands of relatively liberal, more educated voices in play; but there are many more millions who see nothing wrong as lawyers queue to plead their sad case. A sentence out of place means death: killing those who find this law grotesque seems to mean instant heroism.

Who will draw a line and turn the tide? No president, present or future, you can see. Not a feeble, flailing Zardari. Not his old adversary, Nawaz Sharif and his Muslim League. Not some general waiting in the wings. The difficulty is that there is no one, and no concerted body of opinion, who can join, let alone hope to win, this debate for what may come to symbolise the destiny of Pakistan. For tolerance, for restraint, for the ability to live side by side in a truly free world? If Cairo adds a spoonful of hope, Lahore, Karachi and Islamabad bring only the recipes of despair.

Taken overall, the consequences of these developments are quite clear. In contemporary Pakistan the tsunami of neo-fundamentalism has grown so strong, and the properly constituted authorities have become so weak, that the former can readily overwhelm the latter over issues of 'blasphemy' – which boils down in the end to a popular view, whipped up by the neo-fundamentalists, that those who cannot accept the theological premises of their neo-orthodox vision of Islam are ipso facto *kaffirs*, unbelievers, who have no legitimate place in

Pakistan. Hence whilst liberal voices in the administration and the upper reaches of the judiciary have so far managed to ensure that the most egregious punishments laid down in the Hudood ordinance and the Blasphemy Law are not implemented by the formal institutions of the State (although they are now increasing danger of losing their lives if they show an over-eager commitment in that direction), the formal institutions of the state are both unable and unwilling to offer significant protection to those who find their lives threatened by an ever more powerful body of non-state actors – the many splinter groups (of which the Khatm-e-Nabuwaat is only a single example – who are ready and willing to teach their chosen targets amongst Pakistan’s religious minorities a lesson: namely that their only proper fate is to be subjected to ethnic and religious cleansing.

7. A further addendum added on 9th July 2011

As the following excerpts from the Pakistani Press serve to demonstrate, the situation in which members of the Ahmadi minority find themselves appears to have deteriorated yet further in recent months as the activities of those committed to the neo-fundamentalist view that all Ahmadis are *wajib uk qatl* (deserve to be killed) have become steadily more audacious, and the willingness – and indeed the ability – of the activities of contain their actions has grown steadily more attenuated.

Islamabad 9th July 2011

Last year, more than 80 people were killed in Lahore at two mosques of the Ahmadi sect. The retired military officer – he too did not want to be named – and others who survived speak of neighbors distributing sweets in the streets of Lahore. Only a few — mainly in the liberal English media — spoke out strongly to condemn the attacks.

This year Punjab’s provincial governor Salman Taseer was assassinated at a cosmopolitan shopping center in Islamabad for questioning the country’s blasphemy laws – legal provisions often used to justify violence against Ahmadis and other minorities. His murderer was celebrated as a hero.

Western diplomats and many Pakistani analysts often express concern about a society which is becoming more permissive about settling religious and political differences through violence, and about a state which is unable to impose the rule of law even in its sleepy capital Islamabad.

Punjab-based militant groups like the Lashkar-e-Taiba, blamed by India and the United States for the November 2008 attack on Mumbai which killed 166 people, are banned but have yet to be disarmed and dismantled. The army says it does not want to tackle all militant groups at once for fear of driving them into a dangerous coalition, or splintering them into fragments it can no longer contain.

But since these groups were once nurtured by the Inter-Services Intelligence (ISI) agency to fight India, many suspect the army of deliberately retaining these groups as insurance against Pakistan’s bigger neighbor, a charge it denies. The result is widespread confusion in the public about exactly what the state and the army are trying to achieve on counter-terrorism and counter-extremism.

<http://www.dawn.com/2011/07/09/rehab-for-the-radicalised.html>

FAISALABAD: 9th July 2009

Pamphlets labelling members of the Ahmadiyya community “Wajibul Qat” (‘liable to be murdered’), and inciting people to publicly attack followers of the faith, are being openly and widely circulated in Punjab’s textile industry hub Faisalabad, The Express Tribune has learnt.

Even more startling is the fact that the pamphlet contains a list of names of Ahmadi industrialists, doctors and businesses. The first name is that of a cloth house, three owners of which were gunned down in a brazen attack last year.

The pamphlets bear the name of the All-Pakistan Students Khatm-e-Nubuwat Federation and are being handed out at all main shopping plazas and important commercial centres of the city. The pamphlet says: “To shoot such people is an act of jihad and to kill such people is an act of sawab.”

Reacting sharply over distribution of such literature, Umoor-e-Aama Jama’at Ahmadiyya, Faisalabad, has said that the propaganda campaign being carried out unhindered by some fanatic religious groups under patronage of law-enforcing agencies and the provincial government. The jama’at has also blamed the Punjab government for ignoring myriad protests lodged by the province’s Ahmadiyya community. It says that such religious fanatics are being encouraged by inaction on the part of government agencies.

The jama’at’s secretary Mahmood Ahmad, in an email addressed to the province’s home secretary and police chief, and Faisalabad’s regional police officer, has written: “We have time and again approached police authorities against hate literature but nothing has been done so far. This collapse of law and order can be traced to the cowardice, inefficiency and incompetence of law enforcement agencies.”

Ahmad points out that it is easy to trace the pamphlet’s source as even its publisher’s mobile number is brazenly given in print. This also shows the publisher’s disdain towards Pakistan’s laws and agencies enforcing them. “Our mouths have been taped shut. Our hands have been tied. I am writing this in the hope that somewhere somehow this letter finds its way to a patriotic police or other official who takes a fearless stand for the sake of Pakistan,” the email says.

Corroborating the view expressed by Ahmad, police officials seemed reluctant to take the matter seriously. City police chief Rai Tahir Hussain also said he had no information about the pamphlets. Faisalabad DSP Mian Khalid also pleaded ignorance on the matter, and said that the Kotwali SHO would have the information. When contacted, SHO Malik Muhammad Shahid said that since no complaint has been made, there was no question of taking action.

Published in The Express Tribune, June 9th, 2011.

<http://tribune.com.pk/story/185179/targeting-minorities-no-friend-to-ahmadis-in-faisalabad/>

KARACHI: 19th June 2011

On a Friday afternoon, there is pin-drop silence around the Ahmadi place of worship in Karachi's Drigh Road area. Worshippers quietly enter through a side door, watched over by a number of men on patrol and security cameras affixed to the building. Just down the lane, the imam of Bilal Masjid peppers his sermon with anti-Ahmadi remarks. The strains of his sermon can be heard throughout the neighbourhood, including the men standing guard outside their place of worship. Friday prayers are under way in both buildings, but only one congregation is allowed to practice its faith openly.

At the crossroads of the mosque and the place of worship is a marker for the 'Khatme-Nabuwat' roundabout, a silent but potent public reminder of the power of the religio-political party in Pakistan. "There was a rally here a few months ago," recalls a resident. "About 2,000 people attended and it was organised by the Tahaffuz Namoos-e-Risalat movement. They reaffirmed their faith in the finality of the Prophethood (peace be upon him), and then decided to rename this roundabout as a memento of the rally. After all, we are all Muslims, this is our faith."

Sunni Tehreek (ST) flags flutter in the area, whose walls are covered with graffiti, declaring the area to be Sunni Nagar. "These clerics, Sunni Tehreek... they're all one and the same," remarks a shopkeeper who has worked near the Ahmadi place of worship for 25 years. He has witnessed the area's clerics raging against the Ahmadiyya community for placing barricades near their place of worship. There have been incidents of firing in the area as well. Thoughtfully, he says, "The problem is that Muslims have increasingly become intolerant."

A poster for a June 2 Tahaffuz Namoos-e-Risalat conference is still plastered to the wall of the Ahmadis' building. A few months ago, activists reportedly barged in and demanded that the Kalima, a verse declaring Muslim faith, be erased from a wall within the place of worship's premises. "This centre has been here since before you or I were born," says the shopkeeper. Another resident said it was at least 40 years old.

Attendance at prayers at Ahmadi places of worship in Karachi has slowly picked up after the 2010 Lahore attacks. "We have stopped women and children from coming to the centres because we fear that they will be targeted first, similar to the Lahore attacks," says Masood Khan, a senior representative of the Ahmadiyya community. "Praying is also difficult and it gets quite suffocating – we have to close all the windows and doors so that no sound can be heard outside." Outside is where a mob — literally and physically — exists. Just like the cleric at Bilal Masjid, mosque speakerphones are regularly used to incite hatred.

While Punjab has been the breeding ground for anti-Ahmadi sentiment, the minority in Sindh faces targeted assassinations, discrimination and blasphemy cases filed on flimsy charges. Reviled due to a decades-old campaign, Ahmadis have nowhere to turn to, not even the state. A lieutenant, who was awarded the Sword of Honour, was forced to leave the navy because his faith meant he would never be promoted. A woman was widowed twice because her husbands were practicing doctors. Flyers are openly distributed, asking people to boycott Ahmadi-run businesses and execute

their owners. “We have brought these incidents ... to the police’s notice so many times,” says Khan. “But they do nothing beyond occasionally sending a policeman or two.”

The police also have their own biases. Khan recalls that two officers refused to drink water offered to them by Ahmadis. “The Central Investigation Department has several men in its custody who confessed that they wanted to target Ahmadis and Shias. But they have never been presented in court.” Even then, Khan says, the police in Karachi are better than those in the Punjab. Khan praises former Sindh home minister Zulfiqar Mirza for proactively listening to their problems. “The police will at least send someone. The security apparatus was concerned after the attacks in Lahore and we discussed measures. But we asked for Rangers to be deployed on Fridays and that has not happened.”

After a lifetime spent in fear, Ahmadis in Karachi who can afford to relocate are packing up their bags. At least 300 to 400 people have reportedly left. The Ahmadiyya community in Karachi is at least 20,000 strong. Others hail from rural Sindh, especially Sanghar. This district has seen numerous cases of violence and Section 295-C cases (which carries the death penalty) filed by a cleric, Maulana Hamadi. “[He] sits in Sanghar and files cases against people sitting miles away in Rabwah!” exclaims Qaiser Shahzad, a Karachi-based businessman.

In Karachi, Ahmadis living in Mehmoodabad have been gunned down in the past decade, with up to six cases in the last three years alone. One of them included a doctor who chose to work in the poor area. He was killed as he stopped at a speed breaker on his way home. Twenty-five families from Manzoor Colony have emigrated. “We don’t tell our children that they will face discrimination. We don’t want to poison their minds at a young age,” Khan says. “But at school they are inevitably discriminated against. Our girls come back home and say they don’t want to go to college.” Ahmadi families prefer sending their children to schools run by Parsis and Christians – also minorities. According to Shahzad, admissions are a no-go once school realise what the family’s faith is.

Intolerance has spread to other areas as well. In Badin, an Ahmadi centre was targeted during an event for women. Incited by a cleric, men besieged the centre for eight hours. It took Zulfiqar Mirza (who was elected as an MPA from Badin) to clamp down. In January, a leaflet threatening an Ahmadi businessman was circulated in Goth Saban Dasti in Badin, which stated: “Such an apostate should be killed and his business should be banned all over Pakistan. We demand that the government of Pakistan take immediate action, otherwise the people will have to do this job on their own.”

Karachi’s business community, according to Khan and Shahzad, is generally accepting of Ahmadis, especially those whose operations have been established for decades. However, Shahzad says in a resigned tone, “You can tell the difference in the way they meet us. They work with us because they have to.” Discrimination has also swept the armed forces and civil bureaucracy. “From Chaudhry Zafarullah to high-ranking generals, Ahmadis were always represented in the top ranks. But now we barely have a few people at top positions in the civil bureaucracy. In Ziaul Haq’s era, this [discrimination] was implemented — there are no promotions. Ahmadis don’t

even clear interviews for government or military jobs now, despite being highly qualified.”

Discrimination, Khan says, is also found among old friends. “I know that they don’t want to dine with me.” “Look, people believe that we are *wajibul qatl* [liable to be killed]. This thought is reflected in our assemblies.” Anti-Ahmadi sentiment and extremism, the men said, has increased in society over the past few years. Laws pertaining to Ahmadis — particularly those introduced in the 1980s — have provided legal backing to the hate being propagated in society. Anti-Ahmadi graffiti routinely appears near places of worship, and the gate of one building was fired on recently in Steel Town. Yet, Khan and Shahzad say, they have learned to live with the ever-present fear. “We are sitting openly,” says Khan. “But someone has to come forward on behalf of the community. We don’t consider ourselves minorities. We are Pakistanis. This is our country.”

<http://tribune.com.pk/story/191813/ahmadis-in-karachi-pulpit-pounding-barricades-prayers-but-no-peace/>

8. A further addendum added on 15th July 2012

8.1. ICG report on *Islamic Parties in Pakistan* dated 12th December 2011

In a further illuminating on the growing influence of religious fundamentalism in Pakistan, this report noted that

Although the Islamic parties were routed in the 2008 elections, they remain well organised, retain a committed activist base and can still impede vital reforms. While no longer in power in Khyber Pakhtunkhwa (KPK) and Balochistan, as they were from 2002 to 2007, their influence on some major national issues, particularly Islamic legislation, remains significant. As such, their role in the polity should not be ignored, even if their electoral strength is limited. Through their ultra-orthodox and exclusionary ideologies, the Islamic parties covered in this report are largely responsible for the religious intolerance, sectarian violence and militancy that threatens the security of the Pakistani citizen and the state.

Yet, the Islamic parties, particularly the Jamiat-e-Ulema Islam-Fazlur Rehman (JUI-F), but also the Jamaat-e-Islami (JI), remain significant political entities due to their ability to mobilise street power, their influence on public institutions, including major universities, and, in the JUI-F’s case, sizeable pockets of support in some Pashtun-majority districts, particularly in KPK and Balochistan.

Equally important, they are able to leverage a legal and judicial system that, due to earlier Islamisation programs, provides the Islamist lobby with a powerful political apparatus. Furthermore, the Islamic parties have, linking up with anti-government forces such as Imran Khan’s Tehreek-i-Insaaf, joined street protests since late-2011, calling for the PPP-led government’s ouster.

General perceptions about increasing conservatism in Pakistan, particularly after the assassinations of the Punjab governor, Salman Taseer, in January 2011 and the central government’s minority affairs minister, Shahbaz Bhatti, two months later, for

opposing the blasphemy laws, are so far unsubstantiated. They are certainly not reflected in any visible increase in Islamic parties' popularity. Nevertheless, many Islamic, particularly Deobandi, parties are the beneficiaries of an environment of rising Islamist militancy. Even traditionally more moderate Barelvi politics has become increasingly militant: in 2009, many Barelvi parties, including the Jamiat-e-Ulema Pakistan (JUP), aligned with the militant Sunni Tehreek to establish a coalition called the Sunni Ittehad Council (SIC), which strongly opposes any amendments to discriminatory blasphemy laws and supports Governor Taseer's assassin.

An Islamist takeover in Pakistan is highly unlikely, whether through militant violence or the ballot box. Nevertheless, so long as the Islamic parties are able to pressure governments, through parliamentary and/or often violent street politics, they will continue to obstruct vital democratic reforms, thus reinforcing an environment in which religious intolerance, vigilantism, and militancy thrive, the rule of law continues to deteriorate, and elected governments are unable to stabilise.

Even as the Islamist landscape evolves, the JUI-F and the JI remain the two most influential Islamic parties, representing the two main strands of Pakistani religious politics, Deobandi orthodoxy and Islamic revivalism respectively. The JUI-F depends on electoral success to be a major national level player. The JI, which considers itself "non-sectarian", lacks an electoral constituency of its own but is arguably the most organised of the major Islamic parties. Moreover, its founder, Syed Abul Ala Maududi, is widely credited with introducing a political discourse that other Islamic parties, even opponents, still draw on. Relying as it often does on violence in the street and using a committed worker base, the JI is able to influence debate even while it lacks electoral support.

Even while taking positions against religious extremism, the Ahle Hadith has not diluted a rigid and exclusionary ideology that encourages the very forces the party claims it opposes. For example, a May 2010 meeting of the Aalmi Majlis-e-Tahffuz-e-Khatm-e-Nubuwwat, chaired by Mir, demanded the removal of Ahmadis from all important government positions. Mir also continues to attend and address rallies and events by Jamaat-ud-Dawa, the renamed Lashkar-e-Tayyaba, which espouses the Ahle Hadith school of Islam.

The role and impact of smaller Islamic parties also demand scrutiny, particularly their ability to mobilise on the streets and on campuses, as well as their links, much like the JI and the JUI-F, to militant outfits.

It is also worth when the Report goes on to present more detailed accounts of the current ideological perspectives of these rival Islamist groups, as well as the many differences between them, one of the few issues on which they can all agree is the need to defend the integrity of Islam by excluding Ahmadis from the fold, and hence on the strict enforcement of the blasphemy law.

Since I added the previous addendum a year ago, the level of popular hostility towards members of Pakistan's non-Sunni religious minorities, and most especially towards the Ahmadis has intensified yet further, partly because of lack of significant efforts by the

authorities to curb the rising tide of religious polarization which is sweeping across the country, but above all as a result of the efforts of neo-fundamentalist preachers to condemn, and more accurately to abuse, all those whose theological outlook differs from their own. Moreover, as Mobeen Azhar has reported in great detail in two episodes of the *Heart and Soul* program on the BBC World Service,⁵ their evangelistic efforts are no longer solely restricted to sermons broadcast from the minarets of their mosques: they have also begun to occupy key slots in on Pakistan's myriad TV satellite channels. Whilst the original broadcasts are well worth listening to in their own right, a much-compressed version of the broadcasts can be found at <http://www.bbc.co.uk/news/magazine-18729683> in an article entitled 'The Rise of Pakistani's Televangelists', which I have reproduced below:

Islamic groups in Pakistan were initially hostile to cable TV because of concerns about "obscene" foreign imports, but religion now dominates the airwaves. A new breed of Islamic TV evangelist has emerged, leading to a confrontation with liberals.

On any day of the week, television in Pakistan is a potent cocktail of soap operas, fiery political debate and, increasingly, pop-Islam. This last strand of programming has a set format. Viewers call up to ask questions about Islamic rulings on everything from hair removal to ethical mortgages. The anchors - part celebrity, part religious leaders - dish out bite-size *fatwas* (theological rulings) for audiences with a seemingly insatiable appetite for religion on TV.

Controversy has surrounded many of these programmes and the pious presenters that front them. Farhat Hashmi has been accused of embezzling funds from her television show and fleeing to Canada to avoid prosecution, although she denies any wrongdoing. And Mehar Bukhari, known for her political interviews, sparked outrage by declaring the politician she was speaking to was a heretic. Another mullah clashed with a Bollywood actress on live television after condemning her behaviour - that clip subsequently became a viral hit.

But the best-known of all the TV evangelists is Dr Amir Liaqat. From a glossy television studio above a parade of run-down shops in Karachi, he had an audience of millions for *Alim aur Alam*, a live one-hour show that went out five days a week across Pakistan. The programme allowed Dr Liaqat to play the role of a religious "Agony Uncle", remedying the religious dilemmas of his audience.

In September 2008, Liaqat dedicated an entire episode to exploring the beliefs of the Ahmedis, a Muslim sect which has been declared as "un-Islamic" by much of the orthodoxy. In it, two scholars said that anyone who associated with false prophets was "worthy of murder" (*wajibul qatl*). Dr Khalid Yusaf, an Ahmedi Muslim, watched the programme with his family, and says he was shocked that a mainstream channel

⁵ The broadcasts can be found at

http://downloads.bbc.co.uk/podcasts/worldservice/heartandsoul/heartandsoul_20120707-0732a.mp3
http://downloads.bbc.co.uk/podcasts/worldservice/heartandsoul/heartandsoul_20120714-0732a.mp3

would broadcast this kind of material. "They talked about murder as a religious duty. A duty for 'good' Muslims."

Within 24 hours of the broadcast, a prominent member of the Ahmedi community was shot dead in the small town of Mirpur Khass. Twenty-four hours later Khalid Yusaf's father, another Ahmedi community leader, was killed by two masked gunmen. Liaqat has distanced himself from the shootings. "I have no regrets because it has nothing to do with me," he says. "I'm hurt by what happened and I'm sorry for the families but it has nothing to do with me or anything that was said on my programme."

Although Liaqat attracted some criticism within the comment pages of Pakistan's broadsheets, the Ahmedi incident hasn't damaged his career. He's being paid to endorse a brand of cooking oil and he's soon to launch his debut album of religious songs. He continues to present his television show and has this month returned to his old channel Geo, one of the most popular networks in Pakistan.

The surge in independently-owned television channels is the legacy of General Musharraf's presidency. The opening up of Pakistan's TV networks was welcomed as a democratisation of the press, but critics now claim the industry is in dire need of regulation and that celebrity-Mullahs are peddling a message of intolerance.

In principle at least, the Pakistani television industry must adhere to a strict code of practice. PEMRA, the Pakistan Electronic Media Regulatory Authority, is a government organisation entrusted with policing the nation's TV channels. One of their stated aims is to stop the broadcast of programmes that promote "communal and sectarian attitudes and disharmony".

Critics have branded the organisation as "toothless" after they failed to take any action against Liaqat. PEMRA's general manager said he didn't want to speak about the regulation of religious broadcasters as it would be like "starting a fire". One person who has been vocal in her criticism of television evangelists is Veena Malik. She's a native Pakistani who became a major player in Bollywood. She faced the wrath of TV Mullahs for her appearance in Big Boss, the Indian version of the Big Brother franchise. On returning to Pakistan, Malik was involved in a live television clash with a Mullah, who declared her conduct "shameful" and "un-Islamic". Malik's unrelenting defence turned her into a hero for some and a YouTube sensation.

"I was speaking for myself when I said it is up to every woman what she chooses to wear," she says. "The struggle for women's rights in Pakistan is completely linked to religious minority rights. There are few people that can speak out like this. I can so I did."

The "Veena vs the Mullah" incident turned Malik into a symbol of struggle for Pakistani liberals. Mansoor Raza from Citizens for Democracy, a campaign group that has openly supported religious minorities, says Malik's new-found status as a darling of the left is a sign of the times. "I know housewives who wear the hijab," he says. "They call Veena Malik a hero. She said what we all wanted to say. Our politicians are failing us and so it's left to film stars like Veena Malik to speak out."

But not everyone in Pakistan believes that there's a problem with television evangelists. The channels that broadcast religious programming claim that they are

just responding to the demands of the audience, and they are providing accessible answers to complex theological problems. Liaqat says these programmes have appeal because they educate. "I want to spread a message of love. Despite all the controversy I am still here and audiences love me because people want to learn about religion. That's why people watch these programmes. People want to learn."

Badar Alam, editor of the Karachi Herald, believes that television could be changing the way Islam is practised in Pakistan - for instance, more women wearing the *niqab*. He believes that middle-class housewives who tune into the religious shows are learning cultural practices that are quite alien to Pakistan. The flux between mainstream Pakistani Islam and a more hardline version of the faith is being fought out on Pakistani TV screens each day. Dr Khalid Yusaf believes his father was a casualty of this battle. "I just want these people to think about what they do. For the sake of humanity, don't make programmes like this. "My father was someone that everyone loved. We lost him because of a television programme. I hope no-one ever has to go through this."

In the light of all this any suggestion that popular hostility to the presence of Pakistan's Ahmadi minority has reached its peak must be discarded: on the contrary all the indicators suggest that its intensity is still growing exponentially

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