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HOW DEMOCRACY AFFECTS RELIGIOUS FREEDOM IN MUSLIM MAJORITY COUNTRIES: THE CASE STUDIES OF PAKISTAN AND INDONESIA

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Abstract

For understanding how democracy affects religious freedom in Muslim majority countries, Indonesia and Pakistan are the best case studies because they are top two countries in terms of the Muslim population and the both have experienced democratic and dictatorial regimes. In liberal philosophy 'liberty' and 'equality', which includes the religious liberty and equality are considered fundamental political values that define the core principles of liberal democracy. Therefore, it could be hypothesized that the religious minorities in Indonesia and Pakistan should have experienced more religious freedom during the democratic phases. This paper explains how a regime type (democracy) affects the religious freedom of minorities in Muslim majority countries. Does the personality of the ruler and his political vision matter as well? How the religious groups and religious parties exploit majoritarian principles of democracy to put hurdles in religious freedom?

Keywords: *Islam and religious freedom, Muslim-Majority democracies, Islam and democracy*

INTRODUCTION

Among different religious traditions, Islamic theology has always emphasised the rights of religious minorities. In Surah Al-Baqra, the holy book Quran says, لاَ إِكْرَاهَ فِي الدِّينِ "There shall be no compulsion in religion" (2:256). Most of the scholars of Islam have interpreted this verse as a clear exposition that Islam 'forbids the imposition of its belief by force and rejects forced conversions and gives people of other faiths right to keep their faith and practice it accordingly in a

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Muslim state' (Taymiyyah, Maqdisi & Azzam, 1901, p. 66). The charter of Medina also known as the covenant of Medina (Arabic: Sahifah-i-Medina or Dustur-e-Medina), which was signed in 622 AD between the holy Prophet Mohammad and different important tribes and families of Medina, is another document that is mostly referred for the good treatment with non-Muslims under Muslim rule.

However, the record of Muslim majority countries in terms of religious freedom is not considered exemplary and it often comes under serious criticism. The Organization of Islamic Countries (OIC) came up with the Universal Islamic Declaration of Human Rights in 1981 and the Cairo Declaration on Human Rights in Islam in 1990 to address this international concern. Despite all that, Abdullah Saeed (2014) is justified in saying religious freedom is still a contested human right within Islam because some group of Islamists still argue for putting limitations on religious freedom using the requirements of traditional Islamic law.

This theological debate and contested status of religious freedom in Islam are exactly what has made it difficult for the Muslim majority countries like Pakistan and Indonesia to provide equal religious freedom to its minorities. In this paper mainly using the case study of Pakistan, it was studied that how regime-type, international environment and personality of the ruler affect 'religious freedom' in a Muslim majority country. Moreover, using the case study of Indonesia and Pakistan parallels and comparisons are drawn to make a case for Muslim majority countries. Indonesia and Pakistan are chosen as case studies because they are the two most populous Muslim majority countries in the world and the both are among few Muslim countries along with Malaysia, where some form of democratic rule and traditions have survived.

For Pakistani case study, four regimes are chosen two democratic and two military dictatorships. The dictatorial regimes are chosen to draw comparisons and see if democracy fails to deliver the religious

freedom then how dictatorships have fared in the same environment. For democratic regimes, the Pakistan People's Party (PPP) governments of Zulfiqar Ali Bhutto (1972-77) and Asif Ali Zardari government (2008-13) are chosen, while for military dictatorships the regimes of General Zia-ul-Haq (1977-1988) and General Pervez Musharraf (1999-2008) are chosen. The military regime of Ayub Khan (1958-1969) is overlooked here despite being described as the 'modernist' regime in its outlook by William L. Richter and many others because other modernist dictator General Musharraf regime was more recent and provides a better comparative lens for the second PPP regime of President Asif Ali Zardari (Richter, 1979). For Indonesia the overall religious freedom is studied during its three main phases; the old order of Sukarno (1945-65), the new order of General Suharto (1966-1998) and the democratic phase (1998 onwards).

RESEARCH METHODOLOGY

This study is a qualitative desk research as no fieldwork was required. The qualitative research methods suited this research because in-depth understanding of the phenomenon was required which is not possible in a quantitative research. The study relies on primary and secondary sources available on the practice of democracy and dictatorships in Pakistan and Indonesia and the condition of religious minorities under different regimes. Among primary documents the constitutional and official documents, along with the speeches of main leaders etc. are used to understand the situation and build an argument. Moreover, vast secondary sources available in the form of academic research papers, books, human rights reports, newspapers and websites were used to collect the relevant data on the topic.

LITERATURE REVIEW

The extensive search conducted for the relevant literature shows a good amount of academic literature is already available on the

condition of religious minorities and religious freedom in Pakistan (Mahmud, 1995; Malik, 2005; Ferrie, 2009; Isphahani, 2013; and Majid, 2014). Similarly, so much is written about the religious minorities and religious freedom in Indonesia (Ichwan, 2013; Maula, 2013; and Marshall, 2018). However, interestingly, there is little research available in both countries on the connection of democracy or a regime-type with the religious freedom.

In Pakistan, Minhas Majeed Khan (2016) focusing the discussion on International Religious Freedom Act (1998) of the USA has discussed this connection, however; this paper lacks discussion on how democracy as a regime type affects the religious freedom in Pakistan. On the other hand, a few studies (Bayuni, 2012; Medinier & Desmond, 2015; Amal, 2020) are available in Indonesia on how religious freedom and situation of minorities have deteriorated under the democratic governments in Indonesia after the fall of Suharto in 1998. However, there is not a single academic study available on the comparative analysis of the Pakistan and Indonesia in this regard. This study is an attempt to fill that gap in the academic literature.

ANALYSIS AND DISCUSSION

Religious freedom under the Z. A. Bhutto regime (1972-1977)

There have always been three camps in Pakistan regarding religious freedom. One camp consists of traditionalists like different factions of Jamiat Ulema-e Islam (JUI), Jamaat-e-Islami of Maulana Madudi, who emphasise the traditional Islamic law. The second group belongs to the liberals, Communists or left oriented political parties like the now defunct National Awami Party (NAP) and other ethno-national parties, who believe in the religious freedom on Western lines. The third group falls between these two extremes like different factions of the centre-right Pakistan Muslim League (PML), who sympathise with traditionalists but believe in modern interpretation of Islam; and the centre-left PPP who being a left-oriented party sympathises the liberals. With this understanding, Z. A. Bhutto's government was

considered more protective of the rights of religious minorities.

The real test of Z. A. Bhutto government came on what is known as the Ahmadi question and Qadiani issue in Pakistan. The Ahmadiyya community that is also known as Qadianis. Since early 1950s, traditionalist-Islamist parties were agitating against the Ahmadiyya community for their founder Mirza Ghulam Ahmad's alleged claim of the prophet hood and demanded Ahmadis to be declared as the non-Muslim.

In 1974, the agitation resurfaced and became an administrative problem for the Bhutto government. The agitation and riots had erupted in the reaction of this incident at different places. The Prime Minister, Bhutto wanted to resolve this issue administratively (Paracha, 2013). However, the opposition religious parties had raised this issue in the National Assembly and wanted Ahmadiyyas to be declared non-Muslim by the parliament. Bhutto tried to avoid discussing it in the parliament realising people's religious sentiments being attached with it and had argued that the matter was already resolved 'in the question of oath taking, where there was mentioned to believe in the finality of Prophet Muhammad (PBUH)' (Hussain, 2013, p.79). However, later when political pressure from religious parties mounted on the Bhutto's government, he accepted to take up the issue in the parliament (Bilal, 2014).

Understanding the gravity of the political scenario developed by religious groups, Z. A. Bhutto allowed the religious parties to go ahead with their proposed legislation regarding declaring Qadianis as non-Muslim (Hussain, 2013; Paracha, 2013). Finally, on September 7, 1974, the Second Amendment to the Constitution of 1973 was passed, which had redefined the term 'Muslim' under article 260 (3b) and clearly described the followers of the Ahmadiyya community, as non-Muslims under article 260 (3b). This amendment clearly shows that the majority community exploited democracy to take away the religious freedom of the minority communities.

Religious freedom under General Zia-ul-Haq (1977-1988)

General Zia-ul-Haq right from the start Islamized state system in Pakistan, as the sole justification for his takeover (Kanwal, 2015). It is argued that General Zia's Islamization *'Nifaz-i-Islam'* policy had turned Pakistan into a jihadi state, which was used for jihad in Afghanistan in the 1980s against the invasion of communist USSR.

He made several amendments in the Pakistan Penal Code (PPC) and the Criminal Procedure Code (CPC) to declare anything causing dishonour to the Holy Prophet Ahle Bait (family of the Holy Prophet), Sahaba (companions of the Holy Prophet) and Sha'ar-i-Isalm (Islamic symbols) a cognizable offence, punishable with imprisonment or fine or both (Kamran, 2008, p. 123). Siddiqui and Hayat (2008) in their comprehensive study on blasphemy laws of General Zia-ul-Haq have argued that the blasphemy laws 'have caused, and continue to cause, several miscarriages of justice and are a stimulus for strengthening the negative and highly divisive forces of obscurantism, intolerance, and fanaticism in Pakistani society (p. 306).

The 1973 constitution, passed under Bhutto government, provides the joint electorate system, and reserved seats for minorities to ensure their proper representation in the parliament. Whereas, in 1979, Zia-ul-Haq re-introduced the separate electorate system for minorities without any consultation with minorities or even bothering to know what they want (Rais, 2004). He had introduced a new law under Article 298 c of PPC if an Ahmadi calls himself Muslim or preaches or propagates his faith or causes outrage among the religious feeling of Muslims or posing himself a Muslim that act would be a punishable for 3 years imprisonment and fine (Pakistan Penal Code: Act XLV of 1860).

Hence, overall General Zia's all policies were anti-minority not only for non-Muslims, but also for Shiite Muslims who constitute around 10-15 percent of Pakistan's population (Rieck, 2016). Zia's policies led to a new wave of sectarianism in Pakistan as a Shiite sectarian

organization Tehrik-i-Nifaz-i-Fiqah-Jafaria (TNFJ) emerged in 1979 in reaction to Zia-ul-Haq's Zakat and Ushr ordinance, which they considered was in contradiction to the Jafari school of jurisprudence (Jeffrelot, 2016).

Religious freedom under Musharraf's Military rule (1999-2008)

General Pervez Musharraf came into power on October 12, 1999 through a military coup. Unlike General Zia, Musharraf adopted the liberal outlook right from the start as he took power. After 9/11, things changed even more as Pakistan became the frontline state in the US-led 'war on terror' and on the US pressure, the Musharraf government enshrined a new policy under the banner of 'Enlightened Moderation'. This 'enlightened moderation' was an attempt to clean the mess, which was created by the former military dictator Zia-ul-Haq in the name of Islam. Musharraf banned several extremist sectarian outfits and tried to modernise and regulate *madrassahs* because they were labelled the 'terrorist factories' by the US and his Western allies (Khokhar, 2007).

It was believed because of the changing international environment and Musharraf's personal liberal posture that the situation on religious freedom for minorities in Pakistan also improved. For the representation of minorities at the grassroots level, Musharraf had reserved the minority seats at the union council level in his Local Government Ordinance 2001 (Murtaza & Rid, 2016). Moreover, he re-introduced the joint electorate system in the national and provincial legislatures along with maintaining the reserved seats for the minorities.

Contrary to the expectations, there was very little visible change for the better. According to some reports, the persecution and violence against minorities got even worse in his rule because the extremists started targeting minorities as the soft target to take the revenge of Musharraf policies and his support for the USA. A church in Islamabad was attacked with grenades on March 17, 2002, followed

by similar attacks in Murree, Taxila and in small-town Daska, killing and injuring many (Malik, 2005). Despite his efforts to curb the religious militancy, situation for religious minorities became worse in his rule.

Religious freedom under Zardari government (2008-13)

The Zardari government understanding the expectations of their electorate and favourable international environment took some important steps. Like Mr. Shahbaz Bhatti was appointed as the Federal Minister for Minorities Affairs in November 2008. For the first time this position was elevated to proper cabinet-level ministry. Before this the former Prime Minister, Benazir Bhutto and others had appointed the advisor to Prime Minister on minority affairs but there was no proper federal ministry for minorities. This development meant there would be a permanent ministry on religious affairs in the Cabinet Division and proper development budget would be allocated for it.

In the same year, the Zardari Government created five per cent quota for minorities in the federal government jobs and declared holidays for non-Muslims on their important festive. Moreover, to commemorate the promise of equal rights by the founder of Pakistan on August 11, 1947, 11 August was declared the National Minorities Day in Pakistan. Then two very unfortunate incidents happened with the Christian community in Punjab province in 2009 that completely changed the whole environment. In June 2009 in the village of Ittanwala, some 40 miles south-east of Lahore, Asia Masih (also known as Asia Bibi) was attacked by a mob accusing her of blasphemy (Jaffery, 2019). She was then arrested by the police, imprisoned and sentenced to death by hanging in the local court in Sheikhupura.

The Zardari government was very sympathetic and considerate on Gojra and Asia Bibi case but overall political environment was not favourable. A section of electronic media and religious parties' role

especially in Aasia Bibi case was very negative. The ruling PPP, Member of National Assembly (MNA), Ms. Sherry Rahman in November 2010 suggested amendments in the blasphemy laws as a private member's bill in the National Assembly. This outraged the religious parties and they announced general strikes and protests all over the country to bow down the PPP government. Even religious fatwas were issued against Salman Taseer and Sherry Rahman for raising the voice against blasphemy laws.

Finally, this led to the assassination of Salman Taseer by his own guard in Kohsar Market Islamabad in January 2011 in broad daylight. The killer of Salman Taseer, Mumtaz Qadri proudly confessed in the court of law that he had killed Salman Taseer for allegedly committing the blasphemy for only demanding changes in the blasphemy laws introduced by General Zia (*The Nation*, September 18, 2011). For his action Mumtaz Qadri was garlanded by the lawyers whenever he appeared before the court. He became so much popular that in 2016 a new political party Tahrik-e-Labbaik Pakistan (TLP) of Alama Khadim Hussain Rizvi was born out of glorifying his actions and that party emerged as a major political force in 2018 general elections (Yusuf, 2019).

At the assassination of Salman Taseer, the Chairperson of PPP, Mr. Bilawal Bhutto Zardari, made a strong-worded speech in London, 'To those who are praising or justifying these crimes, I say: you along with the killers of Shaheed Salmaan Taseer are the real blasphemers'. In response to this, the top leadership of PPP including the Chairperson, Bilawal Bhutto Zardari himself, Sherry Rahman and Shahbaz Bhatti received what the local newspaper had termed the 'veiled threats' from jihadi parties (The Express Tribune, 14, 2011). They later proved those veiled threats were not mere threats when less than two months later, on March 1, 2011 Shahbaz Bhatti was assassinated by the Punjabi Taliban a section of the militant Tehrik-i-Taliban Pakistan (TTP). Those two high profile assassinations and pressure of religious parties forced the ruling PPP to backtrack from

their earlier statements of making changes in blasphemy laws.

Religious freedom in Indonesia

Like Pakistan Indonesia has mixed history of dictatorships and democratic rules. Nonetheless, since 1998 when the thirty-one-year long dictatorship of Suharto ended with his resignation, democracy has survived in Indonesia for the last twenty-two years. Indonesia with over 260 million population is the most populous Muslim nation of the world and like Pakistan, its population is overwhelmingly Muslim (88%) by faith. Among Muslim majority countries, Indonesia is considered as one of the more tolerant towards the religious minorities.

Stahnke and Blitt (2005) classify Muslim majority countries into four categories based on the constitutional status of Islam in state laws. In the first category, they put countries, which declare themselves as an Islamic-State in their constitution; the countries in the second category declare Islam as the official religion of the state; the countries in the third category declare themselves as a secular-state; and the countries in the fourth category are those, which did not make any constitutional declaration regarding the Islamic or secular nature of the state. They have placed Indonesia in the fourth category because there is no reference to Islam in the 1945 constitution of Indonesia (Maula, 2013).

In Indonesia Islam, Buddhism, Hinduism, Catholicism, Protestantism, and Confucianism are recognized as *agama*, the official religions, by the Indonesian Ministry of Home Affairs. It should be noted that only six officially recognised religions have the right to establish houses of worship, obtain identity cards naming their religion, and register marriages and births (Marshall, 2018).

Judaism, Sikhism, and many traditional religions officially called *aliran kepercayaan* (cultural belief systems) are not recognised as official religions. There are around 400 different *aliran kepercayaan* spread all over Indonesia with population ranging around 12 million

to 20 million (Marshall, 2018). The government requires every Indonesian citizen to hold a National Identity Card (ID) where they must mention one of those six official religions in religion column as they cannot mention any other religion. This compels Sikhs to mention Hinduism in the religion column for ID cards and marriages and similarly *aliran kepercayaan* mostly mention Islam in the religion column (Maula, 2013).

Interestingly, this official status of 'six *agama*' do not come from the 1945 constitution of Indonesia, rather it stems from the presidential decree No. 1/1965 of President Soekarno on the Prevention of Abuse and Disrespect of Religion (Maula, 2013). Interestingly though as mentioned before Islam was not declared state religion but the Article 29 (1) of the 1945 constitution reads that 'The State shall be based upon the belief in the One and Only God'. This informs Indonesia is not a secular state as one can argue, the Indonesian constitution accepts the state has the faith in monotheism and indirectly in majority religion, Islam indicated by the reference to 'one and only God'.

On the other hand, the 1945 constitution of Indonesia gives assurance of equal treatment to the religious minorities in these words, 'The state guarantees the freedom of all residents to embrace their own religion and to worship according to their own religion and beliefs' (article 29 clause 2 of 1945 constitution). However, the words 'own religion and beliefs' since 1974 are now defined according to the above-mentioned presidential decree (Salim, 2007). Hence, the 'freedom' guaranteed under article 29(2) is now practically confined to those officially recognised six religions only.

In terms of religious freedom, the worst sufferers in Indonesia are sects within those six major religions designated as *aliran sesat*, or the 'deviant and heretical versions' of those religions (Marshall, 2018, p. 87). In Indonesia, about 99 percent of the Sunni Muslims follow the Shafi'i school of Islamic jurisprudence, which is what practically the Muslim agama (religion) means in Indonesia. Therefore, the other

sects like Shia, Ahmadiyya, Bahai's and Gaftars fall in the deviant category named *aliran sesat*. The people of those sects face several governmental restrictions and societal hostilities as they cannot build their places of worship, mention their sect in the ID cards or marriage certificates (Marshall, 2018). Interestingly Indonesia has a public holiday on the First Muharram to celebrate the new Islamic year but there are no holidays on Ashura days of 9th and 10th Muharram. Moreover, the Shia community is not allowed to take the Ashura processions in the streets. The Ahmadiyya community faces exclusion almost everywhere in the Muslim world and are considered infidels and non-Muslim but in Indonesia the Shia religion is also considered heretical religion and faces the same restrictions and societal exclusion (Amal, 2020).

Democracy and religious freedom in Indonesia

The Indonesian politics even during Dutch colonial rule (1800-1942) was divided into two camps- the Islamists and the Nationalists. The Islamist camp was led by two popular religious movements *Muhammadiyah* and *Nahdlatul Ulama*. More puritanical and fundamentalist Islamic organization, *Muhammadiyah* was formed by Ahmad Dahlan in 1912 to purge Indonesian Muslims from syncretic practices. In reaction, Nahdlatul Ulama (NU) was established as a reformist movement on January 31, 1926. On the other hand, the nationalist camp was led by Sukarno's Indonesian Nationalist Party (PNI) formed in 1928 and the Indonesian Communist Party (PKI) established in 1920.

The debate over the role of Islam in affairs of the Indonesian state became more pronounced during the preparation of the 1945 constitution (Madinier, 2015). The Islamists wanted Islam to be declared the official religion of the state and the implantation of Sharia while nationalists wanted a modern and to an extent secular state on democratic lines.

Just before the independence of Indonesia on August 17, 1945, the two camps had series of dialogue and a compromise was reached through the *Committee of Nine*, which included the top leadership of both sides including the nationalist leader, Sukarno. A preamble to the Indonesian constitution was formulated by the *Committee of Nine*, which was called the 'Jakarta Charter'. In Jakarta Charter, "Belief in God, with the obligation to implement the Sharia of Islam for its adherents" was made one of the cardinal principles of the future constitution (Safa'at, 2019, p. 3). However, when the constitution was promulgated, the *Committee for the Preparation of Indonesian Independence* (PPKI) made certain changes and removed the phrase '... with the obligation to implement the Sharia of Islam for its adherents' (Safa'at, 2019, p. 3). The word Islam was altogether taken away from the 1945 constitution as mentioned already.

The nationalists won the initial battle as Sukarno became the first President of Indonesia and a liberal democratic republic of Indonesia was established with little say of religion in the affairs of the state. In the Sukarno period Islamists kept pushing for the bigger role of Islam in the affairs of state and the implementation of Sharia, but he resisted every such effort. Overall, during President Sukarno rule (1945-1966) religious minorities enjoyed religious freedom and equal treatment as many Muslim leaders even complained of being treated as 'minority' (Salim, 2007.

By mid-1960s President Sukarno's 'guided democracy' experiment was getting weak as with rising age he was losing control over the matters of state. In 1965 an unsuccessful coup attempt known as the '30th September Movement' was made by the Communists to create a revolutionary Communist government which was repulsed by General Suharto (Cribb, 2015). The main goal of this movement was to discredit the Indonesian army high command as the enemies of President Sukarno and shift the power towards PKI, the Communist Party of Indonesia (Cribb, 2015).

The Islamists had thought General Suharto will be soft on them as they had sided with him in his brutal purge of PKI, but he 'suppressed and marginalised' them as well because of their role in PRRI and Permerta rebellions (Saf'at, 2019, p. 5). Under the 'New Order' military dictatorship (1966-1998) of General Suharto as he called Sukarno period as the 'Old Order', both the Islamists and the Communists were given no space to raise their heads again or do something. Initially in 1968, the Islamists had raised the implementation of Sharia based on *Jakarta Charter,* but this attempt failed as they did not get any support from Suharto (Mujiburrahman, 2006, p. 109-110). Suharto depoliticised Islam as he labelled any attempt by the Muslim groups to 'attain public political space' as an 'anti-government act' (Sukma, 2003, p. 60).

Understanding the political environment both *Muhammadiyah* and *Nahdlatul Ulama* decided to keep away from the practical politics during the 'New Order' of General Suharto (Saf'at, 2019). Nevertheless, both *Muhammadiyah* and *Nahdlatul Ulama* participated in the *Majelis Ulama Indonesia* (MUI, Indonesian Ulema Council) established by Suharto in 1975 to monopolize the orthodoxy in Indonesia under his 'New Order'. Towards the end of his rule in the early 1990s, he softened up his position towards Islamists as they were allowed some more space albeit in the cultural sphere only (Prajuli, 2017).

The religious freedom in Post-Suharto democratic phase (1998-onwards)

Most of the analysts agree in post-Suharto democratic phase the space for religious freedom has declined in Indonesia as the political influence of Islamists has gradually increased in the Indonesian society. The Indonesian Ulema Council (MUI) which was established by Suharto as a semi-official clerical body to control the clergy and use it to his government's benefit, after his departure gradually became independent (Ichwan, 2013).

Gradually, MUI has widened its role from Halal certification to issuing *fatwas* on almost every aspect of the Indonesian life. The fatwas were not only issued on religious liberalism, secularism and pluralism, interreligious prayer, interreligious inheritance, and interreligious marriage, but also on non-religious issues like the usage of cosmetics, drugs, banking, insurance, and other financial, political and economic issues (Ichwan, 2013, p. 62-63). Moreover, so-called 'deviant' religions Ahmadiyya and Shia were declared outside of Islam by MUI, which has resulted in the social exclusion of the adherents of those minority religions in Indonesia (Ibrahim, August 2019).

Moreover, during the democratic phase several new radical Islamist groups have emerged in Indonesia who push for the implementation of their own version of Islam. The Front Pembela Islam (Islamic Defenders Front, or FPI) was established in August 1998 to pioneer vigilante activism in Jakarta against nightclubs and other 'places of sin' (Ichwin, 2013). The militant jihadi organizations like Laskar Jihad, FPI (Islamic Defenders Front), Hizbut Tahrir Indonesia (HTI) groups, and the Majelis Mujahidin Indonesia (Indonesian Council of Holy Warriors) rose to prominence which was never heard before during the 'Older Order' of Sukarno and the 'New Order' of Suharto (Ichwin, 2013 and Amal, 2020).

With the rise of radical Islamist groups according to the news reports and Human Rights groups, the Shia' community which previously had enjoyed a 'somewhat secluded but peaceful life', is now becoming one of the most persecuted religious minority in Indonesia (Bayuni, September 2012). Shias face the worst kind of harassment and abuse from the radical Islamic groups as their religious practices and beliefs are increasingly questioned and considered 'heretical' by the Sunni majority. Most of the Shia Muslims offer Sunni prayers at workplaces to avoid being questioned and looked down upon. In 2012, the East Java chapter of the MUI had issued a fatwa, declaring Shia Islam as a 'heretical' sect in Islam. This followed a brutal mob

attack on a convoy of cars of Shiite families in Sampang district of East Java killing two and injuring dozens, followed by an attack on a nearby Shiite village burning down their houses and mosques and forcing inhabitants to flee to the jungle (Bayuni, 2012).

Like Pakistani case study, the blasphemy law is now being used as a weapon to curb the religious freedom of minorities. More than 150 blasphemy convictions are reported in the post-Suharto period, which is a sharp rise in such cases (Ibrahim, 2019). Even the government officials and mainstream political parties are at times involved in raging this fire to tap the populist Islamist sentiments for the political mileage. In this regard in a high-profile political case a close ally of the current President, Joko Widodo (Jokowi), Mr. Basuki Tjahaja Purnama, the then governor of Jakarta, was sentenced the two years' imprisonment on flimsy blasphemy charges to weaken the political base of Jokowi (Ibrahim, 2019).

CONCLUSION

Theoretically speaking, religious freedom is embedded in the core values of democracy, i.e. 'liberty' and 'equality' but the practice shows us it often comes into contradiction with the other core value of democracy 'the majority has the authority' which is the base of majoritarian liberal democracies. The case studies of both Pakistan and Indonesia clearly show the orthodox majority Muslim groups have used the majoritarianism to their benefit and made life difficult for the minorities under the democratic rules. Hence, this study shows us the issue of religious freedom is far more deep-rooted in the political culture and social milieu of a country to be affected much by the regime type. The case studies of Pakistan and Indonesia indicate the local political environment, the international environment and personal factors count even more than the regime type.

In the 1970s, the local political environment forced the liberal democratic regime of Zulfiqar Ali Bhutto to introduce amendment in 1973 constitution, which declares the Ahmadiyya community as non-

Muslims. Then in the 1980s, personal factor, local and international environment all combined to have a very repressive anti-minority decade long rule of General Zia. The personal factor and international environment later pushed General Musharraf to be soft on minorities but despite being an all-powerful dictator and favourable international environment local environment did not let Musharraf do much for the minorities. Rather minorities became a direct soft target of the extremist anger because Musharraf supported the US policies in the war on terror. Finally, the Zardari government tried to do something concrete and introduce changes in the blasphemy laws but they were forced and cowed down by the religious parties.

Similarly, in the case of Indonesia, it can be seen the personal factors, local environment and international trends played a very important role in determining the status of religious freedom. The personality factor seems to have played a very important role in Indonesia as Sukarno (1945-1965) and General Soharto (1966-1998) both opposed the role of religion in politics, therefore, kept the religious groups at bay. Nonetheless, Suharto established semi-official *Majelis Ulama Indonesia* (MUI) to achieve the religious sanctions for his policies. The same MUI when democracy was revived in 1998 became independent of the government and created problems by issuing several anti-minority fatwas. The changing international environment after 9/11 and the rise of the global Islamist groups also had an impact in Indonesia as more hard-line Islamist groups became active in Indonesia and exploited the space provided by the majoritarian democracy model in Indonesia. However, the overall political structure and social milieu in Indonesia are more tolerant as compared to Pakistan, which explains comparatively better religious freedom enjoyed by the religious minorities in Indonesia.

Democracy appears to be a double-edged sword as far as religious freedom is concerned. Democracy provides the minorities platforms where they can be represented and voice their demands and fight for their rights. However, at the same time in majoritarian models of

democracy, democratic rights of protest and even democratic legislations can be used as tools to further persecute minorities. The religious parties used protest, intimidation and finally the legislation to successfully outcast the Ahmadiyya community. Later in Zardari period (2008-2013) and during PML(N) rule (20013-18) protests and intimidation were successfully used to make governments do their bidding. The problem of majoritarian democracy and its impact on religious minorities can best be understood from the fate of Indian Muslims under the Narendra Modi government.

Hence, this study shows democracy as a regime-type does not have a significant positive impact on religious freedom in a country. In terms of the religious freedom, the Pakistani and Indonesian experience tell us the overall local political environment and the social structure of a country is far more important than the regime-type, personal factor and international environment. As in the final analysis, this factor plays a key role in determining religious freedom. However, the Indonesian example tells us this factor is not constant and can have an impact from the other three factors- the personal factor, regime type and international environment.

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