



Seminar

The Assassination of Governor Punjab in the
Context of the Blasphemy Law

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Struggle for the Soul of Pakistan

Ishtiaq Ahmad

Organized by School of Oriental and African Studies, University of
London

Introduction

Murderous events after events in recent years had established that extremism was a serious problem facing Pakistan. However, throughout this time, the common argument was that a vast majority of Pakistanis were a hostage to a minority of extremists: You get rid of this minority, and the problem is solved. Depressingly so, the murder of Punjab Governor Salman Taseer has unmasked this myth—as the barbaric event, its prelude and postscript, seem to suggest that extremism is quite a widespread phenomenon in the country.

It is not just the Tehrik-e-Taliban Pakistan rejoicing over the murder of a top Pakistani politician, or the Jamaat-e-Islami justifying its rationale. It is not merely an outcome of Deobandis'-led jihadi violence or part of an al-Qaeda plan to destabilize Pakistan. The act has a consensual approval of the country's mainstream Barelvi Sunni ulema, the Jamaat Ahle Sunnat Pakistan. It is now established that fatwas and sermons by Barelvi clerics incited Mumtaz Qadri, himself a committed Barelvi, into this murderous action. If this was not enough, soon after the tragic incident, the Sunni Tehrik in Karachi was reportedly able to gather over 50,000 followers to celebrate the murder and pay tributes to the murderer.

Widespread Extremism

More seriously, the support for this barbaric act is not confined to the clerics alone. Hundreds of lawyers, including their representative body in Rawalpindi courts, and some established Urdu media columnists and commentators have also joined the ranks of extremists on the issue. The silent support for the extremist cause runs deeper in Pakistani society, including even among people belonging to sufficiently educated and well-nourished middle and upper middle classes who are complacent about violent expression of extremism as long as they themselves are not its victims.

Salman Taseer's murder is unlike other important murders in history, like Benazir Bhutto's assassination, whose cause and culprit remain a mystery. Here we have a murderer in police custody who is to undergo a speedy trial in an anti-terrorist court, and who has also confessed the killing and offered its justification: that anyone who supports a blasphemer is himself a

blasphemer and, therefore, liable for death in the name of Islam. It is the same justification that all those hailing the terrorist crime, Deobandis, Barelves and the rest, have also offered before and after Salman Taseer's murder.

Many a times in recent years the extremists have challenged the writ of the state. For instance, in February 2009, the pro-Taliban forces of Tehrik-e-Nifaz-e-Shariat-e-Muhammadi took control of the Swat valley and started marching across the Buner hills towards Islamabad. The state reacted ferociously, liberating the Swat Valley within months. Then, TTP turned South Waziristan into an operational base for terrorist operations across Pakistan. The state reacted ferociously again, routing the Taliban forces from the tribal agency in a major counter-insurgency operation starting October 2009, which remains in vogue in other areas of FATA.

There were indeed testing times in each instance of the state's militant response to extremism, including, of course, the July 2007 security operation against Lal Masjid, which is often cited as a principal triggering point for the terrorist spree the country has seen in the last over three years, and in which almost ten thousand civilians and soldiers have sacrificed their lives. The state also reacted, with meaningful action and credible arrests, in instances where high profile targets, like the Sri Lankan cricket team in Lahore or the Army GHQ in Rawalpindi, were hit and claimed by TTP and its affiliates.

A Test Case

However, in this chain of terrorist events and state responses to them, the biggest test case might be over the murder trial of Mumtaz Qadri, as he and a cross-section of his extremist supporters have, for their part, firmly drawn a battle line. What is unclear so far is the line that the state or its institutions have drawn in this coming battle.

For instance, the higher judiciary, which has acted so proactively on corruption cases and constitutional amendments, is mysteriously silent on the issue of blasphemy, because of which Salman Taseer lost his life. Ironically, the entire struggle for its restoration during the previous and current governments was led by the very liberal segment of the civil society which shares Salman Taseer's stand that blasphemy laws being a relic of Gen Zia's dogmatic era must be

repealed. It also shares the deceased Governor's wish for a presidential pardon for Aasia Bibi, the Christian lady on death row for allegedly blaspheming the Holy Prophet (PBUH).

There is, thus, a perfect case for the Supreme Court to take suo moto action of Aasia Bibi's case. Who will, for instance, guarantee her physical security during an appeal proceeding in high court, when a fatwa is already issued for her death and a jihadi outfit calling itself 'Muavia' has reportedly pledged to carry it out? Salman Taseer's crime was that he called the blasphemy laws as "black and man-made."

The duality of the extremists and the moral bankruptcy of their stand on the issue of blasphemy is clear from the fact that, on the one hand, they are willing to kill and incite killing for the sake of a man-made law, but are unwilling to accept that the same man-made constitution that has blasphemy provisions also allows the President to issue clemency for a person on death row—as Mr Taseer had desired.

In another sign of duplicity, Jamaat-u-Da'awa wants the trial of Mumtaz Qadri to be conducted in a Shariat Court, as the man-made Criminal Procedure Code is unacceptable to it. Yet for this cover organization of Lashkar-e-Tayyiba and other extremists, it is alright to kill anyone awarded death penalty by a man-made lower court under a man-made law, with appeal in the case still pending before a man-made higher court.

Respect for Law

It is absolutely clear that extremists, including those who kill in the name of religion and those who aid and abet religiously-inspired instances of terrorism, have no respect for law. Legality, morality or humanity of an issue does not fare anywhere in the extremist discourse. The extremists are willing to kill and hail killings, even while the due process of law was yet to complete its course in Aasia Bibi's case. Was it for this that Muhammad Ali Jinnah, a diehard constitutionalist, had demanded and founded a separate homeland for Muslims.

Was Pakistan created for the day when the Governor of its largest province would be murdered in broad daylight by his security guard for taking a bold stand to protect the country's miniscule

Christian minority? Was it created for the blood-thirsty Mullahs whose incitement of violence duly highlighted by a section of the so-called vibrant media actually led to this barbaric killing? Was this the national vision Muhammad Ali Jinnah had articulated while founding Pakistan?

These are the questions wanting serious answers, each time Pakistan is struck by a terrorist tragedy—be it the murder of Salman Taseer, the assassination of Benazir Bhutto three years ago or the death of 10,000 civilians and soldiers since the fateful summer of 2007. On the eve of Pakistan's founding, Jinnah had professed the secular, progressive ideals of religious tolerance, respect for minorities and a democratic future for the country. The struggle for the soul of Pakistan will remain incomplete unless these very ideals are well enshrined and institutionalized in the state structure, governmental system and societal fabric of the country.

Foremost Challenge

The foremost challenge before the state and government leadership in the months ahead is to take meaningful steps and visible actions meant to deny further space to the active and passive followers and supporters of extremism in Pakistan. The state and the government of Pakistan must urgently adopt and implement both resolute and pragmatic measures to snatch the initiative from the extremists. This is a struggle for the soul of our country, which has to be won at all cost.

There are other countries facing economic ruin and mass deprivation like Pakistan in Africa and Latin America, but we don't see the emergence of extremist organizations there willing to undertake or sponsor suicidal missions in the name of religion. The argument that poverty breeds terror may have some logic, but it doesn't fully explain a gory reality confronting Pakistan today. The war in Afghanistan or the security threat from India may have played a role in worsening Pakistan's security quagmire, but this does not mean that the predominantly indigenous nature of the causes and motivations of much of extremism and terrorism we see in the country should be overlooked.

If it is clear that the very extremist forces who had opposed Pakistan's creation are now hell bent upon hijacking its founding progressive legacy, then the only way out is to undo everything that extremists aspire for. First, take the issue of blasphemy. It is no more an internal matter of

Pakistan, as now even Pope Benedict XVI has joined the ranks of Sherry Rehman and all those in the country who want the repeal of blasphemy laws.

The most troubling thing about terrorism, as compared to other forms of politically motivated violence, is its ripple effect of fear and intimidation. Salman Taseer's murder, especially the extremist applause for it publicly, has certainly created such psychological effect. But, then, in mass media as well as civil society, we have seen outright condemnation of the tragic incident and its more tragic aftermath. Citizens for Democracy, a coalition of dozens of political and civil society bodies, including unions representing a variety of working classes, has resolutely responded to the tragedy.

Action Plan

Now that the PPP-led government has survived a major political crisis, and there is no doubt about the support for a progressive causes from coalition partners MQM and ANP, it must re-initiate the due parliamentary process over the blasphemy issue. It must try to take the state establishment on board while initiating a resolute but pragmatic plan of action on reversing the tide of extremism in the country.

In an age of mass information, taking initiatives that have huge symbolic value is extremely important. Building a memorial at the place where Salman Taseer died could be one such step. The speedy application of law and delivery of punishment to Mumtaz Qadri, about which there is no confusion after his confession, could be another. For the message from the state to the forces of extremism has to be categorical: What they need to understand is that every extremist act has proportionate state response, if not more; that the rule of law does matter in Pakistan.

But what about those who incite extremism, the Mullahs issuing fatwas of death and those in a section of the media, especially Urdu, supporting these deadly discourses? The parliamentary debate on the repeal of blasphemy laws has to be expanded to include adopting legislation on the incitement of violence, whether it is by the clerical authorities or through expressions in mass media. The killer in Salman Taseer's murder case is as much liable to a legally-awarded punishment as is that Maulvi in Peshawar who announced head money of five lac rupees for

Taseer's murder. The representative media bodies would have to be taken on broad to devise a code of ethics for reporting and analysis of news in print and electronic media.

Resolute Stand

Such resolute policy by the governing leadership—which has a long history of public commitment to preserve Pakistan's founding ideals of democratic system, free information and minority rights—must also be pragmatically implemented. For instance, it would be a mistake to perceive the forces of extremism as monolithic. It is only on the issue of blasphemy that Barelives have aligned with Deobandis. Until a few months ago, they were as much a target of the terrorist campaign of Deobandi-Wahhabi Taliban.

A government that has a number of Pirs and Gaddi Nashins as its leaders, including the prime minister and foreign minister—the subscribers of the same largely pacifist, Sufistic religious creed which was a hallmark of Pakistan until the 70s—must reach out to mainstream Barelvi organizations. If they are convinced about the cost of an alliance with the Deobandis will be greater than the cost of reaching a compromise with the government, then a via media can be found on the issue of blasphemy: such as initially settling down for some modifications in the blasphemy laws, including a host of ifs and buts, so that the inherent flaws in their applicability are properly sorted out. The two sides may settle down, for instance, on inserting the word 'maliciously' or 'deliberately' or 'intentionally' in the existing law, so that the burden of proof, which is now on the defense/accused, is shifted to the prosecution/accuser.

However, it is not by merely overhauling Pakistan's domestic legal structure that we can hope for reversing the tide of extremism sooner than later. The country's foreign policy, especially in the region and with reference to relations with countries such as Saudi Arabia, also needs to reshape, while keeping in mind the single most important goal of liberating Pakistani nation us from the clutches of extremism in near future.

In this context, two positive developments of the recent days are worth-mentioning: one, the government's initiative to resume the peace process with India (which follows the two countries co-signing a regional gas pipeline deal last month) and, two, the establishment of a Pak-Afghan

intergovernmental structure to further the process of dialogue in Afghanistan. If the twin-pronged regional initiative reflecting Pakistan's foreign policy credibly moves forward in future, then the issue of alleged duality in its counter-terrorism approach in the region may not arise at all.

Besides reshaping its regional outlook, another foreign policy challenge for Pakistan is to review its ties with Saudi Arabia—a Wahhabised dictatorship which is hypocritical enough to practice zero tolerance against domestic extremists, while having no qualms in nurturing the forces of extremism in Pakistan. They include Saudi-funded Al-Huda and Sultana Foundation, which have successfully targeted middle-class educated womenfolk in the last 10 to 15 years, and Saudi financing for thousands of madrassas across the country, including those producing suicide bombers. Asking Saudis to stop sponsoring Pakistani extremists is a difficult choice, as this is part of a Saudi barter deal for cheaper oil export to the country in return for the recipient country's import of Wahhabi ideology—the but opting for this choice has become unavoidable now.

Conclusion

While undertaking the bold steps and pragmatic moves, as mentioned before, the state and the government leadership must continue to show consistency in the country's counter-terrorism and counter-insurgency campaign that we have seen since the start of 2009. One encouraging outcome of that campaign—and, in fact, a response to recurrent terrorist tragedies in the country in the recent past—was that majority Pakistanis turned against the extremists.

So much so that the Muttahedda Ulema Council—an alliance of largely Deobandi organizations under the leadership of Maulana Sarfraz Naeemi—had the courage to declare suicide bombings as *najaz* and *haram* in Islam in November 2008. In June 2009, Maulana Naeemi was killed by a suicide bomber, a killing claimed by TTP. Since then, there have been many such fatwas, including one by Maulana Tahirul Qadri and another by a gathering of Karachi-based Ulemas early last year.

In retrospect, therefore, on the issue of blasphemy and in the aftermath of Salman Taseer's murder, the widespread expression of extremism may have sketched a depressing scenario for Pakistan. Still there are credible fissures within the extremist flock that those ruling the country can pragmatically exploit. There does exist the possibility for an indigenous mass response to extremism by the very majority populace which recently turned against Taliban. And there is every reason why the state and the government should not build upon past successes against extremist-terrorist forces and not undertake even bolder steps for defeating them.