

Religious Political Parties in Political Enclave of Pakistan (A Case Study of MMA 2002-2008)

*Muhammad Imran Pasha

**Ayaz Muhammad

Abstract

Islam has always an important role in the Political Dynamics of the country. At one side it was used as the tool of reconciliation and national integration on the other hand it was used to counter the threats of regionalism. Due to religious sentiments among the population several Religious Political Parties (RPPs) emerged on the political landscape of the country, with different ideological foundations. Although these religious political parties have deep penetration among the masses but only one time they got substantial success in electoral politics. In elections of 2002 these parties contest elections as an alliance having the name of MMA. The MMA performed very dynamic and significant role in Parliament that made bottomless effects on the political history of the country.

Keywords: Pakistan Politics, MMA, Religious Political Parties, Political Alliance, Political Landscape

Introduction:

Political parties as an institution have pivotal importance in democratic setups.¹ They struggled to control the resources of government and attainment of political power for the implementation of their programs and ideological versions.

The political parties in the modern world can be typically categorized into two types, depending upon their internal organization – mass parties and cadre parties.² Both parties featured fixed patterns in the early phases of a democratic setup. But as time passed and the scope of franchise expanded, the mass and cadre parties were forced to seek a larger base of members while also organizing themselves along more professional lines. There are other ways of defining and categorizing political parties as well. Some experts use an ideological categorization by branding a party rightist, leftist or centrist. Other applies different measures such as the purported policies, the economic outlook, ethnicity, religion and overall structure of the parties as viable metrics to classify them.³

Before the Second World War, political parties in Europe laid a strong emphasis on their programs and organization. This changed after the world war when the parties became more aware of the ground realities and began to adopt populist tactics. But on the political spectrum, however, a strong link still exists between the party program and the supporters. For this reason, political scientists often find it expedient to directly link the choice of a party with the social class of an individual. In the Muslim world, a number of other dynamics play an important role. Such as ethnicity, linguistic and religious ideas in determining the party choice, especially in areas where there is a deep rooted linguistic or religious diversity exist.⁴

*Ph.D Scholar, Lecturer, Department of Political Science, Bahauddin Zakariya University, Multan.

**Former Professor, Department of Political Science, Bahauddin Zakariya University, Multan.

¹ Safdar Mehmood, *Pakistan Political Roots & Development*. (Karachi: Oxford University Press, 2000), 178.

² McLean Iain, McMillan Alistair. *The Concise Oxford Dictionary of Politics*. (New York: Oxford University Press, 2003), 397.

³ Adam Kuper and Jasica kuper. *The Social Sciences Encyclopedia*, (Lahore: Wajidals limited, 1989), 577.

⁴ Maurice Duverger, *Political parties: Their organization and activity in the modern state*, (London: Methuen, 1959), 429.

Another notable feature of the political landscape in the Muslim world is the presence of Religious Political Parties (RPPs). As traditional political structures, these parties came into being and have been here for well over a century.⁵ Due to their grassroots-level organization and the ability to mobilize masses, these parties have survived through numerous challenges, including the times of regimes that are unfriendly towards them. In 2001, religious parties became a primary subject of discussions around the world following the 9/11 attacks. In particular, the RPPs in Pakistan came under discussion by analysts and experts because of multiple reasons. One of the key reasons for this was simply that Pakistan was a vital US ally in the War on Terror following the 9/11 attacks. RPPs have also remained significant in the country because its ideology rooted in Islam. And more importantly, RPPs became increasingly active and successful in the political arena as Pakistan joined the American coalition in the War on Terror. As a sort of reaction to this, the RPPs have been able to gain domestic political power, significantly increased their electoral success. Similar patterns can be observed in a number of other Muslim countries including Egypt, Palestine and Turkey where contemporary events have lead RPPs to electoral success which aimed towards attaining political power.⁶ The increased presence of RPPs on the political stage has also reignited the debate on how compatible are Islam and democracy.

As like any other category of political parties, the RPPs come with divergent agendas and ideologies. They also respond differently to issues of national and international significance. It is wrong to classify RPPs as a homogeneous entity; rather they have diverse ideological orientations.⁷ When it comes to the political System of Pakistan, RPPs can be categorized as follows: conservative Islamic parties or CIPs, Islamic clerical parties or ICPs and Islamic ideological parties or IDPs.⁸

Inception and Development of the Religious Political Parties:

In contrast of Western political parties, the Religious Political Parties originated more recently. Especially within the context of the Muslim world, RPPs primarily came into being as a response and reaction to the colonial powers such as the British and French. Once the colonial power had been overthrown, the identities of these RPPs became more pronounced and they underwent a phase of expansion and consolidation. The evolution of the RPPs can be categorized into three separate and distinct stages: firstly the existence of the RPPs during the birth of a post-colonial era, secondly from the birth of the state to the phase of the Cold War, and thirdly from the post-Cold War period. During the first period, the RPPs emerged as powerful stakeholders in the debate over the outlook of state. Most RPPs during this period actively work for the establishment of an Islamic state and used this ideological position to resist the colonial power of the time. In the second period, RPPs blossomed into different movements, ideological factions and organizations. This was the time of the Cold War when RPPs invariably drew close to either capitalism or socialism, depending upon their socio-economic and religious agendas. This period is most pronounced during the 1970s and 1980s. The ideology of socialism influenced many RPPs, especially when they sought to address the prevalent economic crisis in countries like Jordan, Pakistan and Somalia. The third period saw an uptick in the mass popularity of the RPPs. they became more accessible and

⁵ Husain Haqqani, *Magnificent delusions: Pakistan, the United States, and an epic history of misunderstanding*, (New York: PublicAffairs, 2013), 5.

⁶ Haroon k Ullah, *Vying for Allah's Vote: Understanding Islamic Parties, Political Violence, and Extremism in Pakistan*, (Washington DC: Georgetown University Press, 2014), 7.

⁷ Mohamed Salih, "Introduction." In *Interpreting Islamic political parties*, by Mohammed Salih, 1-27, (York: Palgrave Macmillan, 2009), 2.

⁸ Mudasir Nazar, "Islamic political parties and the nature of politics in Pakistan." *Asian Journal of Political Science* 24, no. 2 (2016): 238.

appealing to the masses at large. They succeed to establish provincial or federal governments such as in the case of Turkey, Malaysia, Pakistan and Indonesia.⁹

As with other Muslim countries, Pakistan has had RPPs since the independence of the nation. Their history can be trace back to the pre-independence period, although they underwent significant changes following the independence and contributed notably to the political development in Pakistan.

RPPs Ideology and Politics before 1971:

1971 marks a watershed movement in the history of Pakistan – it was the time when the East Pakistan separated from West Pakistan. The political outlook and the role of RPPs are seen to be markedly different before and after this event. For this reason, we are going to look at their roles in these two periods separately.

During the Pakistan Movement, the RPPs adopted different stances. Some were clearly in favor of Muslim League and an independent Muslim state, such as the Jamiat Ulema-e-Islam and All India Sunni Conference. Others like Jamiat Ulema-e-Hind were very pronounced in their support for Congress and in voicing a vision for a unified India free from British colonial rule. Yet other RPPs like Jamat-e-Islamic rejected both options altogether and proposed a different agenda. In adopting either of their stances, the RPPs drew their ideological lifeline from a unique interpretation of the Islamic principles. The RPPs that opposed the creation of a separate state, for instance, cited the notion of the Islamic brotherhood, claiming that an arbitrary nation state stood in conflict to this concept.¹⁰ While some other RPPs like Jamia'at-Ulema-e-Islam and Sunni Conference declared the support of Pakistan as a religious duty.¹¹ Jamat-e-Islami, which had chosen to oppose both separation and integration, advocated a third path, again citing religious grounds. Its founder, Maulana Maudidi, claimed that as a separate ideological entity, Muslims of India should seek to establish state based on Islamic Principles and where they can adopt Islamic way of life.¹²

After independence, the RPPs underwent a phase of evolution. Many of them redefined themselves ideologically and sought a new identity within the context of the new political system and nationalism as defined by the new nation state. During this period, RPPs played an active role in seeking a theological foundation for the new country and they were partially successful in this. This also meant that they had accepted the notion of a nation state as embodied in Pakistan. Although nearly all the RPPs sought to influence the constitution of the country, barely anyone of them had any definite ideas for it, with the exception of Jamat-e-Islami. The issues on which RPPs primarily focused in this early period included the pronouncement of the sovereignty of Allah in the country's constitution, Islamic laws as applicable to family matters and the rights of the minority communities of the country.¹³ The 1956 constitution didn't exactly cater to all the demands of the RPPs, although it did establish an electoral system through which any party can contest election and implement its program. For this reason, most RPPs accepted the 1956 constitution, hoping that they could one day influence the constitution by leveraging success through the elections.

⁹ Salih, op. cit., 1-5

¹⁰ Kalim Bahadur, "Islamic Parties in Pakistan: The social and Political Impact." In *Pakistan: The Struggle Within*, ed. by J. Wilson and V Sood, (Delhi: Pearson Longman, 2009), 90.

¹¹ Ilhan Niaz, "The Rise and Rise of the Ulema in Pakistan and the Reassertion of a Medieval Culture of Power: 1947-1952." *Asian Profile* 35, no. 2 (2007): 118-120.

¹² Khurshheed Kamal Aziz, *Party politics in Pakistan, 1947-1958*, (Sang-E-Meel Publications, 2007), 141.

¹³ Bahadur, op. cit., 92.

RPPs got a significant role during the period of Ayub Khan. In this period, Ayub Khan issued the Muslim Family Law Ordinance of 1961 which significantly undermined the interpretation of family laws in Islam as put forth by the ulemas. For this reason, many RPPs sought to oppose the ordinance although this opposition was not unanimous. In fact, RPPs remained largely divided in their support for Ayub and his regime during this period. This was particularly observable during the 1965 elections when Ayub Khan was opposed by Fatima Jinnah. Parties like Jamat-e-Islami, despite their religious agenda, chose to support Ms. Jinnah in opposition to the military dictator. In contrast, RPPs like Jamiat Ulema-e-Pakistan actively supported Ayub and launched a religious propaganda against Ms. Jinnah. A similar trend was observed during the formation of the Pakistan Democratic Movement, or PDM. In contrast to other RPPs, Jamiat Ulema-e-Islam put forth various conditions in order to join the PDM, notable among these was that in post-dictatorship political scenario that it would provide a Sunni school of thought. In contrast, RPPs like Jamat-e-Islami confined themselves to non-religious, democratic demands as a precondition for joining PDM.¹⁴

Then the Cold War kicked in and led to a sharp division among RPPs over the issue of whether or not to support socialist ideas. The party with strictly ideological religious foundations, such as Jamat-e-Islami, launched an intensive opposition to socialism and cited it as a battle against God. JI also ruled out any collaboration with the socialist parties or movements.¹⁵ In a sharp contrast, Jamiat Ulema-e-Islam directly supports socialist movements and leftist organizations of the time. The party interpreted socialism as being synonymous with the Islamic notions of equality and anti-imperialism. With this ideological understanding, JUI joined an alliance with the socialist parties of the time and even organized joint rallies with them.¹⁶ In contrast, JI opposed such partnerships and organized its own rallies for a show of power and named them 'Showkat-e-Islam' (glory of Islam). This conflict was very pronounced during the 1970 elections. However, RPPs at both ends of the spectrum gained little success from their ideological positions. In all, they could get only 18 seats out of the 300 seats in the National Assembly. JUP and JUI each won 7 seats whereas JI could muster only 4 seats.¹⁷

RPPs Ideology and Politics after 1971:

In 1971, East Pakistan seceded from Pakistan and became a separate country named Bangladesh. This event left a lasting impact on the political landscape of Pakistan. Some of the RPPs, especially the likes of JI, squarely blamed those in power for the tragic event of separation and refused to accept that Pakistan had suffered a military defeat. Bhutto, who was at the head of the government in West Pakistan at that time, was also blamed repeatedly for this debacle. In fact, the relationship of the RPPs with Bhutto would remain turbulent for the most part of his rule. Majority of religious parties refused to join Bhutto's government and chose to be in the opposition. JUI joined the left-leading Awami National Party in a bid to consolidate its position in Baluchistan in 1971. It also turned down an opportunity to join the cabinet of Bhutto.

JI, on the other hand, launched a more vehement opposition to Bhutto's regime. It criticized the policies formulated by the regime and played a vital role in the United

¹⁴ M. Rafique Afzal, *Political Parties in Pakistan, 1958-1969*. Vol. II. (Islamabad: National Commission on Historical and Cultural Research, 2012), 80-92.

¹⁵ Humeira Iqtidar, *Secularizing Islamists: Jama'at-e-Islami and Jama'at-ud-Da'wa in Urban Pakistan*, (London: University of Chicago Press, 2011), 67.

¹⁶ Sayyid Asad Pirazada, *The Politics of the Jamiat Ulema-e-Islam Pakistan 1971—77*, (Karachi: Oxford University Press, 2000), 31.

¹⁷ Sumita Kumar, "The role of Islamic parties in Pakistani Politics" *Strategic Analysis* 25, no. 2 (2001): 272.

Democratic Front (UDF), which was created to resist Bhutto. The RPPs pressured the Bhutto government to declare Islam as the official state religion of Pakistan. Another policy matter in which RPPs largely forced Bhutto was the declaration of the Ahmadis as non-Muslims.¹⁸ When the 1977 elections were marred by allegations of rigging, RPPs came together as the Nizam-e-Mustafa Movement. The movement turned into a mass agitation movement which ultimately resulted in the ouster of Bhutto and his replacement by the military dictator, General Zia-ul-Haq.

As with other political periods, RPPs remained largely undecided during the military regime of General Zia. Zia initially espoused the Islamists by presenting an Islamic agenda. But this agenda was largely used by him to consolidate his own power and shore up support for his regime. With these goals met, he took few actions to actually implement Islamic policies. The RPPs, who had initially welcomed the military coup of Zia and hailed him, soon realized their mistake.¹⁹ JUP, in particular, remained aloof from lending any support for the Zia regime. In contrast, JI furnished the ideological justification for the Zia government and remained allied with the government for the most part. Many RPPs were also engaged during that time in Afghan Jihad which began in the wake of Soviet Invasion of Afghanistan. Pakistan worked as a US ally, the Afghan Jihad was launched through the support of various RPPs and jihadist organizations in Pakistan. RPPs played a vital role during the jihad, mobilizing the masses and forging the opinions of the masses in favor of the Jihad. RPPs also continued to oppose each other over several matters during this period. An example is the introduction of the Shariah bill in the parliament following the 1985 elections. The bill sought to more concretely formalize the Islamic agenda of the Zia regime. However, other political parties such as JUI and JUP opposed the bill. They did so over technical grounds that the bill was being presented by a non-representative parliament. Zia's regime also introduced its own version of the bill which was jointly rejected by the RPPs due to significant reasons.²⁰

Following the Islamization period of the Zia regime, Pakistan faced a period of political instability. Muslim League Nawaz and Pakistan People's Party remained the key political parties during this period. Most of the RPPs either aligned themselves with these parties or chose to oppose them. Military continued to play an important role in the politics and aligned itself as the main defender of the Islamic foundations of the country. In doing so, it was supported by RPPs who chose to oppose PML (N) or PPP. During the PPP regime in particular, the division among RPPs over whether or not to support the elected government was more pronounced. Most RPPs including JI and JUP opposed PPP and supported a coalition of political parties that was brought together by the military, named Islamic Jamhoori-Ittehad or IJI. JUI-F famously supported the PPP government and its leader, Maulana Fazl-ur-Rehman, enjoyed his position as the head of the federal Foreign Affairs Committee. JI, on the other hand, bitterly criticized the PPP government for being led by a woman. It also criticized the rampant and blatant corruption of the PPP government.²¹

Because of their purported religious ideology, RPPs were repeatedly exploited by various parties who came into power. A notable example is that of PML-N during its second term in office, the PML-N government sought to use a Shariah bill to establish autocratic hegemony for Prime Minister Nawaz Sharif. It sought the support of RPPs in a bid to secure the passage of this bill. However, RPPs refused to be taken in by the religious implication of the bill, denouncing it as a bid for personal power.²² All RPPs mounted a bitter criticism

¹⁸ Ullah, op, cit., 22.

¹⁹ Mehmood, op, cit., 159.

²⁰ Kumar, op. cit., 275.

²¹ Ibid.

²² Bahadur, op, cit., 106.

towards the bill, citing that it was not a genuine attempt to enact Shriah. Interestingly, this rings similar to the way RPPs reacted to the Shriah bill tabled by the Zia government. And this shows a trend – that any efforts to implement Shriah without the full consensus of the RPPs would be rejected by RPPs as harmful to Islam. It also shows that RPPs consider their respective version of the Islamic ideology as the best version, therefore regarding themselves as the genuine saviors of Islamic values. During the 1980s and 1990s, Afghan Jihad led to the emergence of the entity known as the Taliban many RPPs actively allied themselves with the Taliban.²³

Elections of 2002 and Muttahidda Majlis-e-Amal:

September 11 attacks took place in 2001 and sent shockwaves across the whole world. Pakistan, under the leadership of General Musharraf, chose to become a US ally on the War on Terror. This war pitted Pakistan against Taliban and Afghanistan, who had formerly been considered allies, especially by the RPPs. In general, RPPs in Pakistan vehemently opposed the whole notion of War on Terror they deemed it a strategy by the United States to attack Muslim countries. More specifically, RPPs strongly opposed Pakistani involvement in the War on Terror. In the wake of the US attack on Afghanistan and Musharraf government's decision to support it, RPPs created Pak-Afghan Defense Council.²⁴ The PADC openly expressed solidarity with and support for the Taliban and Al-Qaeda leader, Osama bin Laden. It launched rallies and mass mobilization efforts to bring out people on the roads and protest the government's involvement in the war as a US ally.²⁵ PADC would have far-reaching consequences for the RPPs in the immediate aftermath.

Jamat-e-Islami, one of the members of the PADC, proposed a united front for the religious parties in the 2002 elections. Due to the concerted efforts of JI, such an alliance ultimately came into being. The alliance came to be known as Muttahidda Majlis-e-Amal or MMA. It comprised of six leading religious political parties including Jamat-e-Islami, JUI-F, JUI-S, JUP, Islami Tehrik-e-Pakistan and Markazi Jamiat Ahl-e-Hadith Pakistan. JUP leader Maulana Shah Ahmad Noorani was elected as the President of the alliance. During the elections, MMA ran on the agenda that it would seek to establish a real democratic, Islamic political system in Pakistan.²⁶

The creation of MMA was a turning point moment in the history of RPPs in Pakistan. For the first time, the RPPs set aside their ideological and sectarian differences. For the first time, they truly banded together as a united political front. This was a period when a significant portion of the society in Pakistan opposed US intervention in Afghanistan and Pakistan's support of the war. By using this sentiment during its election campaign, MMA was able to muster a significant support. The alliance presented a religious and social agenda. It promised that all citizens of the state would have access to basic rights such as food, medicine, clothing, education and homes. It also promised that the Shriah laws would be enacted and that justice, equal rights, freedom of press and the judiciary would be ensured as per the Islamic principles. The lengthy manifest of the

²³ Seyyed Vali Reza Nasr, *The vanguard of the Islamic revolution: The Jama'at-i Islami of Pakistan*, (Los Angeles: University of California Press, 1994), 34-35.

²⁴ Kamran Aziz Khan, "2002 Elections in Pakistan: A Reappraisal." *Journal of Political Studies* 18, no. 1 (2011): 94.

²⁵ Nazir, Pervaiz. "War on Terror in Pakistan and Afghanistan: discursive and political contestations." *Critical Studies on Terrorism* 3, no. 1 (2010): 73.

²⁶ K. A. Khan, op, cit., 95.

alliance also stated that MMA would work to eliminate the burden of taxation, ensure compulsory primary and secondary education while also striving to disseminate power at the grassroots and provincial levels.²⁷ With such a broad, relevant and appealing agenda, MMA was able to secure 11% of the popular vote. In the National Assembly, MMA became the third-largest political party, getting a total of 59 seats; this was the largest electoral success by the RPPs in Pakistan's political history. In the province of KPK, MMA gained an overwhelming majority and formed its own government. In Baluchistan, it had significant success and became a key coalition partner of the provincial government.²⁸

MMA's Performance after 2002 Elections:

Following its substantial success in the 2002 elections, MMA proceeded to play a vital role in the national politics. It engaged with the Musharraf regime over key political issues – in some cases, it launched intensive opposition to the government's policies, on the other hand it agreed to cooperate. In order to better expound its performance, let's us take an issue-by-issue look at the alliance's performance.

MMA's role in approval of 17th Amendment:

LFO or the Legal Framework Order was a presidential ordinance issued by General Musharraf in 2002. The ordinance essentially swept all the unconstitutional acts of the President Musharraf, giving him a clean chit for all these acts and allowing him to maintain his grip on the power. It also permitted him to retain both key offices, those of the Army Chief and the President. Musharraf sought to implement LFO independently of the parliament but the opposition parties created a lot of noise in the parliament over the issue of LFO. Musharraf contended that he didn't need parliament to pass the bill whereas the parliament demanded that the bill be tabled for parliamentary discussion and voting.²⁹

When Musharraf was forced to seek the passage of LFO through the parliament, he was met with stiff resistance. The opposition refused to support the passage of the bill and MMA was a part of this opposition. As part of its opposition, MMA launched widespread protests with the ultimatum that Musharraf must amend LFO before it could be incorporated into the constitution. In response, Musharraf government agreed to incorporate some amendments into LFO. MMA initially resist Musharraf's attempts to have the Amendment passed through the parliament. Ultimately, agreement took place between the government and MMA. By this MMA finally agreed to support the passage of the bill in return for some minor modifications. Although these modifications were not significant enough to make any actual changes to the outlook of the 17th Amendment. In some cases, the modifications even gave Musharraf greater powers. In all, Musharraf was able to get a good deal by somehow gaining the support of MMA in the passage of the 17th Amendment. He was also virtually acquitted of all the unconstitutional acts he had performed in grabbing power and keeping it since the military coup of 1999. The support of MMA proved instrumental and the seventeenth amendment was

²⁷ Ibid, 98.

²⁸ Ashutosh Misra, "MMA-Democracy Interface in Pakistan: From Natural Confrontation to Co-habitation?" *Strategic Analysis* 30, no. 2 (2006), 377.

²⁹ Ibid, 378.

passed through the parliament and the Senate with two-third majority on December 30, 2003. President Musharraf signed the bill into law on December 31, 2003.³⁰ The 17th Amendment was one of the most significant parliamentary and political events of the Musharraf period.

MMA later faced a lot of criticism over its role in the passage of 17th Amendment through the parliament, which contained many of the original LFO clauses. In response, MMA stated that it was able to force the government to several of its pro-democracy demands, which is why it ultimately decided to support the bill. MMA also cited that it had been able to obtain a deadline from Musharraf over when he would give up the uniform and leave his military office.

MMA's and Vote of Confidence for Musharraf:

In 2004, General Musharraf sought a vote of confidence from the parliament in order to strengthen his legitimacy. For this purpose, the national and provincial assemblies were convened in a special session on January 1, 2004. Although Musharraf required a considerable number of votes to secure his victory, it seemed unlikely that he would receive it. To remedy this, the principle of weight age was modified to favor him, which was the clear violation of the constitutional norms.³¹

The role of MMA was significant in these proceedings. After having supported Musharraf in his 17th Amendment, MMA decided not to participate in the vote of confidence, but it didn't oppose him. In all, Musharraf received 658 votes out of a total of 1170 votes.³² It is significant that MMA didn't actively oppose Musharraf's vote of confidence even when it abstained from voting. This was in contrast to the other opposition parties, such as the ARD, which played a more active role in opposing the proceedings.

MMA and the National Security Council Act 2004:

General Musharraf sought to establish a National Security Council (NSC) through his Legal Framework Order. For this purpose he introduced Article 152-A. Latter on after the agreement between the government and MMA it was decided that it would be constituted through ordinary legislation and omitted from the draft of seventeenth amendment. The task of NSA was to deliberate on matter related to the security and sovereignty of Pakistan. It comprised of "Chief Ministers, Opposition Leader and Speaker of the National Assembly, Senate Chairman, Prime Minister, Chiefs of the three armed forces and the Joint Chief of Staff. The President was to head the council as chairman".³³ But when the bill of NSC was tabled in the parliament, MMA which had previously agreed to support Musharraf on the issue it abstained from casting its votes, although it didn't walk out or boycotts the proceedings. The bill was finally passed on 19th April 2004.³⁴ In response to this stance of MMA, Musharraf would later refuse to honor his commitment

³⁰ Ibid, 378-380.

³¹ Khan, Hamid. *Constitutional and Political History of Pakistan*. (Karachi: Oxford University press, 2014), 495.

³² Ibid, 494.

³³ National Security Council Act." *Act No. I of 2004, Section 4*. 2004.

³⁴ Government of Pakistan, "The Gazette of Pakistan" *National Security Ordinance*, Islamabad, April 20, 2004.

of giving up his military office by 2004 end on the pretext that MMA had not kept its end of the bargain.³⁵

MMA and the Hisba Bill:

The Hisba Bill was a piece of legislation passed by MMA in the NWFP legislature in 2005. Being in majority in NWFP, the party was able to pass the bill. The term hisba translates to 'accountability.' Hisba Bill was aimed at implementing Shriah in NWFP. It specifically aimed to prevent people from committing wrongdoings, as they are defined in Islam, and encouraging them to adhere to the good acts, as mentioned in Islam. To ensure the implementation of these aspects of the bill, MMA aimed to create the post of Mohtasib, or the one who takes account, on local and provincial levels. However, the vague wording of the bill, the unclear hierarchy of power and a number of other issues plagued the bill. Civil society raised concerns over it.³⁶ The President sent the bill for judicial review, as it seemed to encroach upon the powers of the judiciary as well. On August 4, 2005, the Supreme Court of Pakistan decided that a number of clauses of Hisba Bill were repugnant to articles of constitution.³⁷ Later on, the bill was not approved by the Governor of NWFP and it could not be made into a law. The Council of Islamic Ideology (CII) also criticized the bill and found it in violation of several clauses of the constitution.

MMA and the Implementation of Shriah:

When MMA ran for the 2002 elections, its foremost agenda was the practical implementation of Shriah. Once the party mustered sweeping success in NWFP, it decided to turn this promise into a reality. To this end, MMA introduced Shariah bill in the provincial legislature. With its overwhelming majority in the house, the party was able to have the bill passed.³⁸

The bill introduced a sweeping set of reforms and measures in consonance with the Islamist agenda of MMA. It called for an abolition of interest-based banking, making Hijab compulsory for women, eliminating taxes on vehicles, houses and weapons, and a ban on cinemas and other un-Islamic forms of entertainment. Another stipulation of the bill was to segregate male and female professionals across different sectors, in line with the Islamic injunctions. The MMA government in NWFP also contemplated the introduction of Islamic legal punishments. These measures of the MMA government were met with severe criticism. Many termed these as steps towards the Talibanization of an entire region.³⁹

MMA and the Hudood Laws

During the days of the Zia regime, a number of legislative pieces that interpret the Islamic punishments were implemented through executive ordinances. These became known as the Hudood laws. 'Hudood' translates to 'limits' and these laws detailed the criminal offences and punishments as they related to specific Islamic limitations such as gambling, alcohol, rape and

³⁵ H. Khan, op. cit., 497.

³⁶ Khan, Jamshed. "The Rise of Political Islam in Khyber Pakhtunkhwa: The Case of Muttahida Majlis-e-Amal (MMA)." *Dialogue (Pakistan)* 9, no. 3 (2014): 307.

³⁷ Ibid, 307.

³⁸ Misra, op. cit., 389.

³⁹ Kamran Asdar Ali, "Pakistani Islamists Gamble on the General." *Middle East Report*, 2004: 5

adultery.⁴⁰ Islamic punishments were specified for these acts which were categorized as criminal offences and punishments like public floggings were carried out quite often during the Zia era.

During the Musharraf era, efforts were launched to amend the Hudood laws. The religious parties under the banner of MMA vehemently opposed any such attempts. They branded these attempts as in conflict with the stipulations of *Qur'ān* and Sunnah. MMA legislators in both the NWFP assembly and the National Assembly warned the government that any amendments in the Islamic laws were of 'serious consequences' if it pursued. Interestingly, PPPP supported the vision of the Musharraf regime in this regard. In fact, people's party moved a bill in National Assembly in 2003 to have the Hudood laws repealed altogether. This attempt was defeated partly, because MMA threatened to withdraw its support for the National Security Council if the government benches supported the PPP bill.⁴¹

After the failed attempt, a second attempt was made in 2006. This time, the Protection of Women Act was successfully passed by the National Assembly of Pakistan. This bill tackled the Hudood laws indirectly – it effectively changed two of the five Hudood laws. In particular, the punishment for adultery was amended and the criminal offence itself placed under the Pakistan Penal Code and its civil law instead of the Shariah laws. Civil society and liberal factions of the society hailed the amendment. MMA on the other hand bitterly criticized the bill and saw it as attempts to secularize the country. MMA further argued that the bill stood in contrast to the articles of the constitution which specifically said that no laws repugnant to *Qur'ān* or Sunnah could be passed by the parliament.⁴²

Conclusion:

RPPs have been a significant part of the Pakistani politics since the country's inception. Over the course of the country's history, RPPs have played an important role in many national movements and political events. This was accomplished despite the fact that RPPs conventionally secured very marginal electoral victories. This was significantly changed during the 2002 elections when the RPPs were able to band together in an unprecedented move. This alliance that came to be known as MMA was a genuine political force which led to the first serious attempts at the implementation of Islamic laws. MMA introduced a number of Islamic laws in the provincial and national legislatures, presented to its electoral agenda of Islamization. Despite the fact that MMA allied with the military regime on several key issues, it got success on many issues of its agenda, especially in NWFP where it did implement several of the Islamic laws. However, the success of MMA was short-lived. After the retirement of parliament and announcement of the next elections, MMA lost its political unity and evaporated in pursuance of minor interests of some of its leaders.

⁴⁰ Veena Kukreja, *Contemporary Pakistan: political processes, conflicts and crises*, (New Delhi: Sage Publications, 2003), 172

⁴¹ Misra, op. cit., 392

⁴² Lau, Martin. "Twenty-Five Years of Hudood Ordinances- A Review." *Washington and Lee Law Review* 64, no. 4 (2007): 1313-1314