

Political Leadership of Jamiat Ulama-i-Islam and Its Role in Balochistan (1971-1999)



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Candidate's Declaration

I hereby declare that the thesis presently submitted bearing the title “Political Leadership of Jamiat Ulama-i-Islam and Its Role in Balochistan (1971-1999)” is the result of my own research and has not been submitted at any other institute for any degree.

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Supervisor's Declaration

I hereby declare that M.Sc. candidate Muhammad Essa has completed his master's essay titled "Political Leadership of Jamiat Ulama-i-Islam and Its Role in Balochistan (1971-1999)" under my supervision. I recommend it for the submission in candidacy for the degree of Masters in History.

Dr. Amanullah Khan
Lecturer
Department of History

Give excitement to the world from me,

**Paint anew the earth and sky,
create another Adam from my clay,**

Kill this slave of profit and loss.

To Morkai and Baba

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INTRODUCTION

The case for Islam is always found to be fought by Ulama, however, skeptical this notion may be, still it has plunged the idea of Islamic State for Pakistan with surmounting reception in the public since its inception.¹ Ubiquitously the idea of Islamic State is pursued by different religious bodies separately; nevertheless, they have followed the re-armament of ideological burden in a separate tract with similar enthusiasm. Heretofore, their notions are so rock-ribbed that the utopia which they coveted could not be solidified.² They desire an Islamic State but they do not have a common cause in practice though theoretically the safeguard of Islam is the central point. Munir Report was an inquiry in to the political disturbances of 1952-53 which shows the difference of opinion to an extent that the definition of a Muslim was not clear among Ulama.³

It is because they are divided in different sects and follow different schools of thought. Mainly there are three categories of Ulama in the subcontinent Modernists, Neo-Tradionalist and Tradionalist who work in different spheres claiming the adaption as *tajdid*.⁴ Modern Ulama are those scholars who have profound knowledge of Islam according to modern trends. They are usually trained in the modern educational institutes and give interpretation to the Islamic injections according to required needs of the modern time. They believe in *Ijtehad* and are the strong proponents of reasoning. They do consider the amalgamation of religion and politics however; they consider the least inclusion of religious activity in politics and argue that the establishment of Islamic system is possible but not through force rather by persuasion.⁵

The Neo-Traditionalists are those who believe in *Ijtehad* but are rigidly against the separation of religion and politics. They believe in the implementation of *Sharia* in the state. They take the era of Holy Prophet (PBUH) and the early caliphate as a model and try to

implement the law of *Quran* and *Sunnah* through force. They disagree on the political concept of Modernist that there is least role of religion in politics.⁶ The third category is of Traditionalists who are diehard Ulama and are trained mostly at *Madaris*. They practice Islam in classical terms and are strongly against *Ijtehad* at the expense of existing *fiqqah* however, they practice *Ijtehad* on the current issues in the light of previously accepted jurisprudence of *Imam* by drawing linkages or similarities between any old and new issue.⁷ They strongly believe in *Taqleed* and are strongly against the separation of religion and politics and believe in the implementation of *Sharia* through democratic struggle and few sections try to implement it through the use of arms.⁸

Deoband, one of the Traditionalist Islamic institutions, have a profound support in the country. By virtue of having demographic backing, it has euphemized its stance for converting Pakistan in to a Sunni Deoboandi state.⁹ The religious sensitivity of all the groups and the Sunni majority has made polemics, with ideological differences, sponsored by religious elite which triggers the sectarian conflict that has converted Pakistan in to a garrison State. In line with the conceptual diversity, different religious factions have sought to win political support for instance; Jamat-i-Islami, Jamiat-*Ulama* Pakistan and Jamiat-i-Ulama Islam (JUI), the largest Deobandi political party.¹⁰

Supporting the Pakistan movement with desire for the “implementation of justice and *Sunnah* of the Prophet”, JUI encountered the “ethnic and sectarian division” and low support after independence and failed to provide progressive and modern policies to the state and found refuge in the traditionalist discourse of Islam. The *amirs* had sought to defend their position and ideological stance through various political and religious maneuverings thus succeeded in finding an influential space in and out of successive governments.

Statement of Problem

Jamiat Ulama-I- Islam is the party mainly comprised of Traditionalist Ulama belonging to Deoband who are involved in politics of Pakistan since its creation. Right from beginning they have been trying to make Pakistan an Islamic State.¹¹ It under the leadership of Mufti Mahmud succeeded to form coalition governments both in NWFP and Balochistan after the general elections of 1970. The Government of Balochistan was dismissed by Zulfikar Ali Bhutto, the then prime minister of Pakistan, in 1973 and in reaction Mufti Mahmud resigned from the chiefministership of NWFP.

The main objective of this study is to analyze the leadership of Jamait Ulama-I-Islam mainly focusing on Mufti Mahmud and Maulana Fazl-ur-Rehman (1971-1999). It is an endeavor to understand their political behavior under the ideology of JUI and to discuss the role of Jamiat Ulama-i-Islam in Balochistan.

Review of Literature

The present study includes the Urdu books which include the biographies of both Mufti Mahmud and Maulana Fazl-ur-Rehman. English Secondary Sources, interviews of different Ulama both those who are in JUI and those who are not are inculcated based on a questionnaire. Urdu sources such as *Jamiat-Ulama kia hay* by maulan Syed Muhammad Mian (1945) describes the basic ideology and standings of Jamiat Ulama-I-Hind. It is a complete history of JUH, its history motives and includes a complete description of its sessions held at different time and places in India.

Islami Siyosat by Maulana Zakarya (1939) is an explanatory reply to asked questions about the Islamic Politics. Therefore, it provides a basic theme for the understanding of traditionalist Islamic Politics or in other words the political concept of Deoband.

Sawaneh Mufti Mehmud by Maulana Abdul Qayum Haqqani (2006) is a biography of Mufti Mahmud. It describes the family background, his early Islamic education, entry in to politics, political concept, and complete explanation of his government policies and carries an argumentative discussion on the criticism done over Mufti Mahmud.

Vote ki Sharie Haisiyat (2013) edited by Maulana Saleh Saad is the collection of different *Fatwas* issued by different Ulama including Mufti Mahmud himself which is an outline for the political participation for the public. It includes the all type of questions asked by the people for the guideline of casting votes in elections.

Maulana Fazl-ur-Rehman ka Siyasi Safar by Sheikh Abdul Qayum (2013) is a biography and a history of his politics which covers the time period from 1980 to 1999. This book also covers the politics of Jamiat Ulama-i-Islam (F), its differences with other factions and shows its moves on the foreign policy of Pakistan during Afghan Jihad and later on Taliban occupation.

Balochistan: Tarikhaur Mazhab by Ashraf Shaheen (1994) is a book that covers the history and religion in context of the division of ethnicities of *Pashtun* and *Baloch* of Balochistan. It also discusses the nature of both the nations and their approach to the understanding of religion. It also discusses the use of religion in politics by Ulama and their impacts on the society of Balochistan.

English sources consist, *Ulama in Contemporary Islam: Custodians of Change* (2000) by Muhammad Qasim Zaman. It provides an explanation of the role of Ulama in the religious matters in historical perspective leading towards their political stands in shaping their concept of an Islamic state. This book offers the first sustained comparative perspective on the Ulama and their increasingly crucial religious and political activism. It shows how issues of religion

are debated contemporary Islam and how Islamic law and tradition are continuously negotiated in a rapidly changing world.

Vying for Allah's vote: Understanding Islamic Parties, Political Violence, and Extremism in Pakistan by Haroon k. Ullah (2014) is on the working of different Religio-political parties with reference to the Islam and Democracy in Pakistan. It also gives an abstract concept of the political strategy of all the Islamic and Islamist parties and presents the practical examples in this regard. The political behavior and voting behavior of Islamic parties and public are discussed in detail.

The Politics of Jamiat Ulama-i-Islam (1971-77) by Sayyid A. S. Pirzada (2000) elaborates the political history of JUI with description of its role in the politics of the state after the fall of Dacca. This book examines the efforts of Jamiat Ulama-i-Islam to turn Pakistan in to an Islamic State.

The Pathans by Sir Olaf Caroe (1983) is history of *Pashtun*, their origins, evolution and tribes. It discusses the rise and fall of Afghans in India till the rule British in India. It explains the tribalism war history and the dynastic framework of the *Pashtuns*. It gives an understanding about the nature of *Pashtuns* which is helpful in order to relate the politics on regional level with the role of Ulama and religion.

The Tribal Balochistan by Abdul Qudus (1990) describes the tribal system of Balochistan mainly focusing on the different tribes of both *Pashtun* and *Baloch* with the similarities and differences in the *Jirga* system tribal politics and the role of religious Ulama and their status in the societies of both the tribes.

This study also includes the sources available in National Institute of Historical and Cultural Research Center Islamabad (NIHCR) Balochistan Archives, Islamic Research Institute

Islamabad (IRI) and National Library of Pakistan Islamabad such as news papers, Gazetteers, National Assembly and Balochistan Provincial Assembly debates. Other sources which includes a plethora of un-Published Theses, Dissertations, published articles and books were consulted from Dr. Raziuddin Siddiqi Memorial Library (DRSM), National Institute of Pakistan Studies (NIPS) seminar library, Department of History seminar Library, Pakistan Scientific and Technological Information Center (PASTIC) Quaid-i-Azam University Islamabad, Central Library and Department of Islamiyat Seminar Library Balochistan University, Pashto Academy and Balochi Academy Quetta, Provincial Secretariat Jamiat Ulama-i-Islam and different *Madaris* in Quetta Balochistan.

Hypothesis

Islam seems to be the unchangeable aspect that helped the leadership of JUI in establishing its association with the electorate. The political behavior of Both Mufti Mahmud and Maulana Fazl-ur-Rehman is no way different from other political leaders who are ready to show flexibility and rigidity on different occasions.

The explanation proffered includes the three different aspects. First is the use of religion for political purposes by *Ulama* through which they acquire and exercise power. Second is the religious conservatism of population of in Balochistan that gave space to the clerics and *Madaris* which shaped their political ideology. Thirdly the international situation by affecting the domestic politics of Pakistan made a cushion for the Islamists with the help of military establishment, which always secured the vote bank of Islamic Parties.

Organization of Chapters

In addition to the Introduction, Conclusion, Bibliography and References, the present study is divided in to three chapters.

Chapter One: Mufti Mahmud: Conceptualizing political Islam provides the conceptual understanding of the relation of Religion and Politics with traditionalist interpretation in the first phase while later it discusses the leadership and political moves of Mufti Mahmud from practical politics to his death in 1980. It also elaborates the political behavior of Mufti Mahmud in theory and practice with oppositional role of JUI in different alliances.

Chapter Two: Maulana Fazl-ur-Rehman: New Trends examines the shift in the trends of Jamiat Ulama-i-Islam under the leadership of Maulana Fazl-ur-Rehman. It elucidates the electoral history with the relation of JUI and Afghan Taliban. This chapter tries to analyze the factors that brought JUI in to the mainstream politics of the state with the benefits it drew from the political instability during both the terms of Benazir and Nawaz Sharif till 1999.

Chapter Three: Society, Religion and the Role of Jamiat Ulama-i-Islam in Balochistan, is the geographical, cultural and religious history of Balochistan. In this chapter there is comparative study of Pashtun and *Baloch* Tribes in respect of their nature, behavior and relation to religion. Furthermore, this chapter talks about the role of Ulama in both the societies and analyzes the factors that are responsible for the Jamiat's victory in the Pashtun areas of Balochistan.

Methodology

The present study tries to deal with the facts and pattern of behavior and the structures that bring Ulama in to the field of politics with their superior influence in the public with reference to the leadership of JUI. Therefore, the approach adopted is basically analytical. Keeping in view the historical and societal contexts this study tries to answer the *why* and *how* of the role of JUI in the politics. In trying to provide a rational explanation of the political leadership of JUI, there is also a component of analysis based on the interviews conducted in this regard.

Scope and Significance of the Study

The time period covered by this study is from the Fall of Dacca to the Military Coup of Pervez Musharraf (1971-1999) focusing on the leadership Mufti Mahmud and Maulana Fazlur-Rehman under the ideology of JUI . It also covers the history and origin of Jamiat Ulama-i-Islam briefly. This study also encompasses the history of Balochistan and the role of religious Ulama in its society with termination on the religio-political role of JUI. Within this study the role of leadership of JUI is prominent with its impacts on Balochistan.

This research is expected to generate further study on the religio-political parties which are usually neglected during the study of political history of Pakistan. It will contribute its part in understanding the role of religion in politics, the politics of Jamiat Ulama-i-Islam and the influence of Ulama over people. This study is significant in understanding the social dynamics of Balochistan furthermore it provides a basic understanding of the political understanding and preferences of the people of Balochistan.

It will also help the reader to understand the founded relation between Islam and tribal system of Balochistan and the role of *mulla* in dragging the religious sentiment of the people in line with mosques and *madrissa*. This study also provides a political study of *madaris* and their influence in street politics with reference to the political support of JUI.

Notes and References

¹ Ian Talbot, *Pakistan: A Modern History* (London: Hurst and Company, 1998), 27.

² Ibid.

³ Government of Pakistan, *Report of the Court of Inquiry Constituted under the Punjab Act II of 1954 to Enquire in to the Punjab Disturbances of 1953* (Lahore: Superintendent, Government Printing, 1954), 218. This report is also called as Munir Report which Notes, "it was a matter of infinite regret to us that *ulama* whose first duty should be to have settled views on this subject [of 'What is Islam' and 'Who is a Muslim'], were hopelessly disagreed among themselves. Keeping in view the several definitions given by *ulama*, need we make any comment except that no two learned divines are agreed on this fundamental. If we attempt our own definition as each learned divine has done and that definition differs from that given by all others, we unanimously go out of the fold of Islam. And if adopt the definition given by any one of the *ulama*, we remain Muslims according to the view of that *alim* [scholar] but *kafirs* [infidels] according to the definition of everyone else.

⁴ Barbara Daly Metcalf, *Islamic Revival in British India: Deoband, 1860-1900* (New Jersey: Princeton University Press, 1982), 4.

⁵ Ibid.

⁶ Ibid., 61.

⁷ Maulana Ghulam Rasool, Interview by Author, Quetta, February 10, 2016.

⁸ Metcalf, Ibid., 299.

⁹ Mufti Abdul Hanan, Interview by Author, Quetta, January 28, 2016. For a more thorough study of the concept of traditionalist politics and understanding the role of Deoband in shaping the leadership see Syed Muhammad Mian, *Jamiat Ulama Kia Hay?* (Lahore: Ummi Printing Press, 1945).

¹⁰ Ibid.

¹¹ Metcalf, Ibid., 359. Jamiat Ulama-i-Islam had pressed its bid for conversion of Pakistan in to Islamic State as soon it came in to existences. They supported the Pakistan Movement and when it was achieved, they demanded the power of implementing Islam in the state as they claimed, it were they who could understand the political aspect of Islam well than everyone else. Though Maulana Ashraf Ali Thanvi (d. 1943) had supported Muslim League but had a different view about implementing Islam that he would take at least ten years to prepare the public to accept the *Sharia* and then would implement it. For the descriptive study of the concept of Islamic State presented by JUI see Jamiat Ulama-i-Islam, *Manshur: Jamiat Ulama-i-Islam Pakistan* (Lahore: Jamiat Ulama-i-Islam, 2013).

CHAPTER 1

MUFTI MAHMUD: CONCEPTUALIZING POLITICAL ISLAM

Political Islam: Theory and Practice¹

India experienced many changes during the colonial period. The British had brought many changes in educational, intellectual and religious spheres there was also a great diversion in the traditional political cult of the Subcontinent. Muslims had their own structure of rule with a king at the top and the state as his estate. But when English crown formally took over India in 1858 they introduced their own democratic system in the state with humiliation of the existing pattern. Though in a rudimentary form, yet it gave a chance to the selected people of India to participate in the governmental affairs. At the same time there arose a controversy of religion and politics in concept of their separation and unity. Muslim masses thought of it as both together while the Muslim elite and British considered it as separate that there is no role of religion in politics.

The reaction to the Europeans was multifold including intellectual, educational and social but *Ulama*² undertook a mission for the safeguard of religious beliefs of the Indian Muslims. One of the movements was the initiated by Deoband, a religious seminary established in Saharanpur in 1868 under the curriculum of *Dars-i-Nizami*³. This institution stood for the doctrinal protection of Muslims therefore it gave its own concept of politics, i.e. Politics in Islam is to protect the Islamic beliefs of the Muslim masses of an Islamic state and reform their worldly needs.⁴ It is an art through which policies are devised for the betterment of the state and its people and the responsibility of Islamic politics is to provide a mechanism that should bring prosperity and progress to the state⁵. In addition with it the Islamic politics is entitled to give an opportunity to the masses that should make them aware of their religious

duties also.⁶ It is also necessary for the true Islamic statesmen to pursue the interests of the state according to God's will.⁷ The main objective of the Islamic politics is to use politics in a right manner for the achievement of an Islamic cause and politics must be one of the means not an end.⁸ Therefore, for the political purposes any kind of religious exploitation is not allowed.⁹

The encounter of Western Democracy with the ideological conceptualization of Islamic Politics by *Ulama* was described that Islam had its own concept of democracy called as "Islamic democracy". According to this concept the decision of an Islamic state should be given to *Ashab-ul-Hal wal-Aql*¹⁰, those experts who know the affairs of state and they should be given the choice to elect the ruler for the state.¹¹ Therefore, the popular sovereignty in European democracy is repugnant to Islam and should not be followed.

Theoretically the traditionalist *Ulama* had their own views about politics but the notion of the protection of holy places of Islam, endangered by foreign occupation, after the First World War compelled the *Ulama* to politically unite and organize their ranks. This unity was earlier manifested by the establishment of *Anjuman-i-Khuddam-Kaaba* in 1913 while later formally a political party was established named as *Jamiat Ulama-i-Hind* (JUH) in November 1919. It was the first time when the religious scholars entered politics practically and came forward for the protection of the Muslim Caliphate of Turkey and joined Indian National Congress for mutual struggle against the foreign imperialism. The aims and objectives of the establishment of JUH were:

1. Protection of Islam, the sacred places in *Hijaz* and protecting the "Islamic Nationalism" from any foreign influence.
2. Safeguard of the religious, state rights and achievement of the worldly needs of Muslims.

3. Establishment of Islamic State and government based on *Sharia*.
4. Complete freedom of nation and state, in accordance with the principles of *Sharia*.
5. Reforms in the religious, educational, moral and economical affairs of Muslims and patronizing the Islamic preaching.
6. Building relations with the Muslims of other Islamic and non-Islamic states.
7. Establishment of friendly relations with other non Muslim brethren, within Islamic boundaries.¹²

JUH had agenda of composite nationalism and supported Congress for the freedom struggle yet it went against the Nehru Report which was against the interests of Muslims and termed it unacceptable to JUH and presented its own proposals for the future constitution of India.¹³ The result of the constitutional deliberations that went on in India and England was the Government of India act 1935. On its basis the elections of 1936-37 were held and JUH and All India Muslim League (AIML) came close together for a short span of time but broke as soon the congress ministries were formed. This gave a considerable gain to AIML as a renowned *alim* Maulana Ashraf Ali Thanvi was influenced by the concept of Muslim Nationalism and issued a *fatwa* in the favor of Muslim League when he was asked that whether Muslims should join JUH or AIML.¹⁴ The impact was great as Thanvi had great following and many Ulama left JUH on the cause of their support for congress.

Allama Shabir Ahmad Uthmani, another *alim* had different view about the JUH and was totally against the idea of composite Nationalism and built close relations with AIML therefore, made a separate party All India Jamiat Ulama-i-Islam (AIJUI) in 1945 and supported the cause of creation of Pakistan on the argument that the sole objective of the AIML was the safeguard of Islam which was in danger if British quit India.¹⁵

AIJUI after the independence of Pakistan was renamed as Markazi Jamiat Ulama-i-Islam (MJUI) and undertook the mission of implementation of *Sharia* in the state and started constitutional struggle for the achievement of their objectives. The MJUI leadership was annoyed by the non serious attitude of the government about the Islamization of the state. Allama Shabir Ahmad Uthmani left no opportunity to remind the Muslim League leadership to honor the commitments with regard to Islamic System in Pakistan. In May 1949 he conducted a ten day tour of East-Pakistan. In his speeches he recalled Quaid's promise that state would be based on Islamic principles.¹⁶ The Objective Resolution presented by Liaquat Ali Khan, the then prime minister, was endorsed by MJUI yet it was criticized on the basis of separation of religion and politics.

On January 21, 1951 a convention was held in Karachi under the chairmanship of Allama Nadvi. This convention was dominated by MJUI as it had nineteen members among the total thirteen delegates and the rest were from Jamat-I-Islami (JI), Jamiat Ulama-I-Pakistan (JUP), Jamiat Ahl-I-Hadith, Jamat Hizbullah, Anjuman Khuddamudin, and Idarah-i-Aliyah Tahaffuz-i-Huquq-i-Shiah Pakistan. The convention adopted twenty two points as an outline for an Islamic State.¹⁷ On the other hand the manifesto of Jamiat Ulama-i-Islam describes the nature of an Islamic State as;

1. The official religion of the state will be Islam.
2. Only *Quran* and *Sunnah* will be the source of law and the rule of *Khulafa-i-Rashidin*, the rightly guided caliphate, will be made the standard of governance.
3. The key posts of the state will be exclusively for Muslims.
4. The President, Prime Minister should be male Muslims and should be of *Ahl-e-Sunnat* school of thought.

5. Anyone who believes in *Quran* and *Hadith*, with the explanations of companions of the prophet and have faith in the finality of the Prophet Muhammad (SAW) will be considered as “Muslim”.
6. All those sects that do not accept any basic belief of Islam such as the finality of the Prophet will be declared as un-Islamic and such kind of aversion will be illegal in the constitution and will be considered as convictable.
7. Any amendment in the Islamic postulates of the constitution will not be allowed.
8. Any kind of preaching against Islam or its any part will not be allowed.
9. In the constitution direct Muslim representation will be accepted.
10. It will be clear in the constitution that “sovereignty belongs to Allah Almighty and Muslims will be the authority of the state of Pakistan in the limits prescribed by him.
11. The representation of the people will be on party bases. All the parties will participate in the election according to their manifestos and will be the part of assemblies according to their proportion.¹⁸

It played a greater role in the agitation against the Qadianis. MJUI had greater part in the *Tahafuz-i-Khatm-i-Nabuwwat Tehrik* (TKNT). In the contingent Allama Sayyad Suleman Nadwi, Allama Thanvi, Mufti Shafi, Mufti Muhammad Hassan, Maulana Ahmad Ali, Maulana Muhammad Ali Jalnadari, Maulana Syed Noor-ul-Hasan Bukhari, Maulana Ghulam Ghaus Hazarvi, and Maulana Abdul Hanan outnumbered other religious parties. They demanded the declaration of Qadianis as non-Muslims. The agitation went out of control till the martial law was imposed and the situation was restored in Lahore.¹⁹

The 1956 constitution was considered as big victory of MJUI as it had played a substantial role in the in shaping the Islamic content of the constitution. MJUI did not have its own political constituency in Pakistan and had to rely upon the support of Muslim League

though it worked as a pressure group but later Markazi Jamiat Ulama-i-Islam West Pakistan (MJUIWP) was founded at a convention held at Multan on October 7, 1956.²⁰ MJUIWP re-examined the constitution of 1956 and proposed various amendments and issued a fourteen point agenda for the upcoming elections based on the constitution of 1956 but before it could be materialized, Martial Law was imposed by Ayub Khan and all the parties were banned.

After the imposition of Martial Law MJUIWP set up a non political body Nizam Ulama Pakistan (NUP).²¹ Its main task was to organize *madaris* throughout the country. It opposed the imposition of Martial Law and criticized Ayub Khan for abrogating the constitution and when a constitutional commission was set up by Ayub for another constitution NUP opposed it too on the grounds that it was undemocratic that a constitution is not made by public elected government. When in July 1962 the political parties were revived under the political parties bill, MJUIWP was re-organized with Maulana Muhammad Abdullah Darkhwasti as the *amir*, and Maulana Ghulam Ghaus Hazarvi as *Nazim-i-Ala*. In August 1962, the party was re-named as Jamait Ulama-I-Islam Pakistan (JUIP).²²

Religious Authority and Politics

JUI being a religio-political party is spearheaded by *Ulama* who are the claimants for the safeguard of Islam. They have their own authority over the Islamic interpretations in respect of social, religious and political aspects of Islam. Their authority is based upon the two basic sources of Islam i.e. *Quran* and *Hadith*. Being non-Arabic, people are totally dependent over *Ulama* for guidance, this in reaction gives a monopoly of authority over the Islam to *Ulama* and this authority is exercised in form of *commentary*, pulpit, and *fatwa*.²³

Ulama are considered as the Islamic jurists and the lawyers of their respective school of thought thus the “open texts” requires constant interpretations and explanations. Such as Siddiq Hassan Khan who wrote much on *Quran*, *Hadith*, law and vast body of sectarian

polemical literature and arranged for many classical work of *Hadith* including *Fath al-bari*, Ibn-Hijr's (d. 1449), Al-Bukhari's (d. 870) *Sahih* and Al- Shawkani's (d. 1839) *Nayl al-awtar*.²⁴ Another *alim* Abdul Rahman Mubarakpuri has written *Thufa-tul-ahwadhi*, the commentary on the collection of *Hadith* of al- Tirmidhi (d.892), is an effort to elucidate the prophetic traditions.²⁵ Maulana Zafar Ahmad Uthmani on the other hand has written *I'la al-Sunan* of twenty one volumes, describing the normative practices of the prophet.²⁶

The second source of the authority is pulpit which is used as a source of spreading ideas among the common masses on weekly bases, on each Friday before the congregational prayers. The examples are of Syed Atta-ullah Shah Bukhari and recently Maulana Tariq Jameel who delivers long lectures in different mosques in and outside Pakistan.²⁷ Thirdly it is *fatwa* that gives the utmost and final verdict about a certain issue which is considered as pure Islamic and going against it will be considered as a sin. In each *madrissa* there is *Dar-ul-Ifta* that works as the institution of issuing *fatwa*. Some examples are *Kifayat-ul-Mufti* by Mufti Kifayatullah, *Fatawa-i-Haqqania* by Mufti Abdul Haq, *Fatawa-i-Mehmudia* by Mufti Mahmud, *Fatawa-i-Faridia* by Mufti Muhammad Farid etc.

This religious authority has political significance because a politician with religious backing can excel in Pakistan due to the religious conservatism prevailing in the common masses. The symbol of this combination on which this chapter is going to focus is Mufti Mahmud who being a cleric entered politics and won elections of 1962, 1970 and 1977 consecutively. He also remained the Chief Minister of Khyber Pakhtunkhwa former NWFP.

He was born on February 15, 1919 in Panyala, a village of Dera Ismail Khan. He belonged to a religious family, his father Muhammad Siddiq was a disciple of Maulana Ahmad Gul, a *sufi* of Afghanistan settled in Panyala.²⁸ He went to school at the age of five and studied *Quran* at home while later he joined a *madrasa* of Aba Khel, in district Banu.

After completing the first phase of *Madrassa* education i.e. *Hidayah Awal*, *Sillam Ulum* and *Sharah Jami*, he went to *Dar-ul-Ulum* Deoband and then *madrassa Qasimiah Shahi* Moradabad where he studied for six years and lastly completed his study from *Madrassa Islamia Imrwoha*.²⁹ He remained unemployed at least for two years and then started teaching in *madrassa Muein-ul-Islam* Essa Khel district Mianwali on monthly pay of fifteen rupees. For three years he remained there and later on went to Abakhel district Banu and taught for two years and then got job in Abdulkhel as *Imam*.³⁰

The turning point in the life of Mufti Mahmud was his joining of *madrassa Qasim-ul-Ulum* Multan and supervised *Dar-ul-Ifta*, institution of *fatwa*, earlier while later he was raised to the status of *Sheikh-ul-Hadith*. This was the time when he stepped in politics practically but his influence increased in the upper echelons when the other *Ulama* came to know about his excellence in the field of not only in Islamic Jurisprudence but also his understanding about the politics of the state. He became the vice-president of Markazi Jamiat Ulama-i-Islam West Pakistan (MJUIWP) founded at convention held in Multan on October 07, 1956.³¹ The objectives of MJUIWP were the republican system, with Islamic teachings sponsored by the state in every walk of life, Qadianis were declared as no-Muslims and separate electorate to be the mechanism of elections.³² When martial law was imposed by Ayub Khan JUI worked under the name of Nizam Ulama-i-Pakistan (NUP), a non-political body, though its objectives were religious but on different occasions it indulged in politics. In 1962 elections it was Mufti Mahmud and Maulana Ghulam Ghaus Hazarvi who were returned to the National assembly and provincial assembly of West Pakistan respectively.³³

Later on it was Mufti Mahmud who remained the most dynamic personality in the political sphere of JUI. He became the general secretary of APJUI in 1968, the president of *Muttahida Dini Mahaz*, an alliance of nineteen religious political parties, formed in May

1970³⁴ and was again elected in the 1970 elections from the constituency of Dera Ismail Khan, defeating Bhutto and became the Chief Minister of NWFP from May 1972 to February 1973. After resignation from the post of chief minister he became the vice-president of United Democratic Front formed against Bhutto between 28 February and 1 March 1973.³⁵ When Bhutto announced that elections would be held on 7 and 10 March 1977 the UDF leaders met in Lahore and formed a nine party coalition known as Pakistan National Alliance (PNA) and Mufti Mahmud was elected as its president. When elections were held Mufti Mahmud was elected from the constituency of Dera Ismail Khan defeating Bhutto again. The results of election were claimed to be rigged therefore, PNA under the presidency of Mufti Mahmud boycotted the provincial elections and started agitation till Martial law was declared in the country on 5 July 1977. He remained the General Secretary of JUI till his death on 14 October 1980.³⁶

Political Behavior of Mufti Mahmud

The theoretical dichotomy of “Islam and Democracy” is reconciled when it comes to practice in the case of Mufti Mahmud. On the one side where he is elected as the member of national assembly through democratic process, vows to have the constitution of 1962 amended to make it conform to *Quran* and *Sunnah* and democratic traditions on the other.³⁷ While the other perspective tells that “from the civic religions of Rome, through the theory of the divine right of kings, during the middle ages, down to the current resurgence of political Islam, religion has been an important tool of ruling elites to legitimize their claims to power”³⁸ or it is the hunger for power, acute insecurities, opportunism, cynicism, and at best enlightened self interest that guide such endeavors.³⁹

Contrary to this, the available theories of Islamic party behavior assume not only that moderation takes place along a single axis but also that parties, once included in democratic

and electoral competitions will moderate their views on policy.⁴⁰ The Political behavior of Mufti Mahmud “under the Ideology of Jamiat Ulama-i-Islam” is not uniform; it sometimes reflects the protection of Ideology while sometimes it is for the political expediency. Therefore, his political behavior is to be tested on a model given by Haroon K. Ullah known as *Sharia Secular Model*.⁴¹

According to this model there lies two ends on a scale that is of extreme right that shows the religious conservative party position that tries to implement *Sharia* in the state through use of force and violence such as *Jamat-ud-Dawa* and to some extent *Jamat-i-Islami* while on the extreme left there lies the extreme secular parties such as Pakistan Peoples Party (PPP) and Awami National Party (ANP). The position of Jamiat *Ulama-Islam* on this scale is towards the right but not extreme as it wants an Islamic system through the democratic struggle.⁴² However it acquires “strategic extremism”⁴³ on certain challenges to their interests.

JUI being an offshoot of JUH is linked to *Dar-ul-Ulum* Deoband and the theory of Islamism according to the traditionalist discourse is not compatible with the modern democratic process but, Mufti Mahmud, being a *Deobandi* scholar, not only believed in democracy⁴⁴ but also took part in the democratization of the state of Pakistan. When In 1962 he was elected for the first time to the National Assembly of Pakistan he urged on the political parties’ bill that only those parties should be allowed to operate which were committed to Islamic ideology.⁴⁵ In 1969 the JUI entered in alliance with Pakistan Labor Party to improve the state of the lower class according to the Islamic principles, eliminate the capitalistic system and establish a just governmental system.⁴⁶

JUI issued its manifesto on January 20, 1970 signed by Mufti Mahmud with the following salient features;

1. Provision of equal housing and job opportunities.
2. Reforming the financial institutions to avoid concentration of capital.
3. Abolishing interest.
4. Nationalization of major industries.
5. Improvement in the conditions of workers.
6. Division of lands among the peasants.
7. Separation of Judiciary from executive.
8. Dissolution of one Unit.
9. Non-believers of the finality of the prophet Muhammad (PBUH) would be declared as non- Muslims.⁴⁷

It nominated ninety candidates for the national assembly from West Pakistan while fifteen from East Pakistan out of which seven were returned to the assembly. While for provincial assembly 72 candidates were nominated out of which 2 won in Punjab, 4 in former NWFP and 3 in Balochistan. Mufti Mahmud was elected from the constituency of Dera Ismail Khan.⁴⁸

JUI secured 366,477, 25.5% votes and 4 seats in NWFP while 74,651, 20% votes and 3 seats in Balochistan. On the other hand National Awami Party (NAP) had secured 266,282, 18.5% votes and 3 seats in former NWFP and 168,804, 45.2% votes and 3 seats in Balochistan.⁴⁹ Both the parties got clear electoral majorities, thus made a coalition government both in former NWFP and Balochistan and Mufti Mahmud became the Chief Minister of former NWFP under the following agreement signed on April 27, 1972:

1. NAP-JUI co-operation in assembly in framing the constitution.
2. Setting up of a board of *Ulama* to bring existing laws in to conformity with the *Quran* and *Sunnah*.

3. Setting up of a board for religious and moral training of the people.
4. Setting up of another board for the development of industry and forest.
5. Making arrangements for imparting moral training to the youth in academic institutions.⁵⁰

This political behavior of Mufti Mahmud shows his departure from the theoretical explanation of Islamic politics which shows his movement on the *Sharia*-Secular scale towards center that is moderation. Furthermore, during formation of alliance with NAP, a secular party, JUI and NAP both have left their positions and showed “pragmatism” as their political behavior, where Mufti Mahmud used his religious authority as political authority⁵¹ by agreeing to the document signed for the coalition.

After assuming the office on May 1, 1972, Mufti Mahmud pursued the process of Islamization as promised in the manifesto of JUI. He setup a board which was entitled to bring the existing laws in to conformity with *Quran* and *Sunnah*. Being the Chief Minister of former NWFP he took following Islamic steps.

1. Banned the manufacturing, trade and usage of alcohol.
2. Declared Urdu as the official language of NWFP.
3. Eliminated Interest on all types of loans granted to peasants.
4. Declared Arabic as a compulsory subject.
5. Forbade the free movement of women in commercial centers without observing veil.
6. Made *Shalwar* and *Qamiz* as the official dress of the province.⁵²
7. Banned dowry.
8. Completely prohibited gambling in all its forms.
9. Ordered observing of sanctity of *Ramadan*.

10. Declared five holidays for government servants on the occasion of *Eid*.⁵³

The policies of Mufti Mahmud as the Chief Minister of former NWFP shows completely different picture of his behavior. Before entering the government he was prepared to make and break alliances while later in alliance with NAP which was a secular party, he adopted a complete religionization of government which shows his movement towards right on the *Sharia* Secular scale.

On 15 February 1973, Zulfikar Ali Bhutto, the then Prime Minister of Pakistan dismissed the NAP-JUI government in Balochistan on the pretext of London Plan.⁵⁴ As a protest Mufti Mahmud resigned from the post of Chief Minister in support of its ally and declared this action as a conspiracy against the alliance of NAP-JUI.⁵⁵ This gives a clear contradiction in the ideology of JUI on the one side they call the secular politicians as *Dahri*⁵⁶ but stood in support for them on the other.⁵⁷

In this regard to oppose the action of Bhutto in Balochistan and to “revive back the democratic values” JUI entered in to alliance with Peoples Democratic Party (PDP) Pakistan Muslim League (Council), Pakistan Muslim League (Convention), NAP, Jamiat *Ulama-i-Pakistan* (JUP), Jamat-i-Islami Pakistan (JIP) and independent parliamentary group, known as United Democratic Front (UDF) with Mufti Mahmud as its vice President.⁵⁸ Mufti Mahmud called this struggle as *Jihad* against *Kufr*. He urged that all Muslims of Pakistan should join hands to get rid of this evil force that is not only against Islam but also democracy.⁵⁹

On alliance with JI Maulana Ghulam Ghaus Hazarvi, a member of JUI agitated against Mufti Mahmud that it was he who had issued *fatwa* that Maulana Abul-Ala Modudi, the head of JI, was outside the pale of Islam and an American Agent and now he is in alliance with him.⁶⁰ Therefore, he departed his way and JUI was divided in to two groups i.e. JUI (Hazarvi) that stood with Bhutto and JUI (Mahmud) remained in the UDF. This shows again

the movement on the *Sharia*-Secular scale towards center showing moderation for the political interests.

On 7th January 1977 Bhutto announced in the National Assembly that general elections will be held on 7th and 10th March for National and Provincial Assemblies respectively. The opposition only found a way to combat Bhutto was a grand alliance of nine different Parties called as Pakistan National Alliance (PNA) in which Mufti Mahmud was elected as its president. This was done through the mobilization of Intelligence Agencies by Bhutto Government that Mufti Mahmud being an old fashioned personality could not combat Bhutto.⁶¹ When elections were held, the results were contrary to the aspirations of PNA. PPP won 155 out of 200 seats in the National Assembly while only 36 candidates of PNA were returned to the Assembly in which Mufti Mahmud defeated Bhutto from Dera Ismail Khan. PPP had won 2/3 majority, according to the Bhutto's wish. Therefore, PNA declared it as rigged and fraud elections. It boycotted the provincial elections which were to be held on 10th March and started agitation on 14th March 1977.⁶² The objective of this movement was two folded, on the one hand it was to get rid of a repressive regime while establishment of an Islamic system through elections on the other.⁶³ While on the other hand Bhutto declared this agitation as an American conspiracy against him because the "Elephant" was not happy with him.⁶⁴

The agitation turned in to *Nizam-e-Mustafa*, system of the Prophet (PBUH), in which PNA demanded the Islamization of the state craft, dissolution of assemblies on 7th July 1977, withdrawal of the Defense Ordinance of Pakistan, amendment in the Army Act 1952, release of the detained politicians etc.⁶⁵ The protests continued till Martial Law was imposed by general Zia-ul-Haq on July 5, 1977. Mufti Mahmud who was against Bhutto accusing of his dictatorial attitude supported Zia, a dictator, and joined his government.⁶⁶ While later it was

again Mufti Mahmud who supported the Movement for Restoration of Democracy (MRD) and signed a pact with PPP in this regard.⁶⁷ This shows the complete behavior of Mufti Mahmud which depicts the protection of interests in both acquiring the power and exercising the authority to implement the ideology of JUI.

The political bargains made by Mufti Mahmud during this whole period of time however, boosted his status but also undermined the party's credibility as a defender of Islamic virtue. This in the end shows that JUI achieved its greatest political power at the national level by joining coalitions, whether with secular parties such as Pakistan Peoples Party or with religious parties as Jamat-i-Islami. Therefore, the leadership depicts that it is ready to join any movement that puts religion in its proper place within government.⁶⁸

Notes and References

¹ Here Islam is referred to the actual traditionalist discourse which is almost headed by the *Ulama* of Deoband both in Pakistan and India.

² Plural of *alim* an Arabic word which means, a man well versed in religious education.

³ Barbara Daly Metcalf, *Islamic Revival in British India: Deoband, 1860-1900* (New Jersey: Princeton University Press, 1982), 91. *Dars-i-Nizami* was a curriculum devised by *mulla* Nizam-ud-din Shalwi in 12th century A.D.

⁴ Maulana Anwar-ul-Haq Haqqani, Interview by author, Quetta, February 05, 2016.

⁵ Maulana Abdul Haq, *Fataw-i-Haqqania*, Vol. 02, (Naushehra: Dar-ul-Uloom Haqqania, 2011), 289.

⁶ Mufti Abdul Hanan, Interview by author, Quetta, January 28, 2016.

⁷ Maulana Zakarya, *Islami Siyasat* (Karachi: Maktaba-tu-Sheikh, 1939), 127.

⁸ Maulana Mufti Rasheed Ahmad, *Ahsan-ul-Fatawa*, Vol. 06, (Karachi: H. M. Saeed 2011), 35.

⁹ *Ibid.*, 116.

¹⁰ These are the Arabic words that refer to the people who are wise, religious experts and know the social principles of a state which negates the concept of popular sovereignty.

¹¹ Maulana Yousuf Ludhyanwi, *Ap k masail aur un ka Hal* (Karachi: Maktaba-i-Ludhyanwi, 1997), 193.

¹² Maulana Syed Muhammad Mian, *Jamiat Ulama Kia Hay?* (Lahore: Umami Printing Press, 1945), 13-14.

¹³ *Ibid.*, 15.

¹⁴ Sayyid A. S. Pirzada, "Jamiat Ulama-i-Islam Pakistan, 1947-1970" (M. Phil dissertation Quaid-i-Azam University, 1980), 3.

¹⁵ *Ibid.*, 10.

¹⁶ *Ibid.*, 26.

¹⁷ *Ibid.*, 31. See appendix II for 22 Islamic points.

¹⁸ Jamiat Ulama-i-Islam, *Manshur: Jamiat Ulama-i-Islam Pakistan* (Lahore: Jamiat Ulama-i-Islam, 2013), 16-18.

¹⁹ Sayyid A. S. Pirzada, *The Politics of Jamiat Ulama-i-Islam Pakistan, 1971-1977* (Karachi: Oxford University Press, 2000), 21.

²⁰ *Ibid.*, 23.

²¹ *Ibid.*, 24.

²² *Ibid.*, 26.

²³ Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change* (New Jersey: Princeton University Press, 2002), 38.

²⁴ *Ibid.*, 40.

²⁵ *Ibid.*, 41.

²⁶ *Ibid.*

²⁷ "Maghribi Moashra aur Musalman," Maulana Tariq Jameel, aired November 19, 2013 on Message TV.

²⁸ Maulana Abdul Qayum Haqqani, *Sawaneh Quaid-i-Millat: Hazrat Maulana Mufti Mahmud* (Naushehra: Al-Qasim Academy press, 2006), 43.

²⁹ *Ibid.*, 47.

³⁰ *Ibid.*, 68.

³¹ Pirzada. *Ibid.*, 23.

³² *Ibid.*

³³ *Ibid.*, 25.

³⁴ *Ibid.*, 33.

³⁵ *Ibid.*, 88.

³⁶ Haqqani, *Ibid.*, 314.

³⁷ M. Rafiq Afzal, *Political Parties in Pakistan, 1958-1969*, vol. 02, (Islamabad: National Institute of Historical and Cultural Research, 2012), 136.

³⁸ Muhammad Aslam Syed, ed., *Islam and democracy in Pakistan* (Islamabad: National Institute of Historical and Cultural Research, 1995), 31.

³⁹ Ilhan Niaz, *The Culture of Power and Governance of Pakistan, 1947-2008* (Karachi: Oxford University Press, 2011), 62.

⁴⁰ Haroon K. Ullah, *Vying for Allah's Vote: Understanding Islamic Parties, Political Violence, and Extremism in Pakistan* (Washington, DC: Georgetown University Press, 2014), 43.

⁴¹ *Ibid.*, 42.

⁴² Anwar-ul-Haq, *Ibid.*

⁴³ Strategic Extremism is when Parties take positions that do not reflect the actual views of Party's politicians; instead, they diverge in either direction from that of median voter only for vote maximizing purposes.

⁴⁴ Haqqani, *Ibid.*, 277.

⁴⁵ Pirzada, *Ibid.*, 25.

⁴⁶ *The Pakistan Times*, July 15, 1969.

⁴⁷ Haq Nawaz Waheed, "Maulana Ghulam Ghaus Hazarvi: A Political Biography" (M. Phil Dissertation Quaid-i-Azam University, 2009), 106-107.

⁴⁸ Pirzada, *Ibid.*, 34.

⁴⁹ Himayatullah, "Pakistan National Awami Party: Nature and Direction of Politics" (PhD Dissertation, Quaid-i-Azam University, 2015), 257.

⁵⁰ *Ibid.*, 265.

⁵¹ Ullah, *Ibid.*, 49.

⁵² Haqqani, *Ibid.*, 268.

⁵³ Pirzada, *Ibid.*, 67.

⁵⁴ It was a plan made for the purpose of greater provincial autonomy. According to interior Minister, Khan Abdul Qayum Khan, it was engineered by Sheikh Mujeeb, Wali Khan and Muhammad Khan Daultana to disintegrate Pakistan in to four independent states, to be linked in the shape of a confederation-which would also include Bangladesh. The confederation would later embrace Afghanistan and Bharat.

⁵⁵ The National Assembly of Pakistan (Legislature). *Debates., Tuesday, September 12, 1972* (Karachi: Printing Corporation of Pakistan, 1975), 1249.

⁵⁶ *Dahri* is a derogatory remark for all the secular people.

⁵⁷ Maulana Abdul Zahir, Interview by Author, Quetta, January 15, 2016.

⁵⁸ Pirzada, *Ibid.*, 88.

⁵⁹ *Ibid.*, 98.

⁶⁰ Weekly *Al-Jamiat* (Rawalpindi), 18 January 1974, 9.

⁶¹ Maulana Kausar Niazi, *Aur Line Kat Giye* (Lahore: Jung Publishers, 1997), 44.

⁶² *Ibid.*, 59.

⁶³ Mufti Mahmud, Interview by Amjad Hussain, *PTV, 1978*.

⁶⁴ Niazi, *Ibid.*, 69.

⁶⁵ *Ibid.*, 100.

⁶⁶ Waheed, *Ibid.*, 118.

⁶⁷ *Ibid.*

⁶⁸ Ullah, *Ibid.*, 97.

CHAPTER 2

MAULANA FAZL-UR-REHMAN: NEW TRENDS

Maulana fazl-ur-rehman was born on 21 August 1953 in Abdul-khel district Bannu. His early education was from his own house, his uncle *Khalifa* Muhammad was his teacher who taught him both education of *madrissa* and school.¹ Later on he was admitted to the primary school of *Abdul-Khel*. After the primary education he went to Multan where he did his matriculation in 1965. Afterwards he concentrated his attention on religious education and went to Dera Ghazi Khan under the stewardship of Mufti Muhammad Essa and in 1971 he completed *Sarf, Nahw* and *Mantiq* and for further education he went to *Jhonk Huns* where he studied from Maulana Muhammad Amir and then went to Akora Khatak and completed his *madrisa* education and started teaching in *Madrissa Qasim-ul-Uloom* Multan. However he did not study properly in a college but took private exam of F.A in 1973.²

Fazl-ur-Rehman had his earlier political training from his father. His father Mufti Mahmud won the elections in 1962 for the first time, though Rehman was young yet it gave him a chance of public relations, later on in the campaign of 1965 elections, Fazl-ur-Rehman was the closest witness of political activities in his earlier age. He participated in the election campaign of 1970 and when Mufti Mahmud became the Chief Minister of NWFP in 1972 he had firsthand experience of politics and power.³ He was arrested in the 1974 *Khatm-i-Nabuwat* movement. He remained active in the politics of United Democratic Front (UDF) and later in 1977 in the movement of Pakistan National Alliance against Zulfikar Ali Bhutto; Fazl-ur-Rehman being a student, led a procession before the provincial assembly of NWFP where he was arrested and was kept in Jail for forty days.⁴

Establishment of Movement for Restoration of Democracy (MRD)

After the delay in elections as promised by Zia the PNA leadership realized that it should approach Pakistan Peoples (PPP) party to counter the martial law regime. Except for Jamat-i-Islami Muslim League (Pagara Group) and Jamiat Ulama-i-Pakistan other member parties decided to make an alliance which was called as Movement for Restoration of Democracy (MRD).⁵ To counter the regime, a broad support was required which other parties lacked except PPP therefore, PPP, Tehrik-i-Istaqlal (TI), National Democratic Party (NDP), Pakistan Democratic Front (PDF), PML-Khairuddin Qasim Group, Qaumi Mahaz-i-Azadi, Pakistan Mazdoor Kisan Party (PNP), Awami Tehrik (AT), Pakhtoonkhwa National Awami Party (NAP-Pukhtoonkhwa) became members of the alliance.⁶

The demands put forward were: the abolition of military courts, revival of the political parties and restoration of the constitution of 1973 as well as holding elections according to it.⁷ Mufti Mahmud had favoured the establishment of Movement for Restoration of Democracy (MRD) but had not joined it yet.⁸ After his death, a six member committee was formed on 15 December 1980 in which Maulana Ajmal Khan, Maulana Fazl-ur-Rehamn, Maulana Shah Muhammad, Qazi Abdul Latif, Maulana Ubaidullah Anwar, and Maulana *Sadr-u-Shaheed* were given the authority to decide the issue of joining MRD but when they were invited by Nawabzada Nasrullah khan, it was Fazl-ur-Rehman who participated in the meeting alone in which MRD was established on February 4, 1981.⁹ Jamiat split over the establishment of MRD as Abdullah Darkhwasti, the *Amir* of JUI denied to accept the terms of establishment of MRD thus Maulana Muhammad Abdullah Darkhwasti and Maulana Ubaidullah Anwar were expelled from the party and in the annual meeting held at Lahore, Maulana Siraj Ahmad was elected as the president while Maulana Fazl-ur-Rehman as the General Secretary of JUI.¹⁰

MRD announced to launch the movement from 14 August 1983 which lasted for five months but failed to gain support from the masses as it could not keep intact the leadership and the masses.¹¹ Furthermore; Peoples Party only succeeded to muster up the support of people from Sind while the other parties failed. While on the other hand the government succeeded to censor the print media and stopped the propagation of this movement to a larger extent.

In 1985 when Zia-ul-Haq announced the general elections MRD considered it as the biggest success while on the same time Zia announced a referendum to legitimize his position by taking the vote of confidence directly from the people of Pakistan. The parliamentary elections were to be held on non-party bases therefore; MRD boycotted the elections and appealed to the masses and the people to prevent the elections to be held by non participation.¹² Yet the elections were held and the turnout was low however; fifty three percent of the registered voters polled their votes which was enough to neutralize the boycott call of MRD. Thus when Junejo became the prime minister he also found the support of MRD. Before his fall he called for the round table conference in April 1988, in which Maulana Fazl-ur-Rehman also participated. He was criticized by the other political circles in reply his remarks were:

We went to the round table conference due to the deteriorating situation in the country further; the issue of Afghanistan was under discussion thus we didn't raise political questions.¹³

1988 Elections

JUI under the leadership of Maulana Fazl-ur-Rehman took part in the elections of National assembly on 16 November and provincial assembly elections on 19 November. Out of total 207 general seats JUI nominated 38 candidates out of which 7 returned to the National Assembly securing total 360126 votes with 1.84% vote rate.¹⁴ JUI won 3 seats from NWFP while 4 seats from Balochistan. The vote proportion of JUI in Punjab was 67534 which was

0.53% of the total vote casted.¹⁵ In Sind it was 31588 which was 0.76% of the total votes casted, in NWFP votes secured by JUI were 168567 with 7.84% of the total votes casted while in Balochistan 86832 votes were casted to JUI which were 13.23% of the total votes. So in this way collectively, JUI secured 354521 votes with 1.79% ratios of total votes poled.¹⁶

The Successful candidates of Jamiat Ulama-i-Islam Fazl-ur-Rehman Group for National Assembly in the elections of 1988 were;

NA-7	Mardan-2	Muhammad Ahmad	23542 votes
NA-18	D.I. Khan	Fazl-ur-Rehman	62472 votes
NA-19	Banu-1	Ali Akbar	19094 votes
NA-97	Quetta / Chaghi	Hafiz Hussain Ahmad	22903 votes
NA-198	Pishin	Abdul Ghani	24959 votes
NA-200	Zhob	Muhammad Khan	13307 votes
NA-204	Qalat	Siddiq Shah	19356 votes

On November 30, 1988 the sessions of National and Provincial Assemblies were held in Islamabad and provincial capitals respectively in which the elected members took oath. On the same elections for the reserved seats of women were also held in which over 20 reserved seats Pakistan Peoples Party won 12, IJI 5, MQM 1, Jamiat Ulama-i-Islam 1, and 1 seat was given to the independent candidate.¹⁷

Power was transferred on December 02, 1988 in Which Benazir Bhutto was elected as the Prime Minister, Mian Nawaz Sharif as the Chief Minister of Punjab, Aftab Ahmad Sherpao as the Chief Minister of NWFP, Qaim Ali Shah as the Chief Minister of Sind and Zafrullah Jamali as the Chief Minister of Balochistan.

The 1988 elections created differences in the political scenario of the state. Pakistan Peoples Party had won simple majority in the National Assembly it had also won the Sind Provincial Assembly but in Punjab the government was of IJI and PPP wanted to square the account by forming the government both in NWFP and Balochistan. It had succeeded in winning the support of Awami National Party (ANP) and had formed a coalition government but in Balochistan there was no group in support of PPP, Nawab Akbar Bugti was not prepared to join hands with PPP due to his own personal experiences with the Peoples Party. The only option left was Jamiat Ulama-i-Islam (F) which was the largest party in the Assembly but the caretaker Chief Minister was not prepared to make alliance with a party which was not in power in the centre therefore he signed a pact with PPP and formed a coalition government under the terms;

1. Zafrullah Khan Jamali would be exempted from the central administration of *Islami Jamhuri Ittehad (IJI)*.
2. He will allot a reserve seat to woman candidate of PPP.
3. Candidate of the PPP will be supported for the seat of speaker.¹⁸

Zafrullah Khan failed to gain support for the Ministry of Balochistan while on the other hand Maulana Fazl-ur-Rehman contacted Nawab Akbar Khan Bugti for the formation of coalition government thus fearing for losing the ministry Zafrullah Khan advised General Muhammad Musa, the then governor of Balochistan, to dissolve the assembly and the assembly was dissolved on December 16, 1988, just fifteen days after the elections. This

decision was challenged in the Balochistan High Court which outlawed the action of dissolving the provincial Assembly of Balochistan and later a coalition government of Balochistan National Alliance and Jamiat Ulama-i-Islam (F) was formed and Nawab Akbar Bugti took the oath as the Chief Minister of Balochistan.¹⁹

The provincial and centre tensions arose to a greater extent and the opposition was strong enough to curb the government. It severely criticized the government for being corrupt and incompetent while the government continued to declare such activities as un-democratic and declared it as “constitutional confusion” and “corruption confusion” which only aimed to bring back the martial law in the state.²⁰ The political situation deteriorated which created a “crisis of governability”²¹ until the president Ghulam Ishaq Khan by using Article 58 (2) (B) dissolved the National Assembly and declared emergency in the country.²² The governors dissolved the provincial assemblies according to the Article 112 section 2 of the constitution²³ and announced fresh elections to be held on October 24, 1990.

Elections of 1990

In the general elections held on 24 October 1990, JUI nominated 54 candidates out of 207 general seats out of which only six were returned to the assembly. On 27 October 1990, JUI contested elections in all the four provinces and nominated 34 candidates for the Punjab provincial assembly, 33 for Sind, 63 for NWFP and 38 for the Balochistan Provincial Assembly. Out of all these nominees, JUI only won 2 seats in NWFP and 6 in Balochistan.²⁴

JUI secured 622214 votes which were 40% more than the previous elections but only won six seats. JUI won 2.93% of the total votes casted. In these elections Fazl-ur-Rehman lost his seat.²⁵

In these elections the two major Alliances IJI and Peoples democratic alliance (PDP) had a strong combat in which IJI emerged victorious by winning 106 and PDP could only secure 44 seats therefore Mian Nawaz Sharif became the Prime Minister. In Provinces the governments were formed as; in Punjab IJI made the government under Ghulam Haider as the Chief Minister, in Sind Jam Sadiq Ali formed the government by the support of MQM and other independent members, in NWFP a coalition government of IJI and ANP was formed and Mir Afzal Khan became the Chief Minister while in Balochistan Mir Taj Muhammad Jamail formed the government by the support of JUI and independent members.

The following table shows the successful candidates of JUI (F) in the national Assembly.

NA-5	Charsada	Hassan Jan	67104 votes
NA-19	Banu-1	Ali Akbar	28471 votes
NA-16	Mansehra-3	Alam Zaib Khan	13556 votes
Na-17	Kohistan	Muhammad Amin	7752 votes
NA-200	Zhob	Muhammad Khan	15965 votes
NA-204	Qalat	Muhammad Siddiq	18647 votes

In December 1990 the factions of JUI, Darkhwasti Group and Fazl-ur-Rehman Group, rejoined. On December 10, 1990 in a combine press conference the reunion was announced.²⁶ On the next day in Jamia Madina Lahore, a provisional committee was established under the supervision of Maulana Muhammad Ajmal Khan in which a policy statement regarding the relations with IJI was announced. The committee consisted of:

Maulan Abdul Karim	Supervisor	Bir Sharif
Maulana Khan Muhammad	Supervisor	Kundian Sharif
Maulana Sarfaraz Khan Safdar	Supervisor	Gujranwala
Maulana Abdullah Darkhwasti	<i>Amir</i>	Khanpur
Maulana Muhammad Ajmal Khan	Caretaker <i>Amir</i>	Lahore
Maulana Sami-ul-Haq	<i>Amir</i>	Akora Khatak ²⁷

And other 12 members throughout the country determined 3 point agenda regarding Jamiat Ulama-i-Islam:

1. To mobilize the party on each level
2. To devise a way of membership
3. To define the role of JUI in the prevailing political situation.²⁸

In this regard it was decided that a deputation consisting Maulana Muhammad Ajmal Khan, Mian Muhammad Ajmal Qadri, Maulana Fida-ur-Rehman Darkhwasti, Maulana Manzoor Ahmad, Qazi Abdul Latif and Hafiz Hussain Ahmad would meet Maulana Abdul Karim of Bir Sharif and will try to convince him to approve the position of Maulana Sami-ul-Haq as the second *Amir* and request Maulana Sami-ul-Haq to keep the alliance intact.²⁹

Maulana Zahid Rashdi and Haji Faqir Muhammad were appointed to look after the membership procedure and election within the party. On the role of JUI in the political situation of the state was conditioned with the alliance of IJI with JUI based on Sharia bill. It was decided that if JUI goes in alliance with IJI, JUI would participate in the parliamentary sessions and the committee which will be comprised of Maulana Sami-ul-Haq, Qazi Abdul

Latif, Maulana Muhammad Khan Sherani and Hafiz Hussain Ahmad will deal with the government and the decision will be taken by the central working committee of JUI.³⁰

Elections of 1993

Before the elections of 1993, all the Islamic parties tried to contest the elections from a single platform and to work as an alternative leadership to the state against Pakistan Peoples Party. But all of them could not unite, Jamat-i-Islami emerged with the name of Islamic Front, JUI (Sami-ul-Haq) established *Muttahida Dini Mahaz* and JUI (Fazl-ur-Rehman) and Jamiat Ulama-i-Pakistan (Noorani) established *Islami Jamhuri Mahaz* (Islamic Democratic Front).³¹

The manifesto of IJM called for the establishment of 1) *Nizam-i-Mustafa*, 2) upholding the Islamic values, 3) providing a leadership that should be true to its vows, 4) continuation of the Atomic Programme and protection of the Ideological and geographical frontiers of the state, 5) establishment of an independent foreign policy, 6) solution of the Kashmir issue according to United Nations resolutions, 7) pursuing the policies that will ensure the well-being of lower class, 8) terminating the *Kalashnikov* culture, finishing drug addiction and eliminating other social evils, 9) ensuring the provincial autonomy according to the constitution and 10) implementation of agriculture tax and *Ushr*.³²

IJM nominated 52 candidates out of 207 general seats for the National Assembly and only 4 returned to the assembly in the elections held on 6 October 1993. All of them were from JUI and JUP could not win a single seat. For the provincial assemblies IJM nominated 44 out of 240 for Punjab, 18 out of 100 for Sind, 18 out of 80 for NWFP and 33 out of 40 for Balochistan while only one seat was won by IJM in NWFP and only 3 in Balochistan and no seat in Sind and Punjab.³³

The vote percentage in the country was 40.54% while Islami Jamhuri Mahaz got 48099 votes which were 2.40% of the total votes. In Balochistan the percentage was 24.27% the highest ratio for IJM in the country.³⁴

NA-8	Sawabi	Qazi Fazl-Ullah	55055 votes
NA-18	D.I.Khan	Maulana Fazl-ur-Rehman	59233 votes
NA-199	Loralai / Musa Khel	Gul Muhammad Dumr	18298 votes
NA-204	Qalat / Mastung	Abdul Ghafur Haidary	22637 votes

Successful Candidates of 1993 Elections of National Assembly

In the presidential elections JUI signed an agreement with PPP for the support of Farooq Ahmad Laghari, the presidential candidate. Under this agreement the government was bound to:

1. The Federal Sharia Court will be strengthened.
2. The Islamic Ideology Council will be made effective and its provisions will be presented in the parliament and legislation will be done according to its given provisions.
3. There will be four Ulama of JUI in the Council of Islamic Ideology.
4. The postulates of 8th amendment will be sustained.
5. An economic council would be established for the implementation of Islamic economic system.
6. For the resolution of *Zikri* issue a delegation of the parliamentarians should visit the Makran Division.
7. Three ambassadors should be taken from JUI.

8. Pakistan Peoples Party should support JUI in the senate elections of Balochistan.
9. If JUI is going to join the government then at least two ministries should be given to JUI.
10. In Punjab and Sind there should an advisor from JUI.³⁵

Under this agreement Jamiat Ulama-i-Islam supported Farooq Laghari and he became the president and secured 274 by defeating Waseem Sajjad who got 168 votes on 13 November 1993. Out of 237 votes casted in Punjab Assembly, Laghari got 139, in Sind 93, in NWFP 39 and in Balochistan 21 votes.

After the elections, on 1st march 1994 the standing committee held its first session in which Maulana Fazl-ur-Rehman was elected as the chairman of the committee for the foreign affairs. This committee was responsible for defining the nature of foreign relations with the interior defence, monetary funding and trade regulations. The committee comprised 10 members; Maulana Fazl-ur-Rehman of JUI, Nawabzada Nasrullah Khan of National Democratic Alliance, Ghulam Mustafa Jatui of National Peoples Party, Shah Mehmood Qureshi of Pakistan, Makhdoom Syed Ahmad Alam Anwar of, Mirza Muhammad Nasir Baig and Dr. Zulfiqar Ali Mirza of Pakistan Peoples Party, Gohar Ayub Khan, Mian Abdul Waheed and Sheikh Rashid of PML(N) and Sardar Asif Ahmad Ali, the foreign minister.³⁶

Its first meeting was held on 3rd March 1994 in which Nawabzada Nasrullah, Gohar Ayub Khan, Shah Mahmud Qureshi and Mian Abdul Waheed, in addition with Shehryar Khan, the secretary foreign Affairs, S.A Rabbain Joint Secretary and Abdul Khaliq Deputy secretary also attended the meeting in which the matters regarding Kashmir, bilateral relations with India, Afghan issue and Pakistan Nuclear programme were discussed. On June 29, 1994 another two meetings were held in the Parliament house Islamabad in which Chairman Maulana Fazl-ur-Rehman and other members took part in the meeting and the

decisions regarding economic growth and financial balance were taken. On August 2, 1994 another meeting was held in which Maulana Fazl-ur-Rehman discussed the issue of Afghanistan that Pakistan had thrown itself in to the war as it was for its own survival. The western world provided every kind of support to the Afghans to force out the Russians from Afghanistan, but as soon the war was over American interests dissolved therefore; the United States had nothing to do with the stability of Afghanistan. America wants a pro-western government in Afghanistan therefore; the instability in Afghanistan will be in the interests of the United States. But for Pakistan the situation is different if Afghanistan is instable verily it will have its impacts over Pakistan.³⁷

He, being the chairman of the committee of foreign affairs, visited Germany and the United States of America on 12 and 15 November 1994 respectively. He was the first religious man who represented Pakistan in a foreign visit. In his complete visit he totally focused on the issue of Kashmir. He tried to win the support of Germany over the Kashmir but Germany could not respond due to the pressure of United Kingdom and the Indian economic incentives. In the United States he defended the stance of Pakistan over Kashmiri's right of plebiscite. On 30 November 1994 he addressed the third committee for the Human Rights of United Nations in which he stated:

In our territory, the disputed state of Jammu and Kashmir is still in the foreign control. Human Rights Commission, Human Rights Watch and other international organizations have collected the proofs of cruelty and inhuman activities. The reports of these organizations have unveiled the ruthlessness of Indian troops. Extra judicial killings, extensive use of power is usual. Thousands of Kashmiris are behind the bars, and thousands of them are missing. Complete towns and villages are burnt; more than 45000 Kashmiris have been killed.

The main reason behind this domestic struggle is the denial of that self-determination which was promised to them by the United Nations, India and Pakistan. The refusal to this constitutional right in order to make Kashmiris subservient is the composition of the consistent Indian repression.³⁸

Jamiat-Ulama-i-Islam and Taliban

On March 28, 1995 in Jamia Madina Karim Park Lahore, JUI Pakistan the central council after two day session elected Maulana Fazl-ur-Rehman as the *Amir* and Maulana Abdul Ghafoor Haidary as the General Secretary of Jamiat Ulama-Islam. In his commencing speech Fazl-ur-Rehman discussed the past policies and working of JUI in addition with the challenges faced by the party.³⁹

During this period the international situation had changed as after the withdrawal of Soviet Union Afghanistan was plunged in to a civil war and there was no clear central control of Kabul. In this scenario the rise of Taliban was an important event that took place. When they took over Qandahar the impacts on Pakistan were obvious. Similarly the central council attended its meeting under the supervision of Maulana Fazl-ur-Rehman On 15-16 June 1996 in Islamabad in which the policy of Jamit Ulama-i-Islam was defined in the light of changing circumstances in Afghanistan. It was decided that for the solution of Afghanistan issue a committee was formed in which Maulana Fazl-ur-Rehman had to contact the president of Rifa party of Turkey Najmuddin Arbkan, Ali Farhat from Libya and Sheikh Allawadin Abul Ghazam will do negotiations in Afghanistan among different parties to bring an end to the civil war.

In relation with Taliban it was decided that;

1. The movement of Taliban in Afghanistan is righteous and true in nature for the implementation of Islamic system in the state.
2. Those areas which are under the control of Taliban are in peace therefore, their stability is vital for the execution of *Sharia*.
3. For contacts with Taliban JUI nominated Mufti Nizam-u-din Shamzi and the supervision was handed over to Maulana Fazl-ur-Rehaman, the chairman of the party.

4. The Turk *Rifa* party is interested to have contacts with Taliban and has requested JUI for help in this regard. Therefore, the party welcomes this service and will ensure its support.⁴⁰

Ulama had extended their support to Taliban after the Afghan Jihad was over. In these Ulama, Maulana Muhammad Younus, Maulana Jalaluddin Haqqani, Maulana Muhammad Nabi and Maulana Muhammad Arsalan were spearheading this alliance. From Pakistan they had support from Jamiat Ulama-i-Islam and Maulana Fazl-ur-Rehman including all other Sunni, Hanfi Ulama. When Russians entered it was Mufti Mhmud who had issued the fatwa of jihad against the Russians and when Taliban arouse it was Maulana Fazl-ur-Rehman who stamped their credibility.⁴¹ Initially Taliban were the young soldiers who fought against the Soviet Union who lived by the Afghan border after the end of war. Initially they worked as the police force of *Spin Boldak*, an area of Pak-Afghan Border, but later when they were organized they started capturing the areas in their vicinity. Later on they were supported by the Pakistan intelligence and they were provided material support and through this way they took control of Kandahar, Ghazni, Qalat, Chahar Asiyab, Hirat, Nimroz, Jalalabad, Sarobi, Kabul and Mazar sharif.⁴²

While domestically in Pakistan there was no such strong democratic government and the political situation was weakened by the consistent intervention of military in politics. Military had the control of foreign policy both towards India and Afghanistan. After the soviet withdrawal from Afghanistan the military interests were at stake but had supported Gulbidin Hikmatyar, leader of the Hizb-i-Islami and a close ally of Jamat-i-Islami, as a client. In the later stages Pakistani military realized that Gulbidin could not secure the interests of Pakistan in Afghanistan therefore, the alternative was found in the form of Taliban. This empowerment of Taliban meant giving independent reign to those forces in Pakistan that

shared its ideology, and provided it with recruits and resources. Therefore, JUI used its position to ensure a seamless linkage between the Taliban and domestic extremist forces and the military came to the conclusion that extremism was likely to serve the military's objective of controlling domestic politics more effectively.⁴³

Elections of 1997

President Farooq Ahmad Laghari by using article 58 (2) b dissolved the national assembly on November 5, 1996 accusing the government by widespread corruption and failure. After nominating Malik Meraj Khalid as the prime minister, he announced the next elections to be held on February 3, 1997.⁴⁴

The National Assembly speaker, Syed Yousf Raza Gilani challenged this move in the Supreme Court against the president on November 11, 1996. On 13 November 1996 Benazir Bhutto also charged a petition against Laghari but it was rejected by the larger bench of Supreme Court thus the government announced the National and Provincial elections to be held on 3rd of February. 114 political parties submitted their applications and they were allotted their electoral Marks and JUI (F) was allotted the book. Out of 203 National Assembly general seats JUI (F) nominated 35 candidates. Total registered voters were 53880685 and only 19351624 were casted therefore, the total turnout was only 35.92%. On February 15, 1997 the successful candidates took oath, Nawaz Sharif as the Prime Minister and Yousuf Raza Gailani as the Speaker of the National Assembly.⁴⁵ Only two members of JUI (F) returned to the assembly and those were Maulana Abdul Ghani from the constituency of NA-198 Pishin-Qila Saifullah by securing 24927 votes while the other was Maulana Muhammad Khan Sherani from NA-200 Zhob-Qila Saifullah by getting 142424 votes.⁴⁶

On December 14, 1997 JUI (F) decided to participate in the presidential elections and Mulana Muhammad Khan Sherani was nominated as the candidate who had to contest with

Rafiq Tarar and Aftab Shuban. Sherani failed to win the elections as he only got 27 votes while Rafiq Tarar became the president of Pakistan.

After coming in to power Nawaz Sharif the pro-Islamic ideology hailed him as he was following Zia's lines in many ways. Nawaz Sharif welcomed the success achieved the by Taliban Movement in Afghanistan, as well as separatist actions in the Russian Caucasus where Islamic Ichkeria (Chechen) Republic was proclaimed in 1996, and of course the continuing struggle for the liberation of Kashmir.⁴⁷ In October 1998, the government submitted for the approval of fifteenth amendment supplemented with article 2B which stated that the holy Quran and Sunnah of the Holy prophet should become the supreme law of the state.⁴⁸ When this bill was presented in the National Assembly it got approved due to the majority gained by the government in the house. On the submission of the Bill to Assembly JUI held its session and decided that the *Sharia* Bill was acceptable to Jamiat Ulama-i-Islam if the government ensures the following conditions;

1. Withdraw the amendment made in the Article 239 of the constitution⁴⁹
2. Describe the mechanism which will disqualify the anti-Quran and *Sunnah* articles in the amendment.
3. Government should start legislation according to the advice of Islamic Ideology Council immediately.
4. Withdraw the appeal made by the government against the decision of Federal Sharia Court about usury.⁵⁰

The *Sharia* Bill was passed by the lower house however; it did not find support in the upper house. At the same time the domestic situation of the state deteriorated to a greater extent as the sectarian conflict, terrorist attacks and political instability made situation worse. The relations with United States shackled due to the Pakistan support for Taliban. In addition

with it the bust trip of Atal Bihar Vajpayee and the Lahore Declaration⁵¹ annoyed the military establishment, thus soon war broke out with India in Kargil and Nawaz Sharif withdrawal of the army culminated in utter defeat and his outset from power on October 12, 1999 which set the stage for military for another eight years.

Notes and References

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² Ibid., 136.

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⁶ Ibid., 70.

⁷ Ibid.

⁸ Qayum. Ibid., 25.

⁹ Waraich. Ibid., 155.

¹⁰ Malik. Ibid., 73.

¹¹ Ibid.

¹² Qayum. Ibid., 35.

¹³ Ibid., 40.

¹⁴ *Election Commission Report, 1988.*

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Salim Younus, *Siyasi Ittehad: Aur Pakistani Siyasat par Asarat, 1947-1990* (Lahore: Jung Publishers, 1993), 232.

¹⁸ Ibid., 243.

¹⁹ Ibid., 244.

²⁰ *Dawn* Islamabad, May 24, 1990.

²¹ Syed Vali Raza Nasr, "Military Rule, Islamism and Democracy in Pakistan" *Middle East Journal*, Vol. 58, No. 32 (Spring 2004), 195-209.

²² *Constitution of Islamic Republic of Pakistan*, Article [58. **Dissolution of the National Assembly**; anything contained in clause (2) of Article 48, the President may also dissolve the National Assembly in his discretion where, in his opinion: **2 (b)**; a situation has arisen in which the Government of the Federation cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary.

²³ Ibid., The article[112. **Dissolution of Provincial Assembly**.- (1) The Governor shall dissolve the Provincial Assembly if so advised by the Chief Minister; and the Provincial Assembly shall, unless sooner dissolved, stand dissolved at the expiration of forty-eight hours after the Chief Minister has so advised. **Section 2** : The Governor may also dissolve the Provincial Assembly in his discretion, but subject to the previous approval of the President, where a vote of no-confidence having been passed against the Chief Minister, no other member of the Provincial Assembly commands the confidence of the majority of the members of the Provincial Assembly in accordance with the provisions of the Constitution, as ascertained in a session of the Provincial Assembly summoned for the purpose

²⁴ *Election Commission Report, 1990.*

²⁵ Ibid.

²⁶ Ibid.

²⁷ *Dawn*, Islamabad, December 11, 1990.

²⁸ Qayum. Ibid., 125

²⁹ Ibid.

³⁰ Ibid., 133.

³¹ Sadia Jabeen, "Challenges to Democracy in Pakistan (1988-1990)" (MPhil Dissertation, Quaid-i-Azam University, 2013), 106.

³² Ibid., 110.

³³ *Election Commission Report, 1993.*

³⁴ Ibid.

³⁵ Jabeen, Ibid., 139.

³⁶ Ibid.

³⁷ Qayum, Ibid., 155.

³⁸ Ibid., 158.

³⁹ Ibid.

⁴⁰ Ibid., 165.

⁴¹ Ahamd Rashid, *Taliban: Islam, Oil and the New Great Game in Central Asia* (London: I.B. Tauris Publishers, 2002), 56.

⁴² *Ibid.*, 130.

⁴³ Nasr, *Ibid.*, 199.

⁴⁴ *Daily Jang*, November 6, 1996.

⁴⁵ *Election Commission Report, 1997*.

⁴⁶ *Ibid.*

⁴⁷ V.Y Belokrenitsky and V. N. Moskalenko, *A Political History of Pakistan, 1947-2007* (Karachi: Oxford University Press, 2013), 348.

⁴⁸ *Ibid.*

⁴⁹ This article is about **239. Constitution, Amendment Bill**.- A Bill to amend the Constitution may originate in either House and, when the Bill has been passed by the votes of not less than two-thirds of the total membership of the House, it shall be transmitted to the other House.

⁵⁰ Qayum, *Ibid.*, 237.

⁵¹ The declaration outlined mechanism for strengthening peace and security in the region and measures toward mitigating the risk of emergence of any new conflict between the two nations. It was aimed at redoubling attention on solving all of the contentious problems, including the Kashmir Issue (it is said that initially the declaration contained no mention of the Kashmir issue and that it was included only at the imperative request of military)

CHAPTER 3

SOCIETY, RELIGION AND THE ROLE OF JAMIAT ULAMA-I-ISLAM IN BALOCHISTAN

Balochistan is the largest territorial province of Pakistan located in the southwest of the state. It is bounded on the south by the Arabian Sea; on the north by Afghanistan, the Khyber Pakhtunkhwa province and the Federal Administrated Areas. In the north east Punjab, Sind in the east and Iran in the west¹. Balochistan is territorially the giant of the whole state it is comprised of the 347190 square kilometre area, occupying the 44% Of the total territory of the state which is almost equal to the combined territorial expanse of Sind and Punjab. It has total population of 6565885 which is the only 4.9 % of the total population of the state. It is overwhelmingly a Muslim majority province with the 98.75% Muslims, 0.49% Hindus, 0.403% Christians and 0.149 % Ahmadis.²

Balochistan is also a multi-linguistic province in which there live different ethnicities based on the language. The proportions are, Baluch 54.7%, *Pashtun* 29.63%,³ Sindi 5.57%, Punjabi 2.51%, Siraiki 2.41% and the rest constitute the 4.1% of total population.⁴

History

Balochistan comes from the word “Baluch” which means the wonderers, so it refers to the land of nomads. Historically it is very ancient place and its antique discussion is found in Avesta in which there is the mark of Pishin, a district of Balochistan, later on *Shahnama* gives an account of Makran, Herodotus talks about Paktiyak.

When Alexander attacked India, his retreat was through the several districts such as Lasbela, and Makran. After Alexander the Sakas had presence in Balochistan and it is traced through the signs of Buddhism. The Sassanid’s empire boundaries extended through

Balochistan as it was occupied by *Nausherwan*, later on it was occupied by the Rai dynasty of India during 635-36 A.D.

The entrance of Arabs in Balochistan was initially through trade while their influence increased as they had economic control over the trade so formally it was occupied during the caliphate of caliph Umar. Later on it came under Mehmud of Ghazna , Ghaurids and Shah of Khwarzim in 1219 A.D. In 1223 A.D it fell to Mongols and afterwards it remained under the suzerainty of Qandahar till it was captured by Safvids of Iran in 1556 and then Mughals of Delhi in 1638.

In the later periods it fell victim to the attacks of Ahmad Shah Durrani and remained under Afghanistan till the British captured it through the treaty of Gandamak.⁵ In this time period the power gradually concentrated in the state of Kalat but it was not fully independent until Mir Naseer Khan became its head. He was the one who gave independence to the state of Kalat. In 1839 it was taken over by the British but few years later a revolt erupted that overthrew the British. It then became the place of instability until Sir Robert Sandmen took the control in 1875 and pacified it.

Being away from the centre and negligence of the British government Balochistan remained deprived from any kind of development. Though some construction was made but it was also done for the interest of the government such as all the railway lines that were made, were just for the transportation of military goods and army. After the Independence of India it joined Pakistan in 1947 and was given the provincial status in 1970.⁶

The Tribal System

Balochistan is basically the land of two distinct and different nations i.e. Baluch and *Pashtun*. Both have their own cultures, traditions and way of lives. Both are tribal and lead a simple

life. The word Baluch comes from “Blos” who was the king of Babal locally known as *Namrud* whose father was called as *kush* due to which he was called as *burkush* which turned in to *Belus* then *Balos* and ultimately Baluch.⁷ They are considered to have been migrated from the region of Mesopotamia and southern Persia where they had their history from Aleppo.⁸ They migrated to Balochistan and settled in Kirman due to the expeditions of the *Nausherwan* who was the Sassanid emperor that drove them out of their native lands.⁹ Therefore the Baluch tribes are said to have entered Balochistan in three major groups the first is regarded as *Narwai*, people living in plain areas, emerged from north-south of Iran during the early 7th century and settled in the plains of Kirman. The second and third groups, *Brahwis* and *Lasharis* entered Balochistan during the 10th century.¹⁰

The Baluch are divided in to two main categories based upon their historical migration i.e. The *Sulamani* Baluch and *Makrani* Baluch. Their geographical division is identified through *Jhalawan*, the lower lands, and *Sarawan*, the highland.^{11 12} They are divided in too many different sub-tribes and construct a tribal system. The most significant aspect of the tribal system in Balochistan is the fact that each tribe has a specified region with its possession and authority. In the Baluch tribes there is a chief who is usually called as *Sardar* or *Tumandar* under whom there is a council known as *Mukkadam* that takes the decisions of war and peace according to a set formula of cultural traditions.

For centuries sardars have been controlling the tribal society, they have been the masters in their respective tribes. It was established for the integrity and independence of a tribe. It has great impacts over the overall structure of a tribe. It strengthened the unity within the community on the one hand while avoided progress and prosperity on the other. It is argued that in a tribe, there runs Athenian democracy while the sardari system has made it an autocracy and has always denied the evolutionary growth of the tribesmen and their

wellbeing. Usually there are inter-tribal rivalries that foster for many years and are halted due to the sardar's personal interests. These features are more evident in Baluch tribes, as compared to *Pashtun* tribes.

The general trend in the Baluch tribe is that each member of the tribe tends to support or favour its chief or head. Long worth writes about the people of Baluch tribe “they are open hearted race, easily pleased and found of jokes and laughter, while in religious matters they are free from fanaticism, sensible and tolerant and willing to discuss opinions with open mind.”¹³ Thomas Holditch, a military officer in the western frontier wrote about the Baluch people “The Baluch is easier to deal with and to control than the Pathan, owing to its tribal organization, and its freedom from bigoted fanaticism or blind allegiance to his priest. He respects and honours the chief of his clan, who possesses far greater authority in the tribal councils than is the case with the Pathan.”¹⁴

Pashtun on the other hand have it own place in Balochistan different from that of the Baluch. Due to the geographical proximity of Balochistan with Afghanistan, it has influenced it to a greater extent that now it is argued that Balochistan has become the *Pashtun* majority province due to the over population of *Pashtun* and Afghans.¹⁵ *Pashtun* also lead a tribal life but much different from that of the Baluch. For *Pashtun* the tribe was “an acceptable model rooted in some reality of patrilineal kinship groups that co-operated against external threat combined with the administrative techniques and discourse of frontier building.”¹⁶

The origins of these people are preserved through their tribal genealogies these genealogies had been inspired by religious, literary and political influences on tribal self-conception. The *Pashtun* trace their origin half historically and half mythically with the names of Hebrew, King David, and Solomon. Later on the story turns towards Bakht Nasr who expelled Jews from Jerusalem who were the ancestors of Afghans and some of them

settled in the mountains of Ghor while some went in the neighbourhood of Mecca. While on the other hand Sir William Jones is of the view that Pathans are the ten lost tribes of Israel.¹⁷ With the rise of Islam, Khalid bin Waleed, a companion of prophet wrote a letter to the bani Israel to accept Islam, so a delegation under the leadership of Qais went and met the prophet and accepted Islam who was renamed as Abdul Rashid. This Qais is said to be the descendent from Saul in the thirty seventh generation.¹⁸ He had three sons Gurgusht, Sarban and Baitan. Mando khel, Babis, kakars and panis are from Gurgusht. The Tarins, Shiranis, Mianis and Barech are the descendents of Sarban while Bhattanis are the descendents of Baitan.¹⁹

Historically it is difficult to trace the original existence of *Pashtun* in Balochistan due to the lack of data however it is evident that they all entered Balochistan in groups periodically as the Baluch had. In spite of this, according to the oral traditions, the *Pashtun* of District Zhob had existence during the Mughal period and the *Sanzar-khel*²⁰ succeeded to take it from Mughals however the Sheranis and Sadat had come from the east of *Koh-i Sulaman* three hundred years ago.²¹ Furthermore the influx of *Pashtun* occurred in Balochistan during the attack of Ahmad Shah Abdali, who's prime minister, Shah Wali Khan Popalzai had taken it as a fief.²² Recently during the two Afghan wars millions of refugees headed towards the *Pashtun* areas of Balochistan thus brought an enormous change in the demography of Balochistan.

The tribal system which is owed by the *Pashtun* is a different from that of Baluch tribal system. This difference can be summarized as the Baluch tribal system is more centralized and hierarchal while *Pashtun* tribal system is a loose, decentralized and relatively egalitarian.²³ The matters are dealt in the *Pashtun* tribes through a code of conduct known as *Pashtunwali*. It is an un-written code through which the council of elders decides a matter

regarding resolving a conflict. It is not confined to decisions only; it is also the social and cultural way of conduct that prevails in *Pashtun* Society.

The foremost is the *Badl*, revenge.²⁴ It is the obligation of taking revenge from a wrong doer who is found guilty of malpractice. It, in the tribal sphere, is for pride and retribution rather than from a desire to promote the common good or the rehabilitation of the offender.²⁵ It not only includes the accused culprit but the whole family and in certain cases the whole tribe. This is an action always taken by a tribe collectively such as if a certain tribe is attacked and someone is killed, then the whole tribe takes arms against the other one. The revenge usually is not confined to the specific attacker rather; the account is squared by killing any of the rival tribe. Within a tribe if there arise a certain issue then it is resolved by the council of elders of that tribe and usually the accused is only punished for wrongdoing. These conflicts are often due to *Zar*, *Zan*, and *Zameen*²⁶, Gold, Women and land. These feuds when are started, they long for a greater period, even for generations and it are rarely terminated either one of the party throws itself in upon the mercy of others called as, *Nanawati*. While in certain cases a third party intervenes and resolve the issues between the two rival tribes, it is called as *Draymana*²⁷.

The second important component of the *Pashtunwali* is *Mailmastiya*, the hospitality. This factor is ubiquitously prevalent both in the economic well off and relatively poor factions of the society. This is usually a matter of self-prestige and honour. The third interesting component of *Pashtunwali* is the concept of protection or *Panah*. It is in the customs and traditions of the *Pashtun* society if a fugitive asks for protection, they consciously or unconsciously provides it even to their enemies.²⁸

One of the common factors both in the Baluch and *Pashtun* society is the *Jirga* system from a Persian word “circle” and is, in practice, a form of trial by jury.²⁹ Each tribe

both in Baluch and *Pashtun* shows “ethnic divisiveness”³⁰ which is lead by some of the elders that are first among equal in Baluch while one among equals in *Pashtun*. In *Pashtun jirga* system the equality is emphasized through the circular sitting with every one having the right to speak and the decision is not finalized till it is acceptable for everyone.³¹ This process may last for several days and even for weeks. The membership varies from place to place and from tribe to tribe but the most essential factor is the economic strength. The one with more money and land would have more say in the process of decision making or convincing the people. While in Baluch tribal system there is somehow domination of the *Saradr* or *Nawab* that even sometimes supersedes the popular will during the decision making. He is usually the central authority and his words are final. In this way the Baluch sardars are not only dominant in the Baluch society but also economic well off by virtue of concentration.

The origin of the *Jirga* system is traced back to the period of Naseer Khan, the Khan of Kalat, 1741-95.³² He, for the better administration of the state of Kalat, convened a multi lingual meeting which was attended by Baluch, *Pashtun*, Barahwi and Jat representatives. They were advised by the Khan to have a consultative body from their respective tribes in order to have limited powers thus this was the cornerstone in the building of tribal structure in Balochistan. The *Jirga* system has two functions in common that is it regulates the life of the people in all the spheres, requiring community attention with in tribal society and provides a mechanism of decision that prepares a holistic outlook of a specific tribe with in all the spheres of life.

There is a separate mechanism for the decision making in a *jirga*. A decision is to be taken usually on two grounds that are either on *Riwaj* or *Sharia*. Whenever there is a case that is to be dealt with, the *Nawab* has to either concern the prevailing traditions of the society or calls for a *Mulla* who is entitled to define or explain the Islamic codes under which the

process is Islamized and legitimized in the conservative factions of the society. Sometimes in the villages there are certain examples of a *jirga* that is spearheaded by a *mulla* and that decision is even credited as it owns the justification from *sharia*. Through this way a *mulla* has usually great influence in the circles of elite echelons.

Evolution of Religion in Balochistan

Balochistan historically has remained the meeting place of the three world ancient great civilizations –Greek, Persian and Indian³³- through the course of history it has its historical religious legacy from all of these civilizations while the most evident, indicated through ancient sites, is Buddhism which had flourished in the territory of Balochistan.

In 305 B.C Balochistan was under the Chandra Guptamoria and it remained under the Moria dynasty till Ashoka. Ashoka, in his later period, was much inspired from Buddhism and had much contribution in the dissemination Buddhist concept.³⁴ In 75 A.D Sakas Empire had established and was comprised of the areas of east Iran, Afghanistan, to the east till Sind River including the territories of Punjab, gangues and Banaras. The most famous ruler of this dynasty was the *Kunshik* who was also the believer of Buddhism and had a major role in the establishment of Buddhist ideology.

In 531 A.D, *Nausherwan*, the eminent ruler of the Sassanid Empire captured Balochistan and included it in its own empire. Due to their presence Zoroastrianism found its place in Balochistan. So in this way the Balochistan was historically influenced by different religions during different time periods.

During the rise of Islam, Balochistan had its trade relations with Arabs before therefore the Prophet (S.A.W) had knowledge about the areas of Balochistan though no special expedition was sent to it during his own time. Formally Islam entered Balochistan

during the caliphate of caliph Umar when the Muslim forces were engaged in wars in Iran; Hakam bin abi-l-aas attacked Balochistan. Later on the areas of Makran and Kharan were annexed to the Muslim Empire. Kalat and Khuzdar were captured during the caliphate of Caliph Ali. During the time period of Malik-bin-Marwan Gandawah was conquered and lastly Muhammad-bin-Qasim, after crossing Makran and Lasbela, captured Panjgur and entered Sind. After this invasion probably complete Balochistan came under the Arab Suzerainty³⁵ that lasted till the 10th century which paved the way for the spread of Islam.

The conversion of the local population to Islam has remained a topic of discussion that how this area was encapsulated in the folds of Islam?

Baluch before the acceptance of Islam had close relations with Iran therefore; their religious beliefs have also experienced changes and influences of different religions such as initially Buddhism, Hinduism and Zoroastrianism. While with the rise of Islam they accepted Islam in the very earlier phase, though there is no such evidence but a Baluch folk poetry refers to it as:

Five brave Baluch...Were in the service of the prophet....They guarded him, when the beloved prayed.....When there was a war with infidels.....They were greater in number....Arrows rained like hails.....Smoke rose from the earth...but those five were steadfast...their faith was firm...they could not be subjugated... that day the prophet crowned them.³⁶

Later on *Sia-ul-Aswar*, a Baluch sardar famous for his horse riding and black in colour, joined the army of *Hermez*, king of Iran, due to his bravery he was given the major post and he made his own battalion and the Arab historians regarded him as the *Al-Asawa*, with his complete Battalion accepted Islam in the time period of Caliph Umar.³⁷

Pashtun on the other had a different history. They are considered to be of Jewish or Arian origin therefore, they have multi-religious history that is of Judaism, Christianity

Buddhism and Zoroastrianism. However their acceptance of Islam is of Qais Abdul Rashid who met the prophet and embraced Islam.

On the other hand the mass level conversion is described through different theories out of which three are the most eminent. The first one is of the concept that Islam is “the religion of Sword”³⁸ and the people were forcibly made Muslims. This theory is negated by the fact that when Arabs had the rule in the territories of Balochistan, the proportion of conversion to Islam was relatively less and Islam was more spread during the Afghan invasions. Therefore if this theory could have been applied it would have shown the proportion of conversion to Islam at larger extent.

The second theory is of the “political patronage”³⁹ that people accepted Islam on basis of having political interests. This theory somehow appeals in a sense that during the Arab governments the locals had some benefits that they were inculcated in the courts but it fails to work on the mass level as the natives had less taste for the religion that would have challenged the tribal system and subdue it to set of rules that are alien to them. The third theory is of the “Accretion and Reform”.⁴⁰ This theory implies the model of conversion of people to Islam, beginning with accretion and ending with reform. The main agent in this process of conversion was the *Sufi*. This was the “*Pir-muridi*”⁴¹ line that was spread throughout the area with Sufis in convents that had their spheres of influence or *barakat* and disciples. This made the way for the rapid conversion of local people to Islam. In this way it not only found space in the communities but also entered the tribal culture.

Religion and Ethnicity

This was the time when the ethnicity met the religion of Islam and adapted it to suit their already trained traditions and way of life. Islam was imbedded but not at the expense of that earlier identity.⁴² This phenomenon is much more evident in the Baluch that they keep

religion at backstage where there is a clash between religion and ethnicity. Though they are fierce but not religiously bigoted and fanatics.⁴³ They are not entitled to be bound to the Islamic rituals of praying, observing fast and performing pilgrimage because historically they had remained away from the Islamic centre due to which there was the lacking of preaching but despite of all this they are religiously tolerant and fond of *Sufi* rituals. They do not consider the explicit performance of Islamic ways and methods.

Another theory in the religious lacking is considered by many contemporary ulama that it was the *Sardari* System that did not let the ulama to spread Islam. It can be depicted from the example that “the hands of Nawab’s guest were washed by the *mulla* of that village”⁴⁴ that’s why they remained secular.

On the other hand *Pashtun* consider Islam as the set of rules and rituals that are to be strictly observed both in individual and collective circles. They are more Islamized comparatively and are subject to the authority of *mulla*. On the one side if a Baluch kisses the hand of a sardar,⁴⁵ *Pashtun* kisses the hand of a *mulla*. Thus the conception of *mulla* has been inculcated traditional in the tribal system as functional.⁴⁶ Initially *mullas* were the mere participants of the *jirga* system their responsibility was to attend the *jirgas*, read prayers before, and finally approve the decisions of a *jirga* at the conclusion of a meeting.⁴⁷ As they were considered the “layers” of jurist discourse⁴⁸ therefore, they facilitated the *malik* in providing him the clerical support that would give him legitimacy while the *mulla* would achieve economic support from the *malik* of the tribe. But the due course of articulation of discourse of *mulla* was and is the “commentary”⁴⁹ and *Fatwa* and over the course of time religious life in *Pashtun* tribal areas was intertwined with traditional codes of behaviour.⁵⁰ Therefore; they had the chance to dominate the clan authority and they claim the authority for the decision making in the *jirga* as well on the basis that the local *masharan*⁵¹ do not know

the Islamic channels thus when they take any decision it is against the Islamic ways and are not in favour of the welfare of society while a *mulla* can take good decision according to Quran and Suunah therefore, it will bring relief to both the rivals.⁵²

Role of Jamiat Ulama-i-Islam as a political body

This intimacy of traditional codes of *Pashtun* and the religion has a great political significance. This has put the *mulla* at the forefront as a torch bearer who takes the whole society behind him in the same way people look towards him for political guidance also. And the most effective party in the *Pashtun* belt of Balochistan is the party of *ulama*, Jamiat Ulama-i-Islam.

Jamit Ulama-i-Islam was founded in Balochistan after the break of One Unit in 1971 by Maulana Muhammad Umar who was a social worker and an *alim* in Quetta.⁵³ It participated in the first general elections held in 1971 and formed a coalition government in Balochistan with NAP. However, this government was abolished by Bhutto on the allegation of London Plan. Jamait Ulama-i-Islam participated in the National Elections of 1977 but boycotted the Provincial Elections based on the allegation of ragging done Bhutto. After joining MRD, JUI boycotted the 1985 elections.

In the elections of 1988 Jamiat Ulama-i-Islam won a historic victory by gaining 9 general seats and one reserve seat in the provincial assembly of Balochistan.

PB-1	Quetta-1	Maulana Noor Muhammad
PB-4	Quetta-4	Inayatullah Bazai
PB-7	Pishin-2	Abdul Rehman

PB-11	Loralai-2	Maulvi Abdul Salam
PB-14	Zhob-2	Maulvi Muhammad Ishaq
Pb-15	Zhob-3	Maulvi Asmatullah
PB-17	Sibi / Ziarat	Maulvi M. Jan
PB-28	Qalat-2	M. Ataullah
PB-29	Qalat-3	Maulvi Ghulam Mustafa

After winning the elections JUI pressed its bid for the formation of government in Balochistan but the Peoples Party was more interested to be in the government thus it sided with Zafrullah Khan and formed the government but on loosing the majority he dissolved the assembly. This move was outlawed by the high court therefore; JUI made alliance with Balochistan National Alliance and formed the government with Nawab Akbar Khan Bugti as the chief minister.

In the general elections of 1990 six members of Jamiat Ulama-i-Islam were returned to the provincial assembly of Balochistan.

PB-1	Quetta-1	Maulvi Niaz Muhammad
PB-4	Quetta-4	Malik Sikandar Khan
PB-6	Pishin-1	Syed Abdul Bari
PB-11	Loralai-2	Maulvi Amir Zaman
PB-17	Ziarat / Sibbi	Maulvi Niaz Muhammad

PB-28	Qalat-2	Maulvi Abdul Ghafoor
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Jamit Ulama-i-Islam formed government by making alliance with independent members and Mir Taj Muhammad Jamali became the chief Minister.

In the elections of 1993 JUI made alliance with JUP Noorani group and both the parties contested the elections from the platform of Islami Jamhuri Mahaz (IJM) and nominated 33 candidates for the elections of Balochistan Assembly and only three returned to the assembly and all of them were from Jamiat Ulama-i-Islam.

PB-6	Pishin-1	Maulana Abdul Bari
PB-15	Zhob	Maulana Abdul Wasei
PB-28	Qalat	Muhammad Attullah

In the elections of 1997 JUI nominated 26 candidates for the provincial assembly of Balochistan out which six returned to the assembly.

PB-4	Quetta-4	Maulvi Allah Dad
PB-9	Qila Abdullah	Haji Behram Khan
PB-11	Loralai / Musa khel	Maulvi Amir Zaman
PB-15	Qila Saifullah	Maulana Wasei
Pb-17	Sibbi / Ziarat	Maulvi Naseebullah
PB-30	Khuzdar	Abdul Khaliq

The upper description shows that Jamiat Ulama-i-Islam has strong hold in the *Pashtun* areas of Balochistan and they do not have support in Baluch areas. The following analysis will show the causes of their success in the *Pashtun* belt of Balochistan.

Strategies for Gaining Mass Support

JUI is the party of *Ulama*, the experts of *Din*; therefore their political support comes from religion. Their concept of politics is dual in nature both Islamic and worldly thus this amalgamation gives an Islamic colour to the rule of an *alim* to which obedience becomes a religious duty and aversion is considered as sin. On the part of common masses it is not only their religious duty to cast vote for *Ulama* but also it saves them from excommunication i.e. *Dahriat*.

Mufti Taqi Uthmani, a renowned *Alim* writes about this theory:

The theory of separation of religion and politics is a type of *Shirk* with Allah because this theory denies the authority of *Din* in politics in addition with it, it accepts the authority of clerics as traditional which is in place of solitude and worship; it means that Almighty Allah's authority is restricted just to worship and traditions and there are other Gods for worldly affairs (God forbid). As this concept is one of the *Shirks* with Allah therefore *Ulama* of research have countered this theory everywhere in all times..... All Muslims are therefore advised to abandon such believe (the separation of religion and politics).⁵⁴

The organization of JUI is largely based on widespread network of Mosques and *Madaris* which serve in four ways *Dars-wa-Tadris*, *Jihad*, Politics and preaching which makes it as Network Islamist party⁵⁵. In this way it is not centralized in the hands of a core party leadership but distributed widely among a large network of political adherents in locally *Madaris*.⁵⁶

Another factor that contributes in securing the vote for the JUI is *Fatwa* which is used as a final verdict about the answer of an asked question therefore; it is obligatory to accept

and follow the described way such as Mufti Mahmud himself answered a question about casting vote:

The *Sharie* status of vote is an attestation and in this regard casting a vote to an incompetent candidate will be considered as wrong approval which is a greater sin and Prophet (PBUH) has declared wrong approval equal to *Shirk*. Therefore, a voter's vote which is a trust should be casted to those who are fair, pious and work for public welfare, deserve the assembly membership and can cast vote further to a ruler who is not cruel in dealing. In the given condition prefer *Zaid* over *Bakar* for your vote if there is no other candidate as him in that constituency because *Zaid* offers five time prayers and is better in dealing with people as compare to *Bakar* and is a member of JUI which is the party of righteous *Ulama* therefore; elect *Zaid* on making further agreements with him in religious affairs and *Bakar* who neither can cast his own vote how will he catch others nor he is with the party of righteous *Ulama* (JUI) so don't elect him.⁵⁷

In this way *Madaris* work as the political loci of the JUI and Mufti Mahmud and Fazlur-Rehman as its leaders found a deep political sphere in the *Pashtun* areas of NWFP and Balochistan which later during the Soviet war in Afghanistan strengthened their position further.

Furthermore, the political context of the Jamiat *Ulama-i-Islam* has been shaped by the civil military crisis of the state. This helped JUI to come in to political stage as a counterweight to the constitutional source of legitimacy.⁵⁸ The state narrative sought to define religion according to its own vision of the destiny of Pakistan and Muslim world at stage. On the other hand, JUI sought to define the state through street organization, lobbying, networking and vote politics.⁵⁹ It also found space due to the direct influence of Afghanistan in the areas with proximity to the border as millions of refugees during the Soviet war settled in Balochistan and Jamiat *Ulama-i-Islam* provided safe heavens to the Afghan Taliban and there prevailed public opinion in favour of Taliban this also enhanced the political influence of JUI in *Pashtun* as compared to Baluch areas.

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- ¹ Ashraf Shaheen, *Balochistan: Tarikh aur Mazhab* (Quetta: Idara Tadriss, 1994), 2.
- ² *Census report of Balochistan*: 1998. <http://www.pbs.gov.pk/content/feedback>
- ³ This data given is of the census of 1998 while due to the Afghan war many migrants in the *Pashtun* areas of Balochistan have acquired the citizenship therefore their population has increased to a greater extent and due to the lack of information it cannot be taken as due.
- ⁴ Ibid.
- ⁵ This treaty was signed after the second Anglo-Afghan war on May 26, 1879 by the Ameer Yaqub Khan and Sir Pierre Louis Napoleon Cavagnari through which the Afghan Ameer gave British the control of the foreign policy of Afghanistan while the British relinquished some of the occupied areas.
- ⁶ Abdul Qudus, *The Tribal Balochistan* (Lahore: Ferozsons, 1990), 15.
- ⁷ Shaheen. Ibid., 57.
- ⁸ A. L. P. Tucker, C. I. E., *Sir Robert G. Sandeman, K.C.S.I: Peaceful Conqueror of Balochistan* (London: Society for Promoting Christian Knowledge, 1921), 14.
- ⁹ Qudus. Ibid., 60.
- ¹⁰ Shaheen. Ibid., 71.
- ¹¹ The words Jhalawan and Sarawan are taken from the Balochi words *Jahlu* and *Saru* which mean lower and upper respectively while *Wan* means “The man”.
- ¹² M. Longworth Dames, *The Baloch Race: A Historical and Ethnological Sketch* (London: Royal Asiatic Society, 1904), 2.
- ¹³ Ibid., 9.
- ¹⁴ T. Hungerford Holditch, *The Indian Borderland 1880-1900* (London: Methuen and Co, 1909), 184.
- ¹⁵ *Pashtun* is a word used collectively for the race while Afghans are specified for those *Pashtun* that are either migrated from Afghanistan or have origin from Afghanistan.
- ¹⁶ Sana Haroon, *Frontier of Faith: Islam in the Indo-Afghan Borderland* (London: C. Hurst and co Ltd, 2007), 28.
- ¹⁷ Sir Olaf Caroe, *The Pathans* (Karachi: Oxford University Press, 1983), 5.
- ¹⁸ Ibid., 8.
- ¹⁹ Qudus. Ibid., 109.
- ²⁰ *Sanzar-Khel* was the ancestor of Kakar tribe and was from the fifth generation of Qais Abdul Rashid.
- ²¹ Niaz Ahmad sang-e-meel publications, *Imperial Gazetteer: provincial series Balochistan* (Lahore: Niaz Ahmad sang-e-meel publications, 2002), 103.
- ²² Shaheen. Ibid., 44.
- ²³ Paul Titus, “Honor the Baloch, Buy the Pushtun: Stereotypes, Social Organization and History in Western Pakistan” *Asian Studies* 32, no. 3(July 1998): 657-87. Accessed December 28, 2015. <http://www.jstor.org/stable/313162>.
- ²⁴ James W. Spain, *The way of the Pathans* (Karachi: Oxford University Press, 2011), 46.
- ²⁵ Ibid., 52.
- ²⁶ Ibid., 46.
- ²⁷ *Draymana* is the arbitrator from other tribe that tries to settle the foes and it usually intervene on three conditions either for the sake of humanity or sometimes on the request of the elders or sometimes on the request of the weaker party.
- ²⁸ Colonel W G A Lawrie, “The way of the Pathans”, *RUSI journal* 147, no. 2 (March 2008): 100-101. Accessed December 28, 2015. <http://dx.doi.org/10.1080/03071840208446763>.
- ²⁹ Tucker. Ibid., 26.
- ³⁰ Paul James, *Globalism, Nationalism, Tribalism: Bringing Theory Back in* (London: Sage publications, 2006), 28.
- ³¹ Titus. Ibid., 667.
- ³² Qudus. Ibid., 84.
- ³³ Ibid., 13.
- ³⁴ Shaheen. Ibid., 255.
- ³⁵ Ibid., 283.
- ³⁶ Ibid., 292.
- ³⁷ Maulana Noor Ahmad Khan Faridi, *Baloch Qaum aur uski Tarikh* (Multan: Qasr-ul-Adab, 1968), 80.
- ³⁸ Richard M. Eaton, “Approaches to the Study of Conversion to Islam in India”, *Religious Movements in South Asia 600-1800*, David N. Lorenzen (New Delhi: Oxford University Press, 2010), 106.
- ³⁹ Ibid., 108.

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- ⁴⁰ Ibid., 110.
- ⁴¹ Haroon. Ibid., 33.
- ⁴² Lawrence Ziring, "Islam and Ethnicity", *Islam and Democracy in Pakistan*, M. Aslam Syed (Islamabad: National Institute of Historical and Cultural Research, 1995), 90.
- ⁴³ Tucker. Ibid. 15.
- ⁴⁴ Interview with Jamiat-*Ulama*-Islam General secretary Quetta, January 28, 2016.
- ⁴⁵ Titus. Ibid., 665.
- ⁴⁶ Haroon. Ibid., 66.
- ⁴⁷ Ibid., 67.
- ⁴⁸ Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodian of Change* (New Jersey: Princeton University Press, 2002), 38.
- ⁴⁹ Ibid., 38.
- ⁵⁰ Meirav Mishali-Ram, "When Ethnicity and Religion meet: Dynamics in the Afghan Pakistani conflict zone", *Nationalism and Ethnic Politics* 17, no.3 (August 2002): 257-75. Accessed December 02, 2015. <http://dx.doi.org/10.1080/13537113.2011.600101>.
- ⁵¹ It is a Pashtu word used for the elders, especially the chiefs of tribes.
- ⁵² Maulana Abul Zahir, Interview by author, January 25, 2016.
- ⁵³ Ibid.
- ⁵⁴ Maulana Muhammad Saleh Saad, ed. *Vote ki Shariye Haisiat: Akabir Ulama k FatawaJat aur Tehrirat ki Raushni May* (Karachi: Islami Kutubkhana, 2013), 11.
- ⁵⁵ Maulana Haji Muhammad, Interview by author, Quetta, February 06, 2016.
- ⁵⁶ Ullah, Ibid., 92.
- ⁵⁷ Saad, Ibid., 60.
- ⁵⁸ Ian Talbot, ed. *The Deadly Embrace: Religion, Politics and violence in India and Pakistan, 1947-2002* (London: Oxford University Press, 2007), 147.
- ⁵⁹ Ibid., 155.

CONCLUSION

The importance of religion and state has brought *ulama* in to politics keeping the belief that there is always a superior role of religion over state and *ulama* can well lead the nation and state because they are the heirs of the prophet (PBUH) and it is the God's will *Khuda ki Zamin Par Khuda Ka Nizam*, God's Rule over God's earth which is to be fulfilled. Therefore, the political leadership of Jamiat Ulama-i-Islam can be analyzed keeping in view the factors; Ideology versus Practice, in studying Mufti Mahmud, Principles versus Interests in case of Maulana Fazl-ur-Rehman, and Local Influence as their role in the politics of Balochistan.

In describing the early establishment of the Jamiat Ulama-I-Hind the safeguard of Muslims was the prime objective against a single occupant thus joined hands with congress and it was Hussain Ahmad Madani who favoured the Indian Composite Nationalism but theoretically according to traditional version of Islam, there is no space of Nationalism, as Islam is a universal religion and Prophet (PBUH) is the prophet of all but practically even non-Muslims were accepted as their Indian brethrens and territorial boundaries were considered to be the founder of a nation not religion or race. Later on when Allama Shabir Ahmad Uthmani established All India Jamiat Ulama-i-Islam it showed a break in the ideological concepts of two *ulama* who hailed from a single school of thought and he viewed Muslims of India as a separate nation, again deviating itself from the Ideological explanation of the Prophet's (PBUH) saying of Muslims' unity.

After independence Allama Shabir Ahmad Utmani pressed the government for implementing Islamic system in the state but chose the democratic way through which it was impossible to materialize the desire because he and his party had no constituency in Pakistan and could not muster up the public support. Thus JUI just worked as a pressure group within the constituent assembly of Pakistan (CAP).

In the later stages it is the only electoral success of JUI in the elections of 1970. This is the point where Mufti Mahmud shows rhetorical and ideological flexibility. It denied the prevalence of secularism which was going to be implemented if the secular parties were given the chance to rule but practically he not only accepted the constitution of 1973 which according to JUI did not fulfil the Islamic demands made by them but also supported Zulfikar Ali Bhutto for the premiership. In formation of government Mufti Mahmud both in Baluchistan and NWFP made alliance with the secular parties. This act faced severe criticism from other Islamic parties that it is the JUI's ascension to power at the expense of true Islamic values.

The same rhetorical and practical dichotomy is obvious when JUI went in to opposition against Bhutto in UDF and PNA arguing that Bhutto's undemocratic and autocratic attitude towards the provinces and considering the state as his estate with the civilian dictatorial rule was not acceptable to Mufti Mahmud and his party shows the position again against the ideology which is violated when alliance is made with other secular parties. But at the same time when real dictatorship prevailed in form of General Zia-ul-Haq Mufti Mahmud joined his government and returned to claim that Zia's regime was interested in the Islamization but elections were delayed he withdrew from his government and joined the Movement for Restoration of Democracy which was initiated by Pakistan Peoples Party the earlier enemy of JUI and Mufti Mahmud. In essence, gaining national political power demanded moderation and regaining its lost political base demanded extremism. Therefore, in the case of Mufti Mahmud, political moves drove him rather than ideology.

Maulana Fazl-ur-Rehman shows a different attitude in the politics of Jamiat Ulama-i-Islam as Mufti Mahmud died JUI broke in to different factions. Earlier it was only JUI Hazarvi group but later the long attached *amir* Maulana Muhammad Abdullah Darkhwasti departed his way from JUI and made a different party JUI Darkhwasti group and many *ulama*

among the circles of JUI criticized Maulana Fazl-ur-rehman's attitude on joining MRD when there was no complete consensus. After the invasion of Afghanistan by Russia Pakistan started direct intervention in Afghanistan and with the help of the United States Pakistan a proxy war was waged against Russia and *mujahidin* were trained in Pakistan and sent to Afghanistan. In this whole time period JUI sponsored the notion of *Jihad* and advocated the violent Pakistani involvement in the Afghan conflict. Therefore; Maulana Fazl-ur-Rehman made a choice of strong advocacy of implementing the *sharia* in the country. With the support of domestic establishment and foreign aid Maulana Fazl-ur-Rehman compromised the democratic principles at the expense of its interests in making personal space in the political realm of the country with gaining upper position over the other factions of JUI. After the breakup of Soviet Union and the rise of Taliban JUI was the party that supported the establishment of Taliban government in Afghanistan strongly but at the same time he was against the Taliban Model of Islamic State to be implemented in Pakistan. Fazl-ur-Rehman's stance was severely criticized by the secular factions in Afghanistan and Pakistan that *Jihad* in Afghanistan was legal while in Pakistan it was illegal. It had a backlash also that in the subsequent elections of 1990, 1993 and 1997 JUI (F) lost its popularity and even Maulana Fazl-ur-Rehman lost his seat in the elections of 1997. Thus interests over principles triumphed and the party which stood for the dream of ushering an Islamic system of government are, minimal. The Jamiat does not seem to have either the potential or exemplary leaders like Maulana Ubaydullah Sindhi and Imam Khomeni, who led their movements successfully without compromising on their principles.

Lastly, *madais* are the strategic places owned by JUI from where they gain support and recruitment at the lowest possible level. In its nature it is the only party which has strong public relations because it is the party of *ulama* and every *alim* comes from a *madrassa*. It gradually acquired a deep root in the Northern area of Pakistan. In Baluchistan it is more

influential in the *pashtoon* belt because its independent *pashtunwali* tribal culture, challenging topography and Islam's pattern of local autonomy helped the development of relatively isolated religious and political pockets, creating the JUI's loosely affiliated and *madrassa* structure. Therefore, at every district level in Baluchistan the presence of a local JUI leadership has shaped the political behaviour of the voters and this in result gives a long-lasting support to Jamiat Ulama-i-Islam in Baluchistan.

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(He is the General Secretary of Jamiat –i-Ulama Islam Quetta)

Haqqani, Maulana Anwar-ul-Haq (Quetta), 05 February 2016.

(He is the provincial orator of Baluchistan, *Sheikh-ul-Hadith*, and member of provincial zakwat committee, chairman of provincial *royat-i-hilal* committee and ex- student of *Banuri Town*)

Muhammad, Maulana Haji (Quetta), 15 January 2016.

(He is the head of Madrissa Ahsanul-Ulum Muhammadia Eastern by-pass Quetta)

Shabwi, Maulana Muhammad Qasim. (Quetta), 30 January 2016.

(He is the ex-JUI General Secretary Balochistan present supervisor and is member of JUI since 1976)

Shakoor, Maulana Abdul. (Quetta), 28 January 2016.

(*Sajjadah Nashien* and *Khatib Masjid Hazrat Allama Haji Agha*)

Zahir, Maulana Abdul (Quetta), 25 January 2016.

(He is working in JUI-F since 1969 and is very influential in the decision making but doesn't own any designation)

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APPENDIX I

Questionnaire

1. How did Islam spread in Baluchistan?
2. Why is there much difference in the Baluch and Pashtun Islamic outlook?
3. How Afghanistan did affect the historical Islamization of Baluchistan?
4. To what extent did *Madaris* help defending Islam?
5. What effects did *madaris* lay over the Islamic outlook of *Pashtun* and why it is not evident in Baluch?
6. What is politics in Islam?
7. Are Islam and Democracy compatible to each other?
8. Under which Islamic rule does, JUI participate in the democratic system of Pakistan?
9. What is the political role of *Madaris* and Ulama?
10. There are many Ulamas that don't participate in politics, why?
11. What kind of relations *Madaris* and JUI have?
12. What is the political ideology of Mufti Mahmud?
13. Did JUI governments follow the ideology of *Mufti Mahmud* in its subsequent governments?
14. What was the stand of JUI during military regimes?
15. What is your opinion about the politics of *Maulana Fazl-u-Rehman*?
16. To what extent did JUI try to implement Islamic system in Baluchistan when they were in government?
17. What does Islam say about culture and how does JUI work in the *Pashtun* cult?
18. What is your opinion about the performance of JUI in the 2013 elections?

ضمیمہ ۱:

۲۲۔ اسلامی نکات

درج ذیل نکات وہ ہیں جنہیں ۱۹۵۲ء میں پاکستان کے جید علماء اور تمام مسلم فرقوں کے نمائندگان نے مرتب کر کے دستور پاکستان کی اساس بنانے کے لیے پیش کیا تھا۔ جمعیت علماء اسلام نے اپنے منشور میں بھی ان نکات کو شامل کیا ہے اور وہ شروع سے ہی ان نکات کو پاکستان کے دستور میں شامل کرنے کا مطالبہ کرتی چلی آ رہی ہے۔

- ① اصل حاکم تشریحی و تکوینی حیثیت سے اللہ رب العالمین ہے۔
- ② ملک کا قانون کتاب و سنت پر مبنی ہوگا اور کوئی ایسا قانون نہ بنایا جاسکے گا، نہ کوئی ایسا حکم دیا جاسکے گا جو کتاب و سنت کے خلاف ہو۔
- (تشریحی نوٹ) اگر ملک میں پہلے سے کچھ ایسے قوانین جاری ہوں جو کتاب و سنت کے خلاف ہوں تو اس کی تصدیق بھی ضروری ہے کہ وہ بتدریج ایک معینہ مدت کے اندر ممنوع یا شریعت کے مطابق تبدیل کر دیئے جائیں گے۔
- ③ مملکت کسی جغرافیائی، نسلی، لسانی یا کسی اور تصور پر نہیں، بلکہ ان اصولوں اور مقاصد پر مبنی ہوگی جن کی اساس اسلام کا پیش کیا ہوا ضابطہ حیات ہے۔
- ④ اسلامی مملکت کا یہ فرض ہوگا کہ کتاب و سنت کے بتائے ہوئے معروضات کو قائم کرے۔ منکرات کو مٹائے اور شعائر اسلام کے احیاء و اعلاء اور متعلقہ اسلامی فرقوں کے لیے ان کے اپنے مذہب کے مطابق ضروری اسلامی تسلیم کا انتظام کرے۔
- ⑤ اسلامی مملکت کا یہ فرض ہوگا کہ وہ مسلمانان عالم کے رشتہ اتحاد و اخوت کو قوی سے قوی تر کرنے اور ریاست کے مسلم باشندوں کے درمیان عصبیت جاہلیہ کی بنیادوں پر نسلی، لسانی، علاقائی یا دیگر مادی امتیازات کے ابھرنے کی راہیں مسدود کر کے ملت اسلامیہ کی وحدت کے تحفظ و استحکام کا انتظام کرے۔

- ⑥ مملکت بلا امتیاز مذہب و نسل وغیرہ تمام ایسے لوگوں کی ابدی انسانی ضروریات یعنی غذا، لباس، مسکن، معالجہ اور قیام کی کفیل ہوگی جو اکتساب رزق کے قابل نہ ہوں یا نہ رہے ہوں یا عارضی طور پر بے روزگار ہوں، ری یا دوسرے وجوہ سے فی الحال سہی اکتساب پر قادر نہ ہوں۔
- ⑦ باشندگان ملک کو وہ تمام حقوق حاصل ہوں گے جو شریعت اسلامیہ نے ان کو عطا کیے ہیں یعنی حدود و قانون کے اندر تحفظ جان و مال و آبرو، آزادی مذہب و مسلک، آزادی عبادت، آزادی ذات، آزادی اظہار رائے، آزادی نعت و حرکت، آزادی اجتماع، آزادی اکتساب رزق، ترقی کے مواقع میں یکسانی اور رفاہی ادارات سے استفادہ کا حق۔
- ⑧ مذکورہ بالا حقوق میں سے کسی شہری کا کوئی حق اسلامی قانون کی سند جواز کے کی کسی وقت سلب نہ کیا جائے گا اور کسی جرم کے الزام میں کسی کو پراہی موقع صفائی و فیصلہ عدالت کوئی سزا نہ دی جائے گی۔
- ⑨ مسلمہ اسلامی فرقوں کو حدود و قانون کے اندر پوری مذہبی آزادی حاصل ہوگی۔ اپنے پیروؤں کو اپنے مذہب کی تعلیم دینے کا حق حاصل ہوگا۔ وہ اپنے خیالات کی آزادی کے ساتھ اشاعت کر سکیں گے۔ ان کے شخصی معاملات کے فیصلے ان کے اپنے فقہی مذہب کے مطابق ہوں گے اور ایسا انتظام کرنا مناسب ہوگا کہ ان ہی کے قاضی یہ فیصلے کریں گے۔
- ⑩ غیر مسلم باشندگان مملکت کو حدود و قانون کے اندر مذہب و عبادت، تہذیب و ثقافت اور مذہبی تعلیم کی پوری آزادی ہوگی اور انہیں اپنے شخصی معاملات کا فیصلہ اپنے مذہبی قانون یا رسم و رواج کے مطابق کرانے کا حق حاصل ہوگا۔
- ⑪ غیر مسلم باشندگان مملکت سے حدود و شریعت کے اندر جو معاہدات کیے گئے ہیں ان کی پابندی لازمی ہوگی اور جن حقوق شہری کا ذکر دفعہ نمبر ۷ میں کیا گیا ہے ان میں غیر مسلم باشندگان ملک برابر کے شریک ہوں گے۔
- ⑫ رئیس مملکت کا مسلمان مرد ہونا ضروری ہے جس کے تدین، صلاحیت اور اصابت

- رائے پر جمہور یا ان کے منتخب نمائندوں کو اعتماد ہو۔
- ۱۳) رئیس مملکت ہی نظم مملکت کا اصل ذمہ دار ہوگا۔ البتہ وہ اپنے اختیارات کا کوئی جزو کسی فرد یا جماعت کو تفویض کر سکتا ہے۔
- ۱۴) رئیس مملکت کی حکومت مستبدانہ نہیں، بلکہ شوریٰ ہوگی یعنی وہ ارکان حکومت اور منتخب نمائندگان جمہور سے مشورہ لے کر اپنے فرائض سرانجام دے گا۔
- ۱۵) رئیس مملکت کو یہ حق حاصل نہ ہوگا کہ وہ دستور کو ٹھٹھا یا جزواً معطل کر کے شوریٰ کے حکومت کرنے لگے۔
- ۱۶) جو جماعت رئیس مملکت کے انتخاب کی مجاز ہوگی، وہ کثرت آراء سے اسے معزول کرنے کی بھی مجاز ہوگی۔
- ۱۷) رئیس مملکت شہری حقوق میں عامۃ المسلمین کے برابر ہوگا اور قانونی مواخذہ سے بالاتر نہ ہوگا۔
- ۱۸) ارکان و عمال حکومت اور عام شہریوں کے لیے ایسا ہی قانون و ضابطہ ہوگا اور دونوں پر عام عدالتیں ہی اس کو نافذ کریں گی۔
- ۱۹) محکمہ عدلیہ، محکمہ انتظامیہ سے علیحدہ اور آزاد ہوگا تاکہ عدلیہ اپنے فرائض کی انجام دہی میں ہیئت انتظامیہ سے اثر پذیر نہ ہو۔
- ۲۰) ایسے افکار و نظریات کی تبلیغ و اشاعت ممنوع ہوگی جو مملکت اسلامی کے اساسی اصول و مبادی کے انہدام کا باعث ہوں۔
- ۲۱) ملک کے مختلف ولایات و اقطاع مملکت واحدہ کے اجزاء انتظامی متصور ہوں گے۔ ان کی حیثیت نسلی، لسانی یا قبائلی واحدہ جات کی نہیں، بلکہ محض انتظامی علاقوں کی ہوگی۔ جنہیں انتظامی اختیارات کے پیش نظر مرکز کی سیادت کے تابع انتظامی اختیارات سپرد کرنا جائز ہوگا۔ انہیں مرکز سے علیحدگی کا حق حاصل نہ ہوگا۔
- ۲۲) دستور کی کوئی ایسی تعبیر معتبر نہ ہوگی جو کتاب و سنت کے خلاف ہو۔

نوٹ

مندرجہ بالا ۲۲۔ اسلامی نکات کی ترتیب کے لیے ۱۲، ۱۳، ۱۴ اور ۱۵ ربیع الثانی ۱۳۷۰ھ مطابق ۲۱، ۲۲، ۲۳ اور ۲۴ جنوری ۱۹۵۱ء کو کراچی میں زیر صدارت مولانا سید سلیمان ندوی مرحوم، درج ذیل علماء و دیگر حضرات کا اجتماع منعقد ہوا تھا اور بالا اتفاق مذکورہ بالا ۲۲ نکات طے ہوئے تھے۔

جمعیت علماء اسلام کے ناظم عمومی حضرت مولانا مفتی محمود رحمۃ اللہ علیہ نے مارچ ۱۹۶۹ء میں گول میز کانفرنس منعقدہ راولپنڈی میں باقاعدہ طور پر ارباب اقتدار اور سیاسی لیڈروں کے سامنے پیش کر دیا تھا۔

ان ۲۲ نکات پر دستخط کرنے والوں کے اسماء گرامی ذیل میں درج ہیں۔

- ① علامہ سید سلیمان ندوی مرحوم
- ② مولانا شمس الحق افغانی مرحوم
- ③ مولانا محمد بدر عالم صاحب مرحوم
- ④ مولانا احتشام الحق صاحب تھانوی مرحوم
- ⑤ مولانا محمد عبدالحمید صاحب قادری بدایونی مرحوم
- ⑥ مولانا مفتی محمد شفیع صاحب (کراچی) مرحوم
- ⑦ مولانا محمد ادریس صاحب کاندھلوی مرحوم
- ⑧ مولانا خیر محمد صاحب مہتمم خیر المدارس، ملتان
- ⑨ مولانا مفتی محمد حسن صاحب مرحوم (جامعہ اشرفیہ، لاہور)
- ⑩ پیر محمد امین الحسنات صاحب مرحوم، مانگی شریف
- ⑪ مولانا محمد یوسف صاحب بنوری مرحوم (کراچی)

- ۱۲ حاجی خادم الاسلام صاحب (خلیفہ حاجی ترنگ زئی)
- ۱۳ قاضی عبدالصمد صاحب سر بازی (بلوچستان)
- ۱۴ مولانا اطہر علی صاحب مرحوم (مشرقی پاکستان)
- ۱۵ مولانا ابو جعفر محمد صالح صاحب مرحوم (مشرقی پاکستان)
- ۱۶ مولانا رغب احسن صاحب مرحوم (مشرقی پاکستان)
- ۱۷ مولانا محمد حبیب الرحمن صاحب مرحوم (مشرقی پاکستان)
- ۱۸ مولانا محمد علی صاحب جالندھری مرحوم مرحوم (ملتان)
- ۱۹ مولانا داؤد غزنوی صاحب، مرحوم
- ۲۰ مفتی جعفر حسین مرحوم مجتہد (شیعہ حضرات میں سے)
- ۲۱ مفتی حافظ کفایت حسین صاحب مرحوم مجتہد (شیعہ حضرات میں سے)
- ۲۲ مولانا محمد اسماعیل صاحب مرحوم (گوجرانوالہ، اہل حدیث)
- ۲۳ مولانا حبیب اللہ صاحب مرحوم (تھیٹری خیر پوری)
- ۲۴ مولانا احمد علی صاحب مرحوم (انجمن خدام الدین شیرانوالہ دروازہ، لاہور)
- ۲۵ مولانا محمد صادق صاحب (مدرسہ مظہر العلوم کھڑہ کراچی)
- ۲۶ پروفیسر عبدالخالق صاحب
- ۲۷ مولانا شمس الحق صاحب فرید پوری مرحوم (مشرقی پاکستان)
- ۲۸ مفتی محمد صاحب داد مرحوم (کراچی)
- ۲۹ پیر محمد ہاشم صاحب مجددی مرحوم (سندھ)
- ۳۰ سید ابوالاعلیٰ صاحب مودودی مرحوم
- ۳۱ محمد ظفر احمد صاحب انصاری مرحوم

APPENDIX III

ووٹ شہادت بھی ہے اور امانت بھی، نا اہل کو ووٹ دینا گناہ کبیرہ ہے
سوال: کیا فرماتے ہیں علماء دین اس مسئلہ میں کہ دو صاحبان جو بنیادی جمہوریت
کے ممبر بننے کے امیدوار ہیں میں سے کون ووٹ لینے کا صحیح حقدار ہے۔
زید اور بکر دونوں بریلوی العقیدہ ہیں۔ زید صحیح العقیدہ دیوبندی جماعت کے پاس
آتا ہے اور وعدہ کرتا ہے کہ آئندہ دینی معاملات میں علماء حق اور شریعت محمدی کے مقابلہ میں
کسی قسم کی رخنہ اندازی نہیں کروں گا اور یقین دلاتا ہے کہ سیاست کے میدان میں جس
طرح جمعیت علماء اسلام حکم صادر کرے گی اسی طرح کروں گا۔ اپنا ووٹ جمعیت کے حق میں
گزاروں گا اور جمعیت کے ممبر بن جاتا ہے اور اب اقرار کرتا ہے کہ میں بریلوی نہیں ہوں۔
دیوبندی عقائد کو قبول کرتا ہوں اور اسی عقیدہ پر رہوں گا۔ یہ سب کچھ مسجد میں بیٹھ کر پانچ

نوہ
نظر نہ

Maulana Muhammad Saleh Saad, ed. *Vote ki Shariye Haisiat: Akabir Ulama k FatawaJat aur Tehirat ki Raushni May* (Karachi: Islami Kutubkhana, 2013), 58-60, 70-71.

معزز حضرات کے سامنے کہہ رہا ہے۔

ہماری جماعت نے بطور امیدوار کھڑا کیا اور اس کی کامیابی کے لیے ہر ممکن کوشش کی۔ امیدواری کے لیے نامزدگی کی درخواست منظور کرانے سے چند دن قبل بکر اور اس کی جماعت کی طرف سے ہماری دیوبندی جماعت کے سامنے زید پر اعتراض پیش کیا جاتا ہے۔ بکر اور اس کی پارٹی اپنی صفائی پیش کرتے ہوئے اس اعتراض کی بنا پر اپنے حق میں ووٹ طلب کرتے ہیں۔ اعتراض یہ ہے کہ ایک جنازہ امامت کے لیے دیوبندی العقیدہ حافظ صاحب کو بلانے کے لیے آدی آتا ہے اور زید وہاں موجود ہے اور کہتا ہے کہ کیا شاہ صاحب نہیں تھا (واضح رہے کہ شاہ صاحب بریلوی العقیدہ ہے) اور پھر کہتا ہے کہ اچھا اچھا حافظ کو لے جاؤ۔ نماز جنازہ کی امامت شاہ صاحب کرتے ہیں۔ تمام رسومات بریلوی عقیدہ کے تحت ادا کی جاتی ہے لیکن زید اس بارے میں خاموش رہتا ہے۔ تائید کے موقع پر بکر اور اس کی جماعت زید سے تائید کنندہ کو مجبور کرتے ہیں کہ وہ تائید نہ کرے اور زید کو مجبور کرے کہ زید اپنا نام واپس لے لے اور واسطہ شریعت دیتے ہیں کہ چلیں شریعت سے پوچھتے ہیں۔ اگر شریعت زید کو ووٹ دلائے تو دے دو ورنہ ووٹ کے حقدار ہم ہیں۔ ہمارا نمائندہ زید کی تائید کرتا ہے۔ دونوں پارٹیوں کو ایک دیوبندی عالم کے پاس لے جاتا ہے اور ان الفاظ میں فتویٰ طلب کرتا ہے کہ زید نے ہمارے ساتھ وعدہ کیا تھا کہ دینی معاملات میں تمہاری مخالفت نہیں کروں گا لیکن ایک جنازہ کے موقع پر وعدہ خلافی کی (مفصل حالات اوپر درج ہیں) ہم زید کے ساتھ وعدہ کے پابند ہیں کہ نہیں جواب ملتا ہے کہ تم پر ضروری نہیں کہ اب تم وعدہ پورا کرو۔ اس کے بعد مذکورہ تائید کنندگان بکر کی پارٹی سے وعدہ کرتا

ہے کہ ہم زید کے اپنے کاغذات واپس لینے پر مجبور کر سکتے ہیں ورنہ ہم اپنے سارے ووٹ بکر کو دیتے ہوئے قرآن وحدیث فقہ حنفیہ کی رائے واضح فرمادیں کہ جماعت ووٹ کس کو دے۔ نیز بکر یہ وعدہ کرتا ہے کہ میں اپنے بغیر ووٹ دینے کا یقین دلاتا ہوں اور اپنا ووٹ کنونشن بیگ کو دوں گا۔

جواب: ووٹ کی شرعی حیثیت یہ ہے کہ ووٹ دینا شہادت دینا ہے۔ اس اعتبار سے غیر مستحق و نااہل امیدوار کو ووٹ دینا جھوٹی گواہی دینا ہے۔ جو کہ کبیرہ گناہ ہے اور رسول کریم صلی اللہ علیہ وسلم نے جھوٹی گواہی کو شرک کے برابر قرار فرمایا ہے۔ اس لیے ووٹروں کا ووٹ جو کہ ایک امانت ہے امیدواروں میں جو دیندار اور امانت دار ہو، معاملہ فہم ہو، فائدہ عامہ کا خاص خیال رکھتا ہو۔ ممبری کا حق ادا کر سکتا ہو اور اپنے ووٹ کو آگے ایسے ہی آدمی کو دے اور معاملات میں ظالم نہ ہو وغیرہ ایسے امیدوار کو ووٹ دینا ضروری ہے۔ صورت مسئولہ میں زید ہی کو بنسبت بکر اپنے ووٹ کے لیے پسند کریں اگر کوئی اور ایسا اہل اس حلقہ میں کھڑا نہ ہو کیونکہ زید پنجگانہ نماز میں پابند ہے اور معاملات میں لوگوں کے ساتھ بنسبت بکر کے اچھا ہے اور جمعیت علماء اسلام جو کہ ایک حق و علماء کی جماعت ہے اس کا رکن ہے تو لہذا زید سے مزید عہد و میثاق دینی امور و معاملات لے کر اسی کو منتخب کریں اور بکر جو اپنا ووٹ نہیں دے سکتا ہے وہ دوسروں کو کیا لائے گا اور نہ علماء حق کی جماعت سے وابستہ ہے۔ فقط

واللہ تعالیٰ اعلم

احمد عفا اللہ عنہ مفتی مدرسہ قاسم العلوم ملتان

(فتاویٰ مفتی محمود جلد ۱ ص ۳۷۸)

جائز ہے یا نہیں؟ بینوا تو حروا

المستفتی: بادشاہ میر شیر گڑھ ضلع مردان..... ۱۵ ربیع الثانی ۱۴۰۹ھ

جواب: ووٹ نام ہے شفاعت اور شہادت کا اور ان میں سے کسی ایک پر معاوضہ لینا

(فتاویٰ فریدیہ جلد اول صفحہ ۵۵۵)

جائز نہیں ہے۔ وهو الموقن

عورتوں کا ووٹ دینا

محترم المقام زید مجدکم بعد سلام مسنون اور دعوات صالحہ پیش خدمت ہے کہ از روئے شریعت عورت کو ووٹ دینا کیسا ہے قطع نظر اس واقعہ کے جو کہ صوبائی اسمبلی کے نمبروں نے عورت کو ووٹ دیئے تو کیا عورت کو ووٹ دینا جائز ہے یا نہیں؟ بینوا تو حروا

المستفتی: مولوی علی اکبر صاحب مدرسہ عربیہ انوار العلوم میراخیل ضلع بنوں: ۲۰ محرم ۱۳۹۲ھ

الجواب: محترم المقام السلام علیکم کے بعد واضح رہے کہ چونکہ ووٹ کا مقصد اظہار اعتماد اور شفاعت اہلیت ہے لہذا شریعت مقدسہ میں جن فرائض کی ادائیگی کی عورت مجاز ہے تو ان میں عورت کو ووٹ دینا جائز ہے اور جن فرائض کی مجاز نہیں ہے (مثلاً: نامت کبریٰ، صغریٰ، خطابت وغیرہا) تو ان میں ووٹ دینا حرام ہے۔

قال الله تعالى: و من يشفع شفاعه سيثه يكن كفل منها ☆

قال الله تعالى: ان الله يامرکم ان تؤدوا الامانات الی

(فتاویٰ فریدیہ جلد اول صفحہ ۵۵۸)

اهلها.

جمعیت علماء اسلام کی حمایت اور جماعتی فیصلہ کے مطابق ووٹ استعمال کرنا

سوال: اس دور میں ہر پارٹی اسلام کا نعرہ لگاتی ہے تو ہمیں کس پارٹی میں شمولیت اور حمایت کرنی چاہئے تاکہ اللہ اور رسول ہم سے راضی ہوں نیز پیپلز پارٹی اسلام کے ساتھ سوشلزم کا نعرہ بھی لگاتی ہے تو کیا سوشلزم اسلامی نظام ہے اور ایسی جماعت میں جانا اور حمایت کرنا کیسا ہے نیز ان کو ووٹ دینا کیسا ہے جبکہ کوئی مذہبی امیدوار نہ ہو؟

المستفتی: سید محمد بلوچستانی..... ۶ شعبان ۱۳۹۳ھ

الجواب: موجودہ دور میں جمعیت علماء اسلام کی حمایت کرنا ضروری ہے ان سے نظام اسلام کی توقع ہو سکتی ہے دیگر پارٹی خود غرضی کے لیے اسلام کا نام لیتی ہیں واضح رہے کہ جہاں جمعیت کا نمائندہ نہ ہو تو وہاں جمعیت کے جماعتی فیصلہ کے مطابق ووٹ استعمال کرنا چاہئے۔ فقط (فتاویٰ فریدیہ جلد اول صفحہ ۵۶۶)

جمعیت علماء اسلام کو ووٹ دینا چاہئے

سوال: آج کل ووٹ کون سی پارٹی کو دینا چاہئے؟ بینوا تو جروا

المستفتی: فضل احمد، غلام احد بازار بٹ خیلہ ملاکنڈ ایجنسی..... ۶ جون ۱۹۷۰ء
الجواب: ماسوائے جمعیت علماء اسلام، جماعت اسلامی و مرکزی جمعیت کے تمام جماعتیں قانون اسلامی کے نفاذ کا مطالبہ نہیں کرتیں لہذا ان فرق سے بچنا اشد ضروری ہے اور ان تین میں سے جماعت اسلامی بدنام ہے۔ یہ لوگ شیڈی اسلام اور ماڈرن اسلام چاہتے ہیں جس میں نہ حدود ہیں اور مرزائیوں کی بھی اس میں گنجائش ہے لہذا ان کو ووٹ دینے سے مقصد حاصل نہیں ہو سکتا پس آپ کو ضروری ہے کہ جمعیت علماء اسلام کو ووٹ دیدیں یہ اہل حق ہیں اور ہر باطل کے مقابلہ کے لیے ہر وقت تیار ہیں ان سے بہت توقع اور امید کی جاتی ہے۔ فقط (فتاویٰ فریدیہ جلد اول صفحہ ۵۶۸)

موجودہ وقت میں اہل حق جمعیت علماء اسلام کو ووٹ دینا جہاد ہے

سوال: ووٹ دینا جائز ہے یا نہیں اور ووٹ کی حقدار کون سی پارٹی ہے جواب دے کر ممنون فرمادیں؟ (المستفتی: شاہ نواز ضلع دیر: ۱۹۷۶ء/۳/۱۷)

الجواب: حق اور باطل کے مقابلہ کے وقت اہل حق کو ووٹ دینا جہاد ہے موجودہ وقت میں اہل حق میں جمعیت علماء اسلام ہے البتہ جہاں جمعیت العلماء کا امیدوار نہ ہو تو وہاں جماعتی فیصلے کے مطابق عمل کرنا چاہئے۔ وهو الوفاق (فتاویٰ فریدیہ جلد اول صفحہ ۵۷۱)
سوشلزم کے حامیوں کو ووٹ دینے کا حکم

سوال: کیا فرماتے ہیں علماء دین شرع متین اس مسئلہ کے بارے میں سوشلزم کے