

The pressure on the government persisted. The tenor of the governmental pronouncements became more and more equivocal, and in many of them there was an undercurrent of sympathy for the demands of the religious parties. A general strike was called for by the religious leadership, and within a few days the prime minister gave way. On June 13 he declared his firm belief in the finality of Muḥammad's prophethood and announced that the issue would be put before the National Assembly.<sup>211</sup> On June 30 the Assembly formed itself into a special committee "to discuss the status in Islam of persons who do not believe in the finality of the prophethood of Muḥammad (peace be upon him)."<sup>212</sup> The deliberations were behind closed doors. The Assembly met in open session on September 7 and unanimously decided to amend the constitution of Pakistan by adding a clause stipulating that

a person who does not believe in the absolute and unqualified finality of the Prophethood of Muḥammad (peace be upon him), the last of the Prophets, or claims to be a Prophet, in any sense of the word or of any description whatsoever, after Muḥammad (peace be upon him), or recognizes such a claimant as a Prophet or a religious reformer, is not a Muslim for the purposes of the Constitution or Law.<sup>213</sup>

Furthermore, article 106 (3) of the 1973 constitution, providing for the separate representation of Christians, Hindus, Sikhs, Buddhists, and Parsis in the provincial assemblies of Baluchistan, Panjab, the North-West Frontier Province, and Sind, was amended to include the Aḥmadīs as well.<sup>214</sup> The Assembly also decided that "a Muslim who professes, practices or propagates against the concept of the finality of the prophethood of Muḥammad" would be punishable under a section of the Pakistani penal code.<sup>215</sup> This seems to be one of the more ineptly formulated decisions taken in this context: the only persons likely to engage in the activity that it condemned had just been declared non-Muslims. It appears that the members of the National Assembly themselves had not yet taken full cognizance of their constitutional amendment excluding the Aḥmadīs from the Islamic fold. And, in any case, the decision seems to be in clear contradiction to article 20 of the constitution, which promises every citizen the right not only to profess and practice but also to propagate his religion.

211. *Dawn*, 14.6.1974.

212. *Dawn*, 1.7.1974.

213. *The Constitution of the Islamic Republic of Pakistan*, p. 86 (article 260 [3]); *Debates*, 7.9.1974.

214. *Dawn*, 8.9.1974; Munir D. Ahmed, p. 128; *The Constitution of the Islamic Republic of Pakistan*, p. 33.

215. *Dawn*, 8.9.1974, 19.1.1975.

The National Assembly of Pakistan thus arrogated to itself the authority of an assembly of theologians, competent to decide on matters of faith or infidelity, and to pronounce judgment on the religious affiliation of individual citizens. If the secret deliberations of the Assembly are ever made public, they should become one of the more fascinating documents concerning the relationship between religion and state. The minutes of the secret sessions will describe how a group of politicians, elected through a secular process, debate a subtle issue of Islamic theology. One may venture to say that a great number of them were ill-equipped for such a debate and easily succumbed to the arguments marshalled by representatives of the Jamā'at-i Islāmī and of the various groups of 'ulamā'. The ability of these to rally the masses behind the anti-Aḥmadī cause must have provided very effective support for the religious argument; the prime minister and most members of the Assembly must have been impressed by that ability more than by the theological subtleties that had given rise to the issue in the first place.

The action taken by the National Assembly is rather extraordinary when we consider the fact that Islamic history never knew assemblies convened for a similar purpose. The 1974 debate on the Aḥmadī issue revealed again the dilemmas facing countries that try to govern themselves according to modern liberal principles, yet feel attachment to a medieval civilization that recognized no separation between religion and state. The way in which Zulfikar Ali Bhutto addressed the National Assembly after it adopted the constitutional amendments is an excellent reflection of these dilemmas. He delivered a studiously oblique speech: neither the Aḥmadī movement nor the theological question at hand are explicitly mentioned in it. The Aḥmadī problem is discreetly referred to as "an issue that defied solution for ninety years" and the Aḥmadīs are "people affected by this decision." On the very day when the Assembly recommended that preaching contrary to the belief in the finality of Muḥammad's prophethood be made a criminal offense, the prime minister proclaimed that Pakistan had a secular constitution and "every Pakistani has the right to profess his religion, proudly, with confidence and without fear."<sup>216</sup>

## VII

Legally speaking, the constitutional amendment adopted by the National Assembly should have prevented the Aḥmadīs only from serving as president or prime minister of Pakistan. Their other civil rights should have

216. *National Assembly's verdict on finality of prophethood of Ḥaẓrat Muḥammad (peace be upon him)* (Islamabad, 1974); *Debates*, 7.9.1974.