

Introduction

To sit with the *'ulama* for one hour and dialogue with them is better in God's eyes than a thousand nights of worship in which a thousand units of prayer (*raka'at*) are performed on each night.¹

It was early July 2007 and Pakistan's capital city Islamabad was in uproar. Armed military personnel lined the streets in a face-off with students and faculty of the Red Mosque (Lal Masjid) complex, a compound housing the Red Mosque and a women's religious seminary (*madrasa*); the affiliated men's seminary is a short drive from the compound. This unusual situation had some precedent. The seminaries' leaders, brothers 'Abd al-'Aziz and 'Abd al-Rashid often entered into disputes with the government. Until summer 2007 the altercations had been largely verbal: The mosque and seminary affiliates had a history of publicly condemning the state and its policies as un-Islamic. At times the critique was justified through meticulous religious reasoning. 'Abd al-'Aziz, the older of the two brothers, had trained extensively at the famous seminary Jami'at al-'Ulum al-Islamiyya in Karachi. Some years earlier 'Abd al-'Aziz, drawing on his study of Islamic law, had issued a religious decree declaring the state's battle against the terrorist groups al-Qa'ida and the Taliban as un-Islamic.²

¹ Aafaq Milana, "Girawat ki Inteha," *Mahanama al-Muntazar* (June 2003): 20.

² Khaled Ahmed, "What Really Happened at Lal Masjid," *The Friday Times*, December 21–27, 2012, accessed June 20, 2017, www.thefridaytimes.com/beta3/tft/article.php?issue=20121221&page=3. Also see, Adam Dolnik, and Khuram Iqbal, *Negotiating the Siege of the Lal Masjid* (Karachi: Oxford University Press, 2016), 1–2, 20, and Syed

Starting in early 2007, 'Abd al-'Aziz's and his followers' condemnations and the Red Mosque complex affiliates' statements and actions against the 'un-Islamic' Pakistani state became more proactive. The seminaries' faculty and their thousands of male and female students launched a campaign to implement Islamic law in the surrounding areas. Embarking on vigilante raids, they thwarted 'un-Islamic' activities such as the sale of DVDs alleged to be pornographic, the trimming of beards at barbershops and the operations of an alleged brothel fronting as a Chinese-run massage parlor. To curtail the vice of the presumed brothel, seminary students kidnapped seven Chinese nationals associated with it.³

On July 3, riot police and security forces clashed with the students. The deadly encounter left nine dead and more than 100 injured. In response, the area was sequestered and military troops were deployed. It had become obvious that the seminaries' students and staff had an array of weapons at their disposal. As the next day dawned, the government announced a curfew in the area. A deadline was issued for the students (militant and otherwise) to vacate the compound. Monetary rewards were offered to incentivize students to leave. The government promised safe passage to women and students. Some individuals vacated. However, the state's attempts at intimidation appeared to have little impact on the students within the compound. After the initial deadline for evacuating the Red Mosque complex passed without much fanfare, the deadline was extended multiple times but to little avail. Hundreds of students and staff remained within the compound, refusing to surrender. Their religious convictions and the desire to Islamize the country appeared to hold more sway than the state's threats.

Despite ideological and physical deadlock at the complex walls, distinctions among the state, Pakistani clerics and seminary students were relatively fluid. Taqi 'Uthmani, arguably the most important Muslim religious scholar in contemporary Pakistan,⁴ negotiated between the state

Saleem Shahzad, *Inside Al-Qaeda and the Taliban: Beyond Bin Laden and 9/11* (London: Pluto Press, 2011).

³ "Pakistani Soldiers Storm Mosque," *BBCNews.com*, July 10, 2007, accessed June 20, 2017, http://news.bbc.co.uk/2/hi/south_asia/6286500.stm. For more on the seminaries' activities see, Dolnik and Iqbal, *Negotiating the Siege of the Lal Masjid*, 32–38. Also see, Carlotta Gall and Salman Masood, "At Least 40 Militants Dead As Pakistani Military Storms Mosque after Talks Fail," *The New York Times*, July 10, 2007, accessed June 20, 2017, www.nytimes.com/2007/07/10/world/asia/10pakistan.html?_r=0.

⁴ Muhammad Qasim Zaman, "Pakistan: Shari'a and the State," in *Shari'a Politics: Islamic Law and Society in the Modern World*, ed. Robert W. Hefner (Bloomington: Indiana University Press, 2011), 226. 'Uthmani is the vice-president of Dar al-'Ulum Karachi,

and the Red Mosque. While Pakistanis were glued to their TVs watching the drama unfold, 'Uthmani appeared on the news channel Geo TV to declare that he shared the ideological commitments and demands of the Red Mosque affiliates about Islamizing the state. However, he was critical of their methods and violent approach.⁵ 'Uthmani mentioned that he had spoken to 'Abd al-'Aziz and was hopeful that faculty and students would lay down their arms. He advised the government to grant all seminary affiliates amnesty in exchange for their surrender. The hopefulness generated by 'Uthmani's message was short-lived. Things soon took an ominous turn.

On July 5, the state's security apparatus launched a variety of attacks on the seminary. Gunfire was exchanged throughout the day. The situation continued to deteriorate and on July 10 troops stormed the compound. It took almost a day for the state to gain control of the mosque-seminary complex. More than 100 individuals died in the fighting.⁶

This battle for Islam and Islamization in Pakistan was not localized to the country. Ayman al-Zawahiri, the Egyptian leader of al-Qa'ida, announced during the military operation that the brutal opposition to, and massacre of, the students of the Red Mosque revealed the Pakistani state's opposition to Islam. Zawahiri declared: "[Pakistan's President Pervez] Musharraf will not stop until he uproots Islam from Pakistan." Zawahiri advocated a militant response to the state's 'anti-Islamic' actions. Addressing current and potential al-Qa'ida affiliates in Pakistan and beyond, Zawahiri informed them: "Your salvation is only through holy war (jihad)." "This crime [of attacking the Red Mosque complex] can only be washed away by repentance or blood." "If you do not revolt, Musharraf will annihilate you."⁷

Challenging Zawahiri's portrayal of the Pakistani state's relationship with Islam, as well as the version of Islam advocated by Zawahiri and the

a towering intellectual hub. His expertise in Islamic economics is globally recognized. He has held, and continues to hold, a number of prominent positions in banks and financial institutions across the Muslim world. He has served as the chairman of the Centre for Islamic Economics in Pakistan since 1991. His opinions carry great weight among the 'ulama and are often shared by other Deobandi scholars.

⁵ "LAL MASJID Issue – Talk of Moulana Mufti Taqi Usmani Sahib," *YouTube*, video uploaded by truthonlyplease, accessed July 20, 2017, www.youtube.com/watch?v=Gole6GqVnqc.

⁶ For more on how the events of the Lal Masjid unfolded, see Shahzad, *Inside Al-Qaeda and the Taliban*, 41–47 and 159–165.

⁷ "Al-Qaeda Issues Pakistan Threat," *BBC News*, July 11, 2007, accessed June 20, 2017, http://news.bbc.co.uk/2/hi/south_asia/6293914.stm.

Red Mosque clerics, the state presented its counter-narrative. In the wake of the brutal and bloody military operation, President Musharraf, the then-president of the country, queried: “What do we as a nation want?” “What kind of Islam do these people represent?” “In the garb of Islamic teaching they have been training for terrorism ... they prepared the madrassa as a fortress for war and housed other terrorists in there. I will not allow any madrassa to be used for extremism.”⁸

As Musharraf’s and Zawahiri’s comments evidence, the debate that raged in Islamabad – literally translated as “the land of Islam” – was over what precisely is Islam and who gets to answer this vital question. The state apparatus of Pakistan often reserves the right to define Islam. However, several other actors also vie for this privilege. One significant group of competitors is traditionally trained Muslim religious scholars (clerics; ‘*ulama*, sing. ‘*alim*).

Trained for decades at religious seminaries, the ‘*ulama* are experts in the Islamic ethico-legal tradition (the *shari‘a*). Pakistani ‘*ulama* have massive local followings given their status as religious authorities. These traditional scholars directly impact the lives of millions of students by teaching at *madrasas* and initiating their students into the ‘*ulama*’s scholarly tradition, thus perpetuating the ‘*ulama* class. The ‘*ulama* also influence scores of non-*madrasa* attendees through their books and journals as well as television and radio appearances. These scholars occasionally write for popular newspapers and connect with their followers through the Internet. Given their expertise in Islamic law ‘*ulama* deliver numerous juridical pronouncements (*fatawa*; sing. *fatwa*)⁹ and serve as moral and religious guides. Many ‘*ulama* connect with individuals on a personal level by delivering sermons at mosques and conducting missionary

⁸ “Musharraf Vows War on Militants,” *BBC News*, July 12, 2007, accessed June 20, 2017, http://news.bbc.co.uk/2/hi/south_asia/6896179.stm.

⁹ A *fatwa* is the juridical opinion of an Islamic legal expert (*mufti*) on an ethico-legal query (*istifta*) put forth by an inquirer (*mustafti*). Most *fatawa* detail the reasons and sources used in formulating the legal decision. For example, a *fatwa* that responds to a question related to the state and its legislation will often contain, by way of analogy, and as a means of establishing religious legitimacy and “authenticity,” a reference to a text within the Islamic legal canon from which it derives its ruling.

Fatawa can be understood as directives on how to live a good and correct Muslim life. Hussein Agrama pushes for an understanding of the *fatwa* that highlights its ethical attributes. He argues that a focus on the *fatwa* as an instrument and expression of doctrinal change and adaptation obscures the integral ethical dimension of the practice of *fatwa* issuance and seeking. Hussein Ali Agrama, “Ethics, Tradition, Authority: Toward an Anthropology of the Fatwa,” *American Ethnologist* 37, no. 1 (2010): 2–18.

activities. 'Ulama also organize and attend conferences as well as large religious and devotional gatherings. Contemporary 'ulama are part of a global network of traditional scholars and many maintain strong ties with their counterparts the world over.

'Ulama across the Muslim world often give advice on how to Islamize their respective nation-states; Taqi 'Uthmani and 'Abd al-'Aziz are two of numerous clerics engaged in this task. Some traditional scholars are also employed as Islamic experts on religious bodies set up by their states. A number of 'ulama are religiopolitical activists and form political parties. Many participate in, and win, elections. Some 'ulama such as 'Abd al-'Aziz lead political rebellions while others instigate sectarian conflict.¹⁰

Given the importance of the 'ulama in Pakistan, there is relatively little work done on these scholars. It is these vital and at times controversial clerics who lie at the heart of this book. Instead of presenting a broad overview of the 'ulama and their scholarly tradition, this work is much more focused. It examines Pakistani 'ulama's discourses on, and engagements with, an issue that is – as the Lal Masjid incident highlights – of vital importance to these scholars. This issue is that of the modern nation-state and particularly the possibility of an Islamic nation-state.

What exactly is an Islamic nation-state? How was and is an Islamic nation-state envisioned by devout Muslims over time and space, and specifically by clerics in contemporary Pakistan? The sections to come begin to answer these questions by providing a brief overview of the nation-state and Muslim intellectuals' perspectives on this polity. In so doing, I bring to the fore some long-standing questions and concerns about the state with which Pakistani clerics continue to grapple.

THE MODERN STATE AND ISLAMIC POLITICAL THEOLOGY

The history of the modern state is often traced back to the Treaties of Westphalia. While, the nation-state is said to have emerged in nineteenth-century Europe, arising from the idea that state and nation are inseparable and legitimate government must be based on the principle of national self-determination. The nation was identified as the body in which sovereignty resided and the discourse of nationalism (which took a variety of forms) led to the tightening of state–society relations. Political

¹⁰ These include, for example, some of the leaders of the Houthi rebellion in North Yemen and 'ulama such as Sufi Muhammad who led The Movement for the Implementation of Muhammadan Law (*Tabrik-i Nifaz-i Fiqh-i Muhammadi*) and seized control of parts of the province of Khyber Pakhtunkhwa in Pakistan in 2009.

nationalism transformed diverse groups of individuals into citizens whose primary loyalty was to their nation and its state. Similarly, the discourse of cultural nationalism territorialized and nationalized cultural achievements. As an increasing number of nation-states took birth, the nationalization of culture intensified. The idea of the nation-state was further reinforced by the state assuming welfare responsibilities for its citizens and positing itself as protecting the citizenry from both internal and external threats. The possibility of external threats and wars played on the affective dispositions of citizens reinforcing a sense of belonging and loyalty to the nation-state. These developments were so successful that in the course of the past two centuries the nation-state has become ubiquitous, annulling preexisting political models.¹¹ Despite the omnipresent nature of the modern state, Western scholarship on the state continues to be marked by heated debates on how to understand this entity.¹²

After decades of struggling with the difficulty of theorizing the state and the opaqueness and ambiguity of this entity, in the 1950s American social scientists finally eliminated the term from their vocabulary.¹³ They replaced it with the concept of “political system,” which they asserted was (unlike the state) broad enough to theorize and not ideologically laden.¹⁴ Within two decades, the state of the field had shifted; the concept of political system seemed too broad. It was difficult to precisely define its limits and demarcate it from society. Consequently there was a movement to “bring the state back in.”¹⁵ The return of the state resulted in it being defined in a manner that clearly differentiated it from society. The state

¹¹ See Roland Axtmann, “The State of the State: The Model of the Modern State and Its Contemporary Transformation,” *International Political Science Review* 25, no. 3 (2004): 259–279, and in particular 260–261.

¹² A number of theorists recommend the centrality of violence in analyses of the modern state. However, even among these theorists there is much disagreement as evidenced by, for example, the differences between the approaches of Max Weber and Hannah Arendt. Another overarching theme in theorizations of the modern state is the focus on subject formation and the inculcation of particular dispositions in the citizenry: In this regard the works of Marxist theorists Louis Althusser and Antonio Gramsci are paramount. Yet another understanding of the modern state is that advocated by the philosopher Martha Nussbaum and the Nobel Prize-winning economist Amartya Sen. Both envision the state as the provider of central human capabilities to its citizens. Other approaches to the state include micro-foundational analyses, feminist theorizations, neo-Marxist analyses, Foucault’s writings on governmentality, etc.

¹³ Timothy Mitchell, “Society, Economy, and the State Effect,” in *The Anthropology of the State: A Reader*, eds. Aradhana Sharma and Akhil Gupta (Oxford: Blackwell, 2006), 170–174.

¹⁴ Mitchell, “Society, Economy, and the State Effect,” 170–174.

¹⁵ Mitchell, “Society, Economy, and the State Effect,” 170.

was reduced to “a subjective system of decision making”; it was also viewed as coherent, unified and autonomous.¹⁶ This understanding of the state largely persists to this day.

In this dominant perspective, the state is composed of the government, administration, the state’s coercive arms (military and police) and the legal branch. This understanding of the state was adopted earlier in my narration of the Red Mosque incident. In other sections of this work, I employ different understandings of the state. In moving between various theorizations of the state, I provide a variety of lenses to illuminate the complex relationship between clerics and their state.

Walter Benjamin, a leading cultural critic of the twentieth century, chronicles what is at stake in the “dark times” of modernity. He writes of an Angelus Novus (new angel) or the “angel of history” whose wings are caught in a violent storm blowing from paradise: “The storm irresistibly propels him into the future to which his back is turned, while the pile of debris before him grows skyward. This storm is what we call progress.”¹⁷ Benjamin’s description, I contend, speaks to Muslims’ experience of the nation-state.

Like the angel caught in the storm, unable to escape the intensity of the wind’s gusts, Muslims in virtually all parts of the Muslim world (one of the exceptions being North Yemen, which remained uncolonized), were forcibly thrust into the shackles of the nation-state. These Muslims, and particularly the intellectuals among them, did not encounter the modern state through the liberal conceptual order and the political theory it espoused. Instead, they experienced the state through the tangibility of colonialism, occupation, foreign pressure and political hegemony, i.e. through the significance of the political model of the state in colonized Muslim lands.¹⁸

Muslim intellectuals exhibited an array of responses to the nation-state. They deliberated whether it was possible to Islamize this new political model; and, if concluding affirmatively, they sought to discern its form and substance. These intellectuals also attempted to articulate the locus and limits of sovereignty and religious authority as the emergent nation-state, and particularly the Islamic states of the twentieth century,

¹⁶ Mitchell, “Society, Economy, and the State Effect,” 170.

¹⁷ Benjamin as quoted in Michael Kirwan, *Political Theology: An Introduction* (Minneapolis: Fortress Press, 2009), 125.

¹⁸ Abdelilah Belkeziz, *The State in Contemporary Islamic Thought: A Historical Survey of the Major Muslim Political Thinkers of the Modern Era* (London: I. B. Tauris, 2009), 9.

claimed unprecedented sovereignty and sometimes more authority than their premodern counterparts. These intellectuals' discussions also centered on determining the state's legitimacy and articulating political theologies that addressed the needs of a variety of citizens. Some of the most prominent intellectuals partaking in these debates were the political activist Jamal al-Din al-Afghani (d. 1897); the Grand Mufti of Egypt, Muhammad 'Abduh (d. 1905); the founder of the Muslim Brotherhood, Hasan al-Banna (d. 1949); the Syrian scholar Rashid Rida (d. 1935); the South Asian intellectual Abu'l-A'la Mawdudi (d. 1979); and the leader of the Iranian Revolution, Ayatollah Khomeini (d. 1989).¹⁹

Like several of the thinkers named above, many Pakistani *'ulama* consider an Islamic nation-state a religious obligation. The form and substance of the state remains a matter of great debate just like it has since the introduction of this political model in the Muslim world. Similarly, questions of sovereignty, legitimacy and authority as well as how these concepts are negotiated between the state, political elite and religious scholars are as hotly debated today as they were in the nineteenth and twentieth centuries. Like many of the Muslim scholars mentioned earlier, most Pakistani clerics emphasize that Islam must guide all aspects of public and private life, including politics and the state. Consequently, the establishment of an Islamic nation-state is of critical importance to most Pakistani *'ulama*.

Significantly, Pakistan claims to be an Islamic state. In fact, it is the first nation-state to be established in Islam's name and it is currently the most populated self-declared Islamic nation-state. The country's official name is the Islamic Republic of Pakistan and the constitution declares Islam as the state religion.²⁰ Over the decades, the state has implemented various measures to Islamize the country. These measures, and the state's relationship with religion, are examined in detail in Chapter 1, and continue to be discussed in later chapters. For the moment, it is sufficient to say that discourses on the establishment of an ideal Islamic state among Pakistani *'ulama* take place in a context where such a state already allegedly exists. However, in contrast to the Islamic Republic of Iran, in Pakistan the *'ulama* have been comparatively peripheral to the configuration of the state and are still often considered marginal by the state apparatus. Similarly in contrast to al-Banna's vision and the desires of many Pakistani clerics, the *shari'a* is not the law of the land.

¹⁹ These Muslim intellectuals have been studied in detail.

²⁰ See Articles 1 and 2 of the Pakistani constitution.

Despite the importance of the *'ulama* to Pakistan's religiopolitical landscape, these clerics' focus on the state and the Pakistani state's claim to a religious identity, the relationship between these scholars and the state has not received much attention. My work presents a detailed study of this vital subject.

QUESTIONS, CONTEXT AND CONTRIBUTION

Islamic studies has long acknowledged the importance of the nation-state and numerous books and articles have been written on the subject. These writings cover a wide range of topics including the transformation of Islamic law in the era of the nation-state, the emergence of Islamic political parties, tensions between national loyalties and religious affiliations, debates surrounding the compatibility of Islam, secularism and democracy in Muslim majority countries, etc.²¹ Importantly, the *'ulama* have often been overlooked in these examinations. Only a handful of works address state-*'ulama* engagements in various countries in the Muslim world, Egypt and Iran being the most frequently studied.

Several of these works focus on how *'ulama* navigate the treacherous, murky waters between being, as Amit Bein writing about Ottoman

²¹ To cite just a few examples of such works Robert W. Hefner and Patricia Horvath, eds. *Islam in an Era of Nation-States: Politics and Religious Renewal in Muslim Southeast Asia* (Honolulu: University of Hawaii Press, 1997); Bassam Tibi, *Arab Nationalism: Between Islam and the Nation-State*. (New York: St. Martin's Press, 1997); Abdullahi Ahmed An-Na'im, *Islam and the Secular State: Negotiating the Future of Shari'a* (Cambridge, MA: Harvard University Press, 2009); Wael B. Hallaq, "Juristic Authority vs. State Power: The Legal Crises of Modern Islam," *Journal of Law and Religion* 19, no. 2 (2003–2004): 243–258.

There also exists extensive literature on Islam and the state, where the term "state" refers to the premodern state as well as the modern nation-state. Examples of these works include: P. J. Vatikotis, *Islam and the State* (London: Croom Helm, 1987). In addressing the question of the nation-state, Vatikotis argues that Islam is doctrinally incompatible with the idea of the Western territorial nation-state. In fact, from Vatikotis' descriptions, it appears that Islam itself is potentially incompatible with modernity. He writes, "confrontation rather than cooperation has been, so far, Islam's chosen approach to the modern world. Rejection, rather than rapprochement or even accommodation, is its more recent preferred reaction to this world." Vatikotis, 1987, 17. Another work that only marginally distinguishes between the premodern state and the modern nation-state is the edited volume by the title *State and Islam*. See, C. van Dijk and Alexander H. de Groot, *State and Islam* (Leiden: Research School CNWS, 1995). This volume contains essays that span a temporal expanse from the medieval to the modern period. Other important contributions to the subject of Islam and the state include the works of Leonard Binder, Albert Hourani, Malcom Kerr, Charles Adams, etc.

'*ulama* puts it, “agents of change” or “guardians of tradition.”²² Or, as Muhammad Qasim Zaman’s work on '*ulama* in British India and Pakistan states, the '*ulama* are “custodians of change.”²³ Other works emphasize the transformation of the '*ulama* in the modern era, and especially in the past century or two. Frequently, the focus is on transformations in the nature of authority of the '*ulama*. Thomas Pierret’s *Religion and State in Syria: The Sunni 'Ulama from Coup to Revolution*; select chapters in Nikki R. Keddie’s edited work *Religion and Politics in Iran: Shi'ism from Quietism to Revolution*; Nabil Mouline’s *The Clerics of Islam: Religious Authority and Political Power in Saudi Arabia*; and Zaman’s work mentioned previously are a few such examples.

Some works on '*ulama*–state relations study religious revival, renewal and resurgence. For example, Robert Hefner and Patricia Horvatic’s edited work *Islam in an Era of Nation-States: Politics and Religious Renewal in Muslim Southeast Asia*. Similarly, Hefner’s edited work *Shari'a Politics: Islamic Law and Society in the Modern World* focuses on the rise and spread of movements aiming to implement the *shari'a*.²⁴ Several of these movements are led by '*ulama*. Nikki R. Keddie’s edited work also focuses in part on the Islamic revolution while noting changes in intellectual thought. Another issue examined in several of the works mentioned earlier is that of democracy, elections and the specific political system to be implemented in the state.

Most works on '*ulama* and the state make localized arguments. For example, a central argument of Pierret’s work is “that the resources of tradition allowed the Syrian *ulama* to overcome the challenges of social change and Ba'athist authoritarianism.”²⁵ Similarly, Bein’s work is very attuned to the effect of the secular republic on Ottoman clerics, and is meant, in large part, to also elucidate the clerics’ impact on modern Turkey.

Importantly, *all* these works, view the state as embodied in its physicality and materiality. They focus on state institutions, successive

²² Amit Bein, *Ottoman Ulema, Turkish Republic: Agents of Change and Guardians of Tradition* (Stanford: Stanford University Press, 2011), 9–10.

²³ Muhammad Qasim Zaman, *The 'Ulama in Contemporary Islam: Custodians of Change* (Princeton: Princeton University Press, 2002).

²⁴ Robert W. Hefner, ed. *Shari'a Politics: Islamic Law and Society in the Modern World* (Bloomington: Indiana University Press, 2011). Some chapters in the work study movements that oppose the *shari'a*.

²⁵ Thomas Pierret, *Religion and State in Syria: The Sunni Ulama from Coup to Revolution* (New York: Cambridge University Press, 2013), 9.