

**Religious-Nationalist Security States:
Ideologies and Narratives of Statehood in Pakistan and Israel**

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Malte Gaier

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Abbreviations

ACPR	Ariel Center for Policy Research
AH	Ahl-i-Hadith
AK	Asad Kashmir
ANP (NAP)	Awami National Party
COAS	Chief of Army Staff
FATA	Federally Administrated Tribal Areas
FCR	Frontier Crimes Regulation
GATT	General Agreement on Tariffs and Trade
IDF	Israel Defense Forces
IJI	Islami Jamhuri Ittehad
IMF	International Monetary Fund
IPYL	International Palestinian Youth League
ISI	Inter-Services Intelligence
J&K	Jammu and Kashmir
JCSS	Jaffee Center for Strategic Studies
JD	Jama'at-ud-Dawa
JI	Jama'at-i-Islami
JNF	Jewish National Fund
JUH	Jam'iyat al 'Ulama'-e Hind
JUI-F	Jam'iyat-e 'Ulama'-e Islam-Fazlur Rahman Group
JUI-S	Jam'iyat-e 'Ulama'-e Islam-Sami ul-Haq Group
JUP-N	Jam'iyat 'Ulama'-i-Pakistan-Nurani Group
KPK	Khyber Pakhtunkhwa
LeT	Lashkar-i-Taiba
LoN	League of Nations
MFLO	Muslim Family Law Ordinance
MFN	Most-Favored-Nation (status)
MI	Military Intelligence
MK	Member of Knesset
MMA	Muttahida Majlis-e Amal
MNA	Member of National Assembly
MP	Member of Parliament
MQM	Muttahida Quami Movement
MRD	Movement for the Restoration of Democracy
NRP	National Religious Party (Mafdal)
NWFP	North Western Frontier Province

PA	Palestinian (National) Authority
PECO	Pakistan Engineering Company
PIPS	Pak Institute for Peace Studies
PML-F	Pakistan Muslim League-Functional
PML-N	Pakistan Muslim League-Nawaz Sharif faction
PML-Q	Pakistan Muslim League-Quaid-i-Azam
PML-Z	Pakistan Muslim League-Zia ul-Haq
PPC	Pakistan Penal Code
PPP	Pakistan People's Party
PTI	Pakistan Tehrik-i-Insaf
RAW	Research and Analysis Wing
RSS	Rashtriya Swayamsevak Sangh
SSP	Sipah-i-Sahaba Pakistan
TNFJ	Tehrik-i-Nefaz-i-Fiqh-i-Jaffria
UAR	United Arab Republic
UN	United Nations
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
USIP	United States Institute of Peace
UTJ	United Torah Judaism
WTO	World Trade Organization

There are three distinct grand narratives of Pakistan by Pakistanis: the first is an establishment narrative of victimisation, defensiveness and denial. The second is the narrative of the liberal elite, focusing on the need for socio-economic development of a vast country of 180 million people. The third, radical Islamist narrative, sees Pakistan as an ideological enterprise under threat from the non-Islamic civilisations of the West, Israel and India. These are not mutually exclusive, and it is not uncommon for an individual narrator making an argument using one of these approaches to also draw upon threads of arguments from the others.¹

We have lost our plot. We are like tragic characters trying to find the story line in an absurd existentialist play. We have forgotten our narrative. Whether from self-imposed amnesia or a wistful yearning for 'normality', we are no longer able to articulate our remarkable story to ourselves or to the world. Those who say we must go 'beyond the conflict' to win the battle for international public opinion are half-right – of course we should tell of the stunning achievements of modern Israel. But public diplomacy will not succeed until we can unabashedly declare the story of who we are and why we are here. Google 'why should Israel exist' and most of what pops up is vitriolic hate about why Israel shouldn't. If we are going to advocate for Israel, we must proactively and dramatically present the essential value that Israel stands for in the world and that frames all our actions and our efforts at self-defense. That value is freedom.²

1 Cit. Pai, Nitin: Three grand narratives of Pakistan. In: The Acorn, Takshashila Institution, 20 September 2011.

2 Cit. Helman, Shalom: Reclaiming Israel's narrative of freedom. In: Jerusalem Post, 14 August, 2010.

1 Introduction

The subject of this dissertation is the ideological contours of the Islamic Republic of Pakistan and the State of Israel. This study argues that central defining elements within the inner organization and logic of their raison d'être combine the political dimension of ideology – that is the transformation of ideological orientations, beliefs and values – into the territoriality and historicity of the state and a framework for a concrete political program with a nucleus of religious, nationalist, statist³, militarist and ethnic orientations. These elements and their linkage to the modern nationalist doctrine of state sovereignty arose from within the colonial context⁴, but at the same time, had to become integrated into the framework that the historical and mythical⁵ repertoire of the past and especially its prolonged process of Jewish and Muslim identity formation offered. Pakistan and Israel are considered ideological states. Here, the state as the ultimate crystallization of political authority and sovereignty preceded the birth of the nation with its twofold claim of providing an identity and integration, and, thus, reversed the European nationalist experience with a new chronology characteristic for so many post-colonial states.⁶ The transformation of the narrative of the claim for freedom and self-expression into the concrete framework of a state, denied for too long but finally recognized by the international community, marked the most radical event in both the “established” mainstream and the religious narratives. The rediscovery of the past and its particular cultural themes, symbols and claims entering the symbolic order of the nation-state, intensified the struggle between contradicting elements that had already existed within the political-religious ideology of the independence movement. Therefore, the core conflict within the state's framework was already there when the state came into being and did not change significantly through the more than six decades of its existence. Such path dependency can be understood as the inability to change fundamental political patterns for external reasons and domestically automatized mechanisms. Hence, the thesis highlights an ongoing struggle whose present nature is about the relationship between state and society and the state's re-

3 Meaning the centrality of the state within the nationalist discourse as the single supreme authority exercising political power and regulation strategies. See Migdal, Joel S./ Schlichte, Klaus (Ed.): *Rethinking the State*, p. 16ff. In: Schlichte, Klaus (Ed.): *The Dynamics of States. The Formation and Crisis of State Domination*. Aldershot: Ashgate, 2005, p. 1-40. Especially its *image* within the discourses of religious groups shows that, broadly speaking, we can differentiate between a pro-state or statist orientation that highlights loyalty, identification and acceptance of its legal authority, and, on the other side, an orientation that either refuses to accept the state's legitimacy totally or refuses only partial elements. Especially the religious connotation and interpretation of the state's existence evoked isolation from the mainstream public, delegitimization and forms of both peaceful and violent resistance.

4 In the case of Israel, the period of British mandatory power (1917-1948) on behalf of the *League of Nations* (LoN) requires the notion of its colonial dimension: In 1922, the LoN's charter emphasized the requirement of facilitating Jewish immigration and settlement as well as the preservation of the Arab population's rights. With the Balfour Declaration in 1917, one can state that during the Mandate, the Zionist project of settlement was favored by the British on the one hand. On the other hand, Britain's „dual-obligation“ to mediate between Arab and Jewish interests in Palestine manifested largely in the context of legal regulations for the acquisition of land and resulted in the imposition of a contingent colonial legal system based on Western colonial experiences that succeeded the Ottoman legal system. For a detailed discussion on the legal colonial dimension see Forman, Jeremy/ Kedar, Alexandre: *Colonialism, Colonization and Land Law in Mandate Palestine: The Zor al-Zarqa and Barrat Qisarya Land Disputes in Historical Perspective* In: *Theoretical Inquiries in Law*, Vol. 4, No. 2, 2003, p. 491-539.

5 Political and policy myths with their substantial legitimizing and explanatory function were defined by Yanow as “a narrative created and believed by a group of people which diverts attention away from a puzzling part of their reality“, as “matter-of-fact statements, but they are 'immune to factual attack’” and as “social constructions rooted in a particular time and place, in a particular culture. Myths are produced in response to the needs of the moment.” Cit. Yanow, Dvora: *Silences in Public Policy Discourse: Organizational and Policy Myths*, pp. 399/400. In: *Journal of Public Administration Research and Theory*, Vol. 2, No. 4, 1992, p. 399-423.

6 For the differentiation between both experiences of political philosophy regarding statehood see Rejai, Mostafa / Enloe, Cynthia H.: *Nation-States and State-Nations*. In: *International Studies Quarterly*, Vol. 13, No. 2, 1969, p. 140-158.

ligious character⁷ and between liberal-universalist and nationalist-particularist orientations that similarly claim ownership over the nation's future development. Proponents of both camps but especially the nationalist-particularist have highlighted the prospective of changing the status quo as inevitably endangering the political sovereignty of the state, the territorial integrity of the land and its physical borders, and the unity of society. Here the fear of a „division of the nation“ and the notion of an existentialist *Kulturkampf* has been stressed.

Mainly the differences in their political structures were commonly seen as the obstacle for a viable cross-country comparison. This has been the mainly the case with regard to the two distinct traditions of democratic tradition with Israel upholding its stable parliamentary system despite significant influence on the political process and especially its foreign affairs by the military. Pakistan, in contrast, only has a short historical experience with democratic institutionalism for which the military's frequent interventions were seen as the main obstacle. However, Pakistan and Israel as post-colonial states⁸ share common concepts in regard of state and nation just as in regard of civic and religious identity discourses. The creation of a secular space for a religious community formulated a civic identity of its citizens as a religious and nationalist synthesis. In addition, they show significant parallels within those historic processes which brought them into existence in 1947 and 1948 and thus shall provide an adequate comparative dimension. In spite of the secular visions of their founding fathers, a fertile ground based on religion and surrogate religious forms provided the appropriate cultural basis for nation- and land-oriented ideologies. Ironically, both founding fathers who had been styled posthumously as bridge-builders between traditional religion and modern secular nationalism or even in messianic terms, had been confronted by the orthodoxy for their non-observant lifestyle and their atheist orientation.⁹ In a context of inter-communal violence, both states came into existence with a two-fold legacy: To create a secure homeland for a ethnic-religious community which was convinced that its political, economic and cultural development – or its very existence – was threatened by a majority which neglected its equal rights and sovereignty. Furthermore, the justification to gain political and territorial sovereignty was enshrined in a concrete ideological agenda that intertwined religious teleology and metaphysical sanctions underlining the nationalist imperative for freedom and self-expression. It also provided very concrete structural contours for the new state whereas the role of the religious philosophy and its implementation in the state system after independence was not clearly defined. What is more, the state, in order to gain specific political outcomes and to accommodate the religious sectors, revitalized religion and implemented “theo-politics”¹⁰ on the state level as a superimposition or institutionalization of religion. In the course of research it became obvious that inter-linkages between paradigms within state ideology, in both cases, sharpened configurations of class differences as well as ethnic belongingness. As a result they partially overlap with the religious dimension. The issue of religion remained a

7 Especially with regard to its intersections with nationalism being “suffused with the religious.” See Friedland, Roger: Religious Nationalism and the Problem of Collective Representation. In: Annual Review of Sociology, Vol. 27, 2001, p. 125-152.

8 “Post-colonial”, as for Israel, applies to the Mandatory period as a semi-colonial collective experience which includes clear anti-British stances shared by a majority living in the pre-state *Yishuv*. Furthermore, the conflict between the British army and Jewish militias has been a main element in the state's founding narrative as a war of liberation and has been interpreted in terms of anti-colonial resistance.

9 While Jinnah with regard to his Shi'a descent kept a low profile in public and referred to Islam only in generalizing terms, Ben-Gurion was suspicious to the Jewish Orthodox circles for his openly displayed cynicism towards the religious issue in Palestine.

10 See Zucker, Norman L.: The Coming Crisis in Israel: Private Faith and Public Policy. Cambridge: MIT Press, 1973.

focal point and main societal cleavage between proponents of a secular option and those who claimed the state to be religious.¹¹ This resulted in today's status quo which in principle did not change significantly during the last decades. Although there is enormous uncertainty about future trends in both countries that had acquired new geostrategic importance post 9/11 and subsequent developments, the religious factor is and will remain a central determinant domestically and regionally.

This thesis argues that, in the historic genesis of both states, fragmentation and regional disparities have drastically increased as a result of failed integration of state ideology on a national basis of which religion had been the main mobilizing force within the project of independence driven by the elites. While it has been claimed that on the institutional level, both states are partially not underdeveloped but in fact overdeveloped,¹² the vacuum created by the state's failure to reach society at grass-roots level and obtain consent has been filled by counter narratives provided by identity politics and communalism represented by religious-political groups and parties. Here the thesis challenges a popular focus on ideology and suggests that diverse, religiously and ethnically defined affinity groups have interests that are represented in particular ways in weak state circumstances.

The other central – if not the most central – element of ideology and state culture in Pakistan and Israel emphasizes the sociopolitical and cultural complex of security and insecurity. The perception of facing an existential threat enabled the state, from the very beginning of its existence, to implement policies that concentrated on the domains of foreign affairs, diplomacy, military and security. While the “praetorian model” of statehood concentrates primarily on defense economies, „securitization“ of a state ideology is here presented as a concept that allows the inclusion of nation building processes in order to reconsider the important role that society plays within the formation and consolidation of security states. Discussing the variety of ingredients of state ideology, this study aims to illustrate political outcomes and behavior within the framework that Israeli-Jewish Zionism and Pakistani Muslim nationalism provide while claiming and legitimizing their hegemony on the basis of an exceptionalism.

The paradigm of national security, in which wars and conflict-centered foreign relations dramatically gained momentum in Israel and Pakistan, are, from that perspective, no exceptions. Here confrontations served as catalysts for the particularist-nationalist interpretation of the state's character while in times that were determined by more peaceful relations with their neighborhood, the universalist-liberal orientation was strengthened and paralleled by the state's intensified integrative orientation towards the international community and its norms. With regard to its international status, the first orientation considers the state's victimization by its enemies as inevitable and deeply rooted in the nation's historicized exceptionalism. With this orientation highlighting a people's struggle for survival and post-independence national history as a logical succession of marginalization, persecution and non-acceptance by its hostile neighbor-states, conflict has been framed as a cosmic battle separated from restrictions of time and space. Thus, as a result and in the sense of Spengler's idea

11 The Chapters 5 and 6 will show that political-religious orientations contain a variety of groups and that the secular-religious cleavage is overlapping with inner-religious cleavages and discourses.

12 See Kühn, Florian P.: Less is more: International intervention and the limits of external stabilization, pp. 62/63, 71. In: Canadian Foreign Policy Journal, Vol. 17, No. 1, 2011, p. 62-74.

of “national destiny”, the state tends to fortify its ideological narrative and to frame its (foreign) policies in the framework history has set for it even at the cost of decline of its international standing.¹³

Both states are so present in the international public debate since they share a similar security dilemma¹⁴ and essential security needs and because of the central role they play within their local, regional and global security context which includes the stake they have in the most prominent contemporary conflicts, peace negotiations and also in the context of new asymmetric forms of conflict. This development indicates two outcomes: With regard to their local and regional environment, largely perceived as neutral or hostile, the continuation of threat perceptions enabled the states to develop large military resources, high defense budgets, political and economic power and, on a social basis, acceptance by society. Internally, the external threat generated those conditions of national emergency that allowed the military establishment to develop a dominant position in state and society both in terms of political discursive power, for instance as a co-formulator of foreign policy and as the “school for the nation” but also in terms of its ability to frame its actions as ideological imperatives deeply rooted in the countries' history.

1.1 The State, integrative Ideologies and Statism

The process of official identity and cohesion building follows a top-down model with the central state and its power elites, being keen to emphasize common shared values, historical traditions and an identity of citizenship in order to create an authentic unity (*immaterial factors*).¹⁵ As a whole, these nationalist ideal goal represents the state's symbolic capital, separated from their *material precondition factors* such as a welfare system, security, law and order.¹⁶ Another conception of the state highlights existing theories on boundaries. Here, society is politically defined as the community living inside a state's physical territorial borders. As a „national society“ it is represented by an organization which is the state. Since practically all nation states in the world are consisting of people and groups that define themselves on the basis of different languages, history, culture or ethnic origin, „state leaders have sought to make the image of representation of society real by molding the motley people of the territory into a single people, capable of singular representation.“¹⁷ Accordingly, the state is interpreted as a political and social process rather than a static complex. Representing governmental authority, state leaders aimed at creating a social unity by trying to establish a „natural“ society that shares common beliefs, values and political orientations towards the state. Migdal and Schlichte emphasize that these attempts usually originate

13 In “The Decline of the West” (1918) Spengler saw the rise and decline of civilizations or of their associated organic nations as an inevitable self-fulfillment of their destiny. This influential break with the linear *weltanschauung* on history and especially Spengler's intensive reference to the territorial component of a nation's spirit had been adapted by nationalist movements and, as is well known, by the Nazi elites and the Italian fascists. For the discussion of the concept in the framework of radical religious Zionist thought and especially its pro-state oriented *mamlachti* stream see Fischer, Shlomo: Self-Expression and Democracy in Radical Religious Zionist Ideology. Unpubl. PhD thesis, submitted at the Hebrew University, Jerusalem, January 2007, p. 52-67, 410-414.

14 For instance geostrategic vulnerability through a lack of strategic depth, the dependency on support by the US and the safety and the operational readiness of the deterrence capabilities of their nuclear arsenals play a significant role in the military and strategic doctrinal setup of both states.

15 See for instance Heinrich, Wolfgang / Kulesa, Manfred: Deconstruction of States as an Opportunity for New Statism? The Example of Somalia and Somaliland, p. 58. In: Hippler, Jochen (Ed.): Nation-Building. A Key Concept for Peaceful Conflict Transformation? London: Pluto Press, 2005, p. 57-69.

16 Ibid.

17 Cit. Migdal / Schlichte, 2005, p. 18.

from a view on society in which the state feels obligated to „develop“, support, control and – to some extent, often followed by resistance from society – to „modernize“ a society.¹⁸ National narratives of de-colonialization that arose in Asia, Africa and Latin America as a selected variant out of many¹⁹, and as a “last wave” of European nationalism²⁰, include an indigenous element that gained momentum during colonial rule since the local colonial elites adapted their rulers' legitimation of power in terms of mindsets of differentiation like ethnic superiority, the “utopian idea of apolitical politics” such as politics of education, moral guardianship and civilizing mission.²¹

Duncker, referring to Gadamer's critique of objectivity, offers a definition of ideology as "a system of ideas that rises from the explicit or implicit claim to absolute truth, that is to say, that comes from an objectivist-deformed consciousness."²² This definition attempts to go beyond the problem of definitional fixation and allows adequate operationalization of the term “ideology”, by not denying the possibility of objective truth but to uncover distortions in the relationship of consciousness and a society. Ideology, understood as an intellectual bloc of power, core symbols (*symbolic capital*), values and beliefs surrounded by less fixed elements, is subjected to the interpretation and communication by power elites to others. While the inner core of an ideology might be hard to change, it is much easier to modify its external elements.

However, the academic approach towards ideologies as interwoven side-constructs of a political doctrine proved to be inconsistent within the Anglo-Saxon tradition of thought as it arose in the 1950s. Ideology as the expression of a totalitarian mentality, resistant to any political debate and the formation of a pluralistic society, became broadly identified with the rise of the grand ideologies of the 20th century. Ernest Gellner sees ideologies as an element and extension of nationalism as it arose prominently in Italy and Germany.²³ For others, the “end of history” initially began with the failure of national socialism and the consolidation of participative systems and increasing economic and social growth in Western democracies. Nevertheless and despite its broad reception (and its critique) Fukuyama's theory of an evolutionary degradation of ideology – quite similar to Bell's “end of ideology”²⁴ – remained an utopia.²⁵ In a more general approach has ideology been described in terms of its embodied values on the individual level:

[...] ideologies are bodies of concepts, values and symbols which incorporate conceptions of human nature and thus indicate what is possible or impossible for humans to achieve; critical reflections on the nature of human

18 Ibid.

19 Illustrative in the case of the variety of Zionisms is the short essay by Jehoschua, Abraham B.: Die Zionistische Revolution – Hat sie eine Fortsetzung? In: Dachs, Gisela (Ed.): Jüdischer Almanach der Leo Baeck Institute. Identitäten. Frankfurt a. M.: Jüdischer Verl. / Suhrkamp, 2009, p. 67-77.

20 Based on Anderson's concept of nationalism and especially its late localized version in the non-European world. See Anderson, Benedict: Die Erfindung der Nation. Zur Karriere eines folgenreichen Konzepts. Berlin: Ullstein, 1998, p. 100-121.

21 See Osterhammel's important works on the relationship between rulers and ruled and de-colonization. For instance Osterhammel, Jürgen: Kolonialismus. Geschichte – Formen – Folgen. München: C. H. Beck, 1995, p. 112-124.

22 Cit. Duncker, Christian: Kritische Reflexionen des Ideologiebegriffes: Zur Bedeutung der Ideologien für den Menschen. London: Turnshare, 2006, p. 34. In addition the website and the blog of the research group *Ideologieforschung* are highly recommended. See Ideologie-Report. See also Walter, Lammi: The Relevance of Hermeneutics to the Study of Ideology (paper). AUC, N. d.

23 See Gellner, Ernest: Nationalism. New York: New York Univ. Press, 1997, p. 62.

24 See Bell, Daniel: The End of Ideology. On the Exhaustion of Political Ideas in the Fifties. Glencoe: Free Press, 1960.

25 See Fukuyama, Francis: Das Ende der Geschichte. München: Kindler, 4th Ed., 1992. See also Bracher, Karl Dietrich: Zeit der Ideologien. Eine Geschichte politischen Denkens im 20. Jahrhundert. Stuttgart: DVA, 1982, p. 12.

interaction; the values which humans ought either to reject or aspire to, and the correct technical arrangements for social, economic and political life which will meet the needs and interests of human beings.²⁶

On a functional level ideologies utilize varying strategies when constructing value and symbol oriented frames. In this process they are not necessarily simplifying propaganda. Moreover, they can allow for complexity, e.g. in sciences or philosophy. With regard to the nucleus of an ideology one has to differentiate between an arguing-fundamental and a pragmatic-operative sphere. Fundamental values, norms of belief, morality and typification of ideologies and their legitimacy require the demand for concrete individual or collective action according to the framework given by the fundamental ideology.²⁷

According to Vincent, “ideologies are complex structures of discourse which carry immense amounts of inherited, interwoven intellectual baggage, often increasing by the year. Every ideology is therefore a conjunction of intellectual hybrids.”²⁸ The competition of varying drafts represents an inner discourse in which each ideology is claimed to stand for absolute truth and, similar to a religious belief, for purity in terms of a doctrine.²⁹ They formulate imperatives for political ideas³⁰ and serve as frameworks of reference for political action³¹, together with an emphasis on how political outcomes and political power as such are justified.³² The functional dimension of legitimation is here relevant due to this thesis' focus on the concrete organization of rule and political power in the state and modes of interaction between its institutions:

Relations of domination may be established and sustained [...] by being represented as legitimate, that is, as just and worthy of support. The representation of relations of domination as legitimate may be regarded as a *claim to legitimacy* which is based on certain grounds, expressed in certain symbolic forms and which may, in given circumstances, be more or less effective.³³

This process finds its manifestations on the Indian Subcontinent after partition where the cultivation of the IndoPak antagonism with its idioms of Indian “secular nationalism” and Pakistani “religious communalism” enabled separation and distinctiveness to become the dominant regional narrative. Such antagonisms require the definition and location of „the other“, before „the self“ can be constructed as something fundamentally different: “Secularism had become India's *raison d'être*, whereas the two nations theory was much of the same for Pakistan. For that reason, any discourse on Pakistan's identity as a nation or state refers – implicitly or explicitly – to its Indian counterpart. Pakistan 'lives' vis-à-vis India.”³⁴ Similarly, Israel's political reality is inevitably identified as being linked to its relationship with its Arab neighborhood in the light of the hegemonic narrative of the Israeli-Palestinian conflict. Like on the Indian subcontinent before partition, images of the enemy

26 Cit. Vincent, Andrew: *Modern Political Ideologies*. Oxford (a.o.): Blackwell, 2nd Ed., 1995, p. 16. Alternatively, the Oxford dictionary offers the following definition: „Any comprehensive and mutually consistent set of ideas by which a social group makes sense of the world (...). An ideology needs to provide some explanation of how things have come to be as they are (...).” Cit. McLean, Ian/ McMillan, Alistair (Eds.): *The Concise Oxford dictionary of Politics*, 2nd Ed., Oxford, 2003.

27 See Vincent, 1995, p. 16-18.

28 Cit. *Ibid.*, pp. 18/19.

29 See Bracher, 1982, p. 17.

30 See *Ibid.*, p. 13.

31 See Vincent, 1995, p. 19.

32 See Giesen, Klaus-Gerd (Ed.): *Ideologien in der Weltpolitik*. Wiesbaden: VS-Verl., 2004, p. 10. In Marxist terms, in the sense of Antonio Gramsci and Anthony Giddens, an ideology can be interpreted as a part of hegemony which in the struggle about meaning is challenged by counter-hegemonies.

33 Cit. Thompson, John B.: *Ideology and Modern Culture. Critical Social Theory in the Era of Mass Communication*. Stanford: Stanford Press, 1990, p. 61.

34 Cit. Wilke, Boris: *Boundaries of State and Military in Pakistan*, p. 189. In: Schlichte, 2005, p. 183-210.

were formed within the colonial context during the British mandate and in the framework of the *Yishuv*'s land-oriented policy that clashed with local Arab interests.

1.2 Religious Representation and Self-Expression in the Political Culture

In contrast to the state of Israel, often considered to be “an island of stability in a turbulent Middle East” with strong state institutions and a stable democratic political system, Pakistan seems to be trapped in a failing or failed state narrative since its inception. However, few authors stated that Pakistan does not apply as a lost state.³⁵ It had been demonstrated that some institutions such as the army and the civil service are in fact overdeveloped and strong, even at times of crisis and fragility.³⁶ Among the sectors that profit most from the weakness of the political institutions, Wilke sees religious parties as the “parallel” institutions of society that are deeply involved in domains in which the state is underrepresented.³⁷ Their ability to offer public resources and competitive systems of social services like education and welfare centralizes their position within society. Given the fundamental changes and social differentiation within the religious field – fragmentation, inner group dynamics, internationalization and popularization of religion, e.g. through *da'wa* (missionary activities) organizations, merging of religious and political groups – the religious parties represent a distinctive sphere:

In these societies, this differentiation was manifested in the development of (1) the religious field or sphere as distinct and autonomous from other institutional spheres in the society; (2) specific religious organizations and roles; and (3) several types of religious orientations emphasizing the autonomy of religious values and activities vis-à-vis other institutional spheres of the society.³⁸

As a part of this institutional autonomy from the state³⁹, the “religious experts”⁴⁰, many of whom were educated dually in religious and secular institutions of learning, are located at the mergers of tradition and modernity as important mediating agents of change.⁴¹ The religious authorities enjoy privileged access to authoritative religious knowledge.⁴² They interpret, transmit and accommodate changes in their societies and states.⁴³

35 See Kühn, 2011; Cohen, Stephen: The Nation and the State of Pakistan. In: Washington Quarterly, Vol. 25, 2002, p. 109-122; Wilke, 2005, p. 183-210; Lieven, Anatol: Pakistan. A Hard Country. London (a.o.): Allen Lane, 2011.

36 With regard to the army, a former Swedish Ambassador stated: “The nuclear weapons are, by all accounts, well protected by the armed forces, with very little say from the civilian setup. The army is not dysfunctional – it is in fact overfunctional. Where people are undernourished, the army is well fed; where people are illiterate, the army is well educated; where people are crowded in slums, the army has lots of green grass at its disposal. The army is also known for its discipline. It is not in the Pakistani army that extremists start shooting indiscriminately at their colleagues – it is in the US army.” Cit. Wilkens, Ann: Smoke Gets in Your Eyes. Pakistan in 2010. Afghanistan Analysts Network Policy Briefing No. 1, 2010, p. 7.

37 See Wilke, Boris: Die religiösen Kräfte in Pakistan. Dynamik von Politik und Religion in der Weltgesellschaft. In: SWP-Studie, Stiftung Wissenschaft und Politik. Berlin, 2006, p. 8.

38 Cit. Eisenstadt, S. N.: Comparative Civilizations and Multiple Modernities. Leiden (a.o.): Brill, 2003, p.61ff.

39 “[...] a critical variable in accounting for the ability of its agents to promote their state vision”, according to Friedland. Cit. Friedland, 2001, p. 144.

40 Cit. Zaman, Muhammad Qasim: The Ulama in Contemporary Islam. Custodians of Change. Karachi: Oxford Univ. Press, 2004, p. 189.

41 See Hartung, Jan-Peter: Reinterpretation von Tradition und der Paradigmenwechsel der Moderne. Abū l-A‘ lā Maudūdī und die Jamā‘at-i Islāmī, p. 108. In: Reetz, 2001, p. 107-126; Reetz, Dietrich/ Liebau, Heike (Eds.): Globale Prozesse und „Akteure des Wandels“. Quellen und Methoden ihrer Untersuchung. Ein Werkstattgespräch, Arbeitshefte ZMO, Vol. 14. Berlin: Verl. Das Arab. Buch, 1997.

42 This includes what Zaman calls the new religious intelligentsia without proper traditional religious or philosophical education and the authority of intermediaries which stay in between a “lumpen-intelligentsia” and “pro-western” or western-oriented intellectuals. See Zaman, 2004, p. 1.

43 See Geertz, Clifford: Religion as a Cultural System, p. 14ff. In: Banton, Michael (Ed.): Anthropological Approaches to the Study of Religion. London: Tavistock Publ., 1966, p. 1-46. For the role of the rabbi in society see Knobel, Peter S.: Rabbi. An Interpreter of Religious Experience, p. 47ff. In: Central Conference of American Rabbis: Rabbinic Authority, Yearbook. N. p.: 1982, p. 47-54; Zaman, 2004, p. 189.

However, in the course of change, their authority has been challenged by the modern bureaucratic state that attempted to bring all spheres of public life under its regulation. Religious newcomers and popularized versions of religion contributed to a process of transformation for their “anti-intellectualism” and the general problem of illiteracy and lack of readership.⁴⁴ The complexity of hierarchies, alliances, loyalties and enmities within the religious sector is further increased by the interconnections between religious leaders that are associated with the establishment and those who are considered “peripheral” for their distance to the establishment or critique against existing conditions. In Pakistan and Israel alike, this becomes apparent when high-level scholars with postures in ministries or government support the initiatives by low-ranking authorities intellectually.⁴⁵

Here, it seems adequate to point out to the crisis of leadership that is felt throughout all social classes in both countries and which is also bemoaned by the political and religious sectors. To begin with the former, at present, the ruling government of Pakistan under Asif Ali Zardari as well as his preceding regimes have lost the hearts and minds not only of the masses but also the much needed support from the civil-bureaucracy, the military and civil-society leaders. Time and again disappointed by the inconsistency of a sociopolitical system of power relying on kinship, nepotism and corruption, the country's majority is alienated and excluded from the political process. Mass poverty, illiteracy and the social divide, guaranteed because of the persistence of feudal structures of power and the lack of national integration, contribute to socioeconomic marginalization.⁴⁶ Subsequent national pathways designed and experimented with by Pakistan's regimes – be it Islamic Socialism, Islamization or Enlightened Moderation – were unable to meet the basic needs of the country and its society and hence finally failed. The collective experience of declinism and crisis goes hand in hand with a lack of reliable leadership, enforcing the well-articulated consensual desire for charismatic, visionary and pragmatic new national leading figures. The decline of leadership is also felt with regard to religious authority. With few exceptions, those religious groups of India that were formed during the end of colonial rule when large segments of Muslim society were politicized in the 1920's, entered elections and politics on the shoulders of their leading personalities. This was massively the case during the rule of Ayub Khan when they formed the non-political oppositional camp and from the 1970 elections onwards. Irrespectively of their electoral power, the passing of their great leaders – Mufti Mahmud of JUI in 1980, JUP's Shah Ahmad Nurani (2003), the JI with

44 Roy writes: “The issue is not about writers but about readers. Why are reformists so little read? Do literacy or censorship or wealth explain this paradox? [...] There is among all religious revivalist movements of the late twentieth century a widespread anti-intellectualism that favours a more emotional religiosity, linked with individualism and with the crisis of intellectual authority. Charismatic Christian movements, as well as the Jewish Lubavitch, explicitly propose an alternative to an intellectualized faith. They play on emotion through rituals and collective expressions of faith, using symbolic and ostensible markers of belonging to a community (such as the candle-lighting for the Lubavitch). [...] Born-again believers have an obvious contempt for intellectualism. Feelings are more important than knowledge. An enjoyment of faith, a pleasure in belief, in being in touch with God are clearly manifested. Religious meetings are like festivals in that this religiosity is modern, based on the idea that the self is at the centre of religion. The self and hence the individual is at the core of religiosity. Faith is personal, faith is the truth. Faith is not religion.” Cit. Roy, Olivier: *Globalised Islam. The Search for a New Ummah*. New Delhi: Rupa, 2005, pp. 30/31.

45 See Zaman, 2004, p. 171ff.

46 “Another major consequence of poor leadership has been that Pakistan has been unable to build and sustain a diversified and vibrant economy; the agricultural system which should have been the backbone of growth from Independence onwards has been unable to live up to its promise. The stutters and starts of the manufacturing industry are well known and the financial sector although well managed is fragile due to overall economic issues facing the country. Pakistan is heavily indebted and has little to show for it. The people are poor, marginalized and humiliated and the Taliban insurgency has taken a heavy toll on national confidence.” Cit. Hafiz, Saad: *Pakistan. Failure of Leadership*. In: Pak Tea House, 14 March, 2011.

the death of Maulana Maududi (1979) and the Shi'a with the assassination of Arif Husayn al-Husayni (1988) – brought a serious set-back. These leaders combined traditional Islamic education and personal charisma, together with the dynastic authority, based on their descendant from prominent families of eminent scholars, Sufis or the socioeconomic elites. Some of them might have been even more than outstanding leaders in the eyes of their followers. Evolving messianic cults styled the personality of Shah Ahmad Nurani with the image of a prophetic *mahdi*, “the perfect leader (*murshid-e kāmīl*)”, as a “saviour who will lead the people from darkness to light and who prevents all evil due to his aura”.⁴⁷ To this day, Jewish communities worldwide perceive the Lubavitcher Rebbe who died in 1994, as a mediator between his fellow *habadniks*, the world and god, and as “a prophet in our time” who “has urged us to prepare for the imminent revelation of the Messiah by observing the Seven Noahide Commandments given by God through Moses at Mount Sinai”.⁴⁸ Although the *Habad-Lubavitch* movement is still split with regard to its last rabbi who yet during lifetime, was seen as the hidden *messiah* by one faction. Followers of this stream, display their believe that Rebbe Menachem Mendel Schneerson did not *mamash*⁴⁹ (really, truly) physically pass away, with yellow pins on its clothes, a yellow flag with a crown and the word *moshiach*⁵⁰ (Messiah) and an empty chair at congregations, and represent a dominant group within the movement. Both these cases stand apart since Nurani and the Lubavitcher not only served as the iconic leading figures for their movements but also because of their propagation of a new millennium, that will restore contemporary order and will provide the basis for a new just and equal society,⁵¹ similar to the Judeo-Christian references to the “kingdom of heaven” (*Malkuth HaShamayim*).⁵²

This is also why a historical long-term analysis of religious parties is necessary in order to identify those political organizations that consistently touch on religious or nationalist values and ideas when creating their agenda and legitimize the concept of leadership and their own spiritual leaders by means of their traditional religious education, rather than political competencies and leadership skills.⁵³ However, the shifting of focus and ideological orientations of religious political parties and partisan groups displays changing perceptions of the state: The religious forces analyzed in this study, though by far not all of them, show a commitment to the state's ideology that, in many cases, seems to be even higher than that of other political forces. This is surpris-

47 Cit. Malik, Jamal: The Luminous Nurani: Charisma and Political Mobilisation among the Barelwis in Pakistan, p. 46. In: Werbner, Pnina (Ed.): Person, Myth and Society in South Asian Islam. Social Analysis. Journal of Cultural and Social Practice, Special Issue, 1990, p. 38-50.

48 Cit. Habad: Flyer a). N. d.

49 Integral part of *Habad's* messianic theology is the excessive use of codes and kabbalistic symbols. The term *mamash* is essential for those who believe that Menachem Mendel Schneerson is still alive and hidden but not visible to humanity due to a worldwide lack of spirituality, for it includes his name's initial letters.

50 The flag symbolized the beginning of the messianic era and collective redemption, a kingdom of peace, harmony and unity among the Jews with the Third Temple to be (re-)build.

51 Nurani's vision of a future society aimed primarily at delegitimize the PPP government, presented as responsible for all evil and misfortunes in Pakistan, and was therefore a vague political agenda but with the notion of *nizām-i mustafā*, it included a clear religious outlook of this future society. See Malik, 1990, p. 42-45.

52 Or "the world to come" (*Olam ha-ba*) and “God's Kingdom” (*Malkuta de-Adonai*). See Def. In Jewish Encyclopedia: Kingdom of God. Online version of the 1906 Ed.

53 “Religious nationalist parties initially appear to be products of a politically expedient and easy synthesis between two competing ideologies and venues to depict ideal societies: nationalism and religion. However, the intricate relationship between nationalism and religion, which includes both tenets of rejection and dependency, makes this combination anything but an easy ideological coupling.” Cit. Tepe, Sultan: Beyond Sacred and Secular. Politics of Religion in Israel and Turkey. Stanford: Stanford Press, 2008, p. 106. On the religious parties, a paper with preliminary findings has been produced during research for this thesis. See Gaier, Malte: Religious Parties in the Political Systems of Pakistan and Israel. In: Atlantic Community, 28 March, 2011.

ing when reconsidering the strong religious opposition against government initiatives throughout subsequent phases of national history with state interventions into the domain of the religious educational sector, taxation and funding. In other words, whenever the state tried to change what can be subsumed as the “status quo”, it evoked religious resistance. On the other hand, with regard to the state's security mission, the religious sector plays an important role as a upholder of the state's ideology and his nationalist self-image.⁵⁴

Focusing on the political history of Pakistan and Israel, religious organizations and activists are involved not only in issues restricted to purely religious disputes, but they have testified their ability to mobilize particular sectors of society on religious, ethnic and political grounds. Especially the ethnic factor in combination with a religious agenda brought by a new dynamic in the political systems of Pakistan and Israel. Given an exclusive setup of both political communities and their institutions that was maintained in essence and consolidated the political dominance by one ethno-national group – Ashkenazi Jews linked to secular Zionism in Israel and in Pakistan old Punjabi families more liberal in their Islamic tradition and stemming from the urban salariat class and the military – was challenged by the engagement of new competitors on the political scene. Exemplary is in the Israeli case the rise of the *Sephardi Guardians of the Torah (Shas)* during the 1980's as the reaction of the Sephardi minority to a social, economic and scholarly marginalization in the Israeli State. However, it was a generation of young rabbis, stemming predominantly from a Middle Eastern Sephardi milieu whose split from the Ashkenazi mother party *Agudat Yisrael* was basically induced by scholarly arguments and sectarian disputes. Their claim of restoring the 'Sephardi crown to its ancient glory' ought primarily to restore the prestige of the Sephardi seminaries and Torah schools (*yeshivot*), rather than to create a political platform to represent a 'Sephardi identity' – a term that had in fact never been used in Israel before *Shas* entered the political community. In Pakistan, the political organization of the Deobandi, *Jam'iyat-e 'Ulama'-e Islam*, together with the *Jama'at-i Islami*, the self-proclaimed “Vanguard of the Islamic Revolution” and three other religious parties representing the *Shi'a*, the Barelwis and the *Ahl-e-Hadith* formed the political alliance *Muttahida Majlis-e Amal* (MMA). The results of the 2002 national and provincial elections of about 18 percent for the MMA that took over the government in the NWFP and participated in the Baluchistan government, was based on an intensive mobilization of ethnic identities in the border area, namely the Pakhtuns. From the very beginning, the Pakhtun society became victimized by the war from the beginning of *Operation Enduring Freedom*⁵⁵ (October 2001) involved in the war against the US Army in Afghanistan, mainly by victimization, therefore, anti-American resentments that were still strong were systematically revitalized by the religious-parties in combination with the religious card of the game claiming Islam being in danger. In this case, as well as in the Israeli case, the disintegration of religion is equalized with the collapse of national sovereignty or as the hampering of identity and nation building.

54 Malik underlines this important factor that contributed to Nurani's popularity not only among his followers and theologians from other schools of thought, but also with regard to government, the political elite and the military: “He can be considered a prototype of the new political-religious leader, displaying features like a claimed descent from the founding Muslims, affiliation to Islamic centres, political and religious charisma, initiation into different Sufi orders, missionary activities, migration, formal as well as theological education and familiarity with different languages, as well as the acceptance of the new ideology of nationalism.” Cit. Malik, 1990, p. 40.

55 Originally coded „Operation Infinite Justice”, it was renamed and launched on 7 October, 2001, with massive air-to-ground strikes on Taliban hideouts including high civilian casualties. See for instance Lambeth, Benjamin S.: *Air Power against Terror. America's Conduct of Operation Enduring Freedom*. Santa Monica: National Defense Research Institute/ Random Corp., 2005.

Generally, religious parties fulfill all those legal conditions that apply to secular political parties and are in terms of analysis structurally not distinct from political parties.⁵⁶ Therefore, they participate in the civic culture and have to accommodate their program with the principles of political legitimacy – especially the religious component of a state's ideology – to which they frequently refer. Due to the paradigm of the State of Israel as a Jewish state on the basis of its Jewish cultural and religious heritage no secular political party would distance itself from the religious symbolism which is materialized in various official ceremonies and rituals in the Israeli political arena. With the exception of the Ashkenazi ultra-orthodox party *Agudat Yisrael* (today's alliance *United Torah Judaism*) no party that identifies itself at least to a certain extent with religion, would not label itself as “super-Zionist”⁵⁷ and as loyal to state and nation. The case of *Agudat Yisrael* is exceptional since the party and its Council of Torah Sages refuses the Zionist State of Israel but holds seats in the Knesset. Some functionaries lead ministries, but under the title of a Deputy Minister which expresses the maximum of commitment to the Zionist state, the *haredim* are willing to show.⁵⁸ In Pakistan, the same phenomenon can be observed when ethnic-nationalist parties that distanced themselves in the past from Islamic phrases, increasingly refer to Islamic values and traditions and share their expressions in public life, e.g. when leaders of political parties like the *Muttahida Quami Movement* (MQM)⁵⁹, a party that promoted to rights of the Indian Muslim immigrants to Pakistan (*muhajirun*) after Partition in 1947, join the *Shi'a* processions at the occasion of *Mubarram*⁶⁰. The religious repertoire is activated not only by parties that are traditionally supposed to be religious and originate from a religious school of thought with a specific ideology. Rather, secular parties accumulate religious elements within the field of political competition as a source of legitimacy in a civic culture that is strongly influenced by religious values.⁶¹ It is, as Marty puts it, the “religio-secular” world that is “neither exclusively secular not exclusively religious, but rather a complex combination of both the religious and the secular, with religious and secular phenomenon occurring at the same time in individuals, in groups, and in societies”⁶². In return, religious political groups accumulate secular elements while promoting a doctrinaire religious agenda. This is due to the secular electoral rules of political participation and necessary to open the ranks of a party platform for members and supporters of other religious, political and social milieus and to mobilize them as voters in order

56 See Rosenblum, Nancy L.: Religious Parties, Religious Political Identity, and the Cold Shoulder of Liberal Democratic Thought, In: Ethical Theory and Moral Practice, Vol. 6, No. 1, 2003, pp. 23-53. Nevertheless, social sciences and political studies did not focus very intensively on religious-political parties despite lively academic debate on religion and religious identities per se and their linkage to the debate on multiculturalism. See Schuster, Anke: Religious Political Parties: A Gap in Multicultural Theories. Paper, Workshop “Multiculturalism and Moral Conflict”, Durham, 21-23 March, 2007.

57 Interview with Rabbi Nissim Ze'ev, Founder Shas, Jerusalem, 4 January, 2010.

58 MK Yaakov Litzman, former chairman of the Finance Committee of Knesset serves as a Deputy Minister for Health in the current Netanyahu cabinet. The decision, not to take an oath to the state as a minister, reflects the position of the Rabbis of the Ger dynasty. Litzman follows Rebbe Yaakov Aryeh Alter, the current leader of the Ger Hassids in Israel.

59 Formerly *Muhajir Quami Movement*. According to some analysts, MQM dropped the ethnic *muhajir* marker to strengthen its claim of national competitiveness and to open its ideological also for the wider religious symbolism. See Budhani, Azmat Ali (a.o.): The Open City: Social Networks and Violence in Karachi. In: Crises States Working Papers, No. 2, 2010, p. 4-7.

60 In this holy month, the Shia commemorates Imam Hussain's martyrdom in the Battle of Kerbala (680).

61 In 2007, Pakistani media, together with Islamist hardliners were able to bring the issue of Benazir Bhutto's excessive use of Islamic symbols into the public discourse. When she returned to Pakistan from exile on 18 October, television showed her covered with Islamic talismans (*taweez*) and with a *qur'an* held over her head by fellow PPP activists. The day of her return was marked by two bomb blasts on her procession, however, Bhutto survived. As a result, PPP workers and supporters started to wear talismans openly – normally they are worn under the clothes not visible for others. Interview with Arif Malik, Journalist, Rawalpindi, 22 July, 2009.

62 Cit. Marty, Martin E.: Our Religio-Secular World, p. 42. In: Daedalus, 132, Vol. 3, 2003, p. 42-48.

to maximize their chances of entering governing coalitions.⁶³ As Demerath and Williams emphasized, the secular ruling elite uses religion to pursue power but tries to distance itself from religion as soon as the power structures have been consolidated.⁶⁴ This policy of keeping religion at arm's length is illustrated by various cases in Pakistan and Israel the political leadership frequently gains the support of religious leaders – and vice versa, with modernist religious intellectuals being “in alliance with the post-colonial state”.⁶⁵ Though one could state that these gestures are more symbolic, the traditional religious sector has learned to capitalize this dependence and claims in return pragmatic political concessions. Following a rabbi and asking for his spiritual guidance and support is not exceptional in Israeli politics. Private audiences at the residences of former Israeli Chief Rabbi Ovadia Yusuf, the spiritual master (*maran*) of *Shas*, are an inherent part of Israeli political culture. In the case of Tzipi Livni this ritual became a challenging issue when Rabbi Ovadia refused to receive the female *Kadima* leader in the middle of the 2009 polls election campaign, when Livni refused to accept the demands of *Shas* to re-extend the financial support for the religious education system and the subsidiaries for families that was before drastically reduced by than Minister of Finance Benjamin Netanyahu (*Likud*). In Pakistan, political heavy weights like Nawaz Sharif (PML-N) and newcomers like Imran Khan (PTI) alike adhere to religious leaders: The Sharif family, through Nawaz' marriage to Kulsum Sharif, the daughter of a distinguished family from Lahore's Sufi milieu.⁶⁶ While the clan's patriarch, Mian Muhammad Sharif, became a member of the *Ahl-i-Hadith* when the family moved to Lahore after partition, the sons Shahbaz and Nawaz, showed their generosity towards groups like the Tablighis or Lahore's Barelwis, e. g. with the rebuilding of the shrine of Data Ganj Baksh, of whom Nawaz' wife is a follower.⁶⁷ In turn, the Sharifs were able to ensure religious support for their rule over Punjab from various religious groups. It is said that *Minhaj ul-Qur'an*'s Tahir ul-Qadri who was *imam masjid* at the Ittefaq Mosque, Model Town, Lahore, which was built by the Sharif's and named after their steel company, had been a loyal supporter of the family until he began to launch campaigns against the prime minister in the 1990's. Other high-profile politicians, such as the Bhutto-Zardari⁶⁸ family, despite – or because of being Shi'ites, tended to show religious neutrality or even overemphasized Sunni symbolism in public.⁶⁹ Imran Khan whose mother and sisters followed a female *sufi* from Suhiwal, Lahore, frequently accentuates his adherence for poet Muhammad Iqbal and a local *pir*, Mian Bashir Ahmad, whom he

63 In addition, many parties that can be located somewhere in between secular and religious ideological positions, found organizations that later become semi-autonomous units, e.g. *Jama'at-e Islami* and its student wing IJT, *Gush Emunim* and NRP. In addition, they “integrate political activity with social and spiritual life. Seen as part of this web of associations with overlapping affiliations, religious parties appear more like membership groups than other parties”. See Rosenblum, 2003, p. 23-53.

64 See Demerath, N. J./ Williams, Rhys, H.: *A Bridging of Faiths: Religion and Politics in a New England City*. Princeton, N.J.: Princeton University Press, 1992.

65 Cit. Zaman, 2004, p. 7.

66 “It is not a minority perception in Punjab, that Nawaz, irrespectively of his family relations with pirs and his politics, is himself seen as something like a pir.” Cit. Interview with Abdullah M. Adnan, Associate Director International Institute of Strategic Studies and Research (IISSR), Islamabad, 23 July, 2009.

67 See Lieven, 2011, p. 276.

68 Zulfikar Ali Bhutto was born into a family of Hindu converts while his wife Nusrat Ispahani who at life times had been glorified by the PPP as the “Mother of Democracy” (*Maadr-i-Jumburial*), stems from a Shiite-Iranian background. See also Bhutto, Benazir: *Tochter der Macht*. München: Knaur, 1991; Bhutto, Fatima: *Songs of Blood and Sword. A Daughter's Memoir*. New Delhi (a.o.): Penguin, 2010.

69 Similarly, the former Prime Minister Gilani whose family is Barelwi avoided to overemphasize issues linked to the Barelwi-Deobandi schism. Conversation with Dr. Mujeeb Ahmad, International Islamic University, Islamabad, July, 2009.

claimed to be his spiritual guide until his death in 2005.⁷⁰ With regard to the military elites, Islamic missionary movements such as *Tanzeem ul-Ikhwān* and *Tablighi Jama'at* and high position representatives of the military and civic bureaucracy have cultivated frequent circles for prayers (*ḡīker*). These gatherings were initiated by General Zia but have become strong networks where religious leaders meet local politicians, generals, former Chiefs of the Army Staff and former Directors of ISI.

Generally speaking, the instrumental use of religious parties by the state or the political class aims at, 1) marginalizing competing mainstream parties in general and left-of-center parties in particular – quite often in alliance with the military and security establishment, 2) appeasing the religious sector by power sharing in the government or limited legal, political or institutional concessions, 3) gaining social and financial control over the institutions of the traditional religious sector, 4) legitimizing rule by religious means and symbols and, 5) integrating religious groups as a proxy force in the regional geo-strategic security agenda.⁷¹

Scholars from various disciplines and the increasing number of studies in the field of religion and politics tend to focus either on the reasons behind the dominant role of religion in societies in the light of the secularization paradigm or the impact of the bearer of religion, religious parties, on domestic and international politics. Implicit to this is often a trend to contrast the Western-styled liberal democratic thought with the emergence of religious-political parties and non-parliamentary partisan movements not least to a religious-based threat to democracy. Mistakenly, religious agents are portrayed as a force that blocks democracy and its idea of a participative parliamentary system. However, it seems to be more adequate to understand religious forces as those societal forces that are – similar to other social spectra – notably affected by social change and, therefore, demand more participation in politics.⁷² However, in the case of this study, one has to take into account that religious groups in Pakistan and Israel from the beginning were actively involved in the negotiations with the political leadership on the religious character of the future state and in fact preceded the independence movements. While both states have consciously avoided a theocratic model of statehood, in both countries the predominantly reluctant religious sector has successfully gained disproportionate political and discourse power. Considering the concept of religious nationalism brought up by Juergensmeyer and van der Veer, religious actors have to be seen not only as players in the political arena but also as power shaping powers and important agents of nation building.⁷³

1.3 Threats, Security Cultures and the External Dimension of State Ideology

National security conceptions and strategic thinking in Pakistan and Israel are subjected to material factors such as the special nature of civil-military relations, cultivated over time and through accumulated historical experiences in changing internal, regional and international frameworks. In this sense, military doctrines as part

70 See Khan, Imran: *Pakistan. A Personal History*. London: Bantam, 2011, p. 87ff. Furthermore, Khan has a close relationship to Yousaf Salahuddin who is a grandson of Iqbal, businessman, patron and benefactor of arts and an influential figure in Lahore's high society.

71 Coined by Byman as "state sponsorship". See Byman, Daniel: *Deadly Connections. States that Sponsor Terrorism*. Cambridge: Cambridge University Press, 2005.

72 See also Jung, Dietrich: *Religion und Politik in der islamischen Welt*. In: *ApuZ*, Vol. 42/43, 2002, p. 31-38.

73 See Juergensmeyer, Mark: *The New Cold War? Religious Nationalism confronts the Secular Order*. Berkeley: Univ. of California Press, 2003; van der Veer, Peter: *Religious Nationalism: Hindus and Muslims in India*. Berkeley: Univ. of California Press, 1994.

of the national security doctrine or interest belong to the material dimension or what Bar-Joseph called the *operational milieu*.⁷⁴ For instance, the two basic factors in Pakistani and Israeli strategic thinking being, geostrategic vulnerability through a lack of strategic depth and the dependency on support by a big power play a significant role in the doctrinal setup. In this study, security policies and doctrines are not understood as static fields of state business, and fixed political and security policy discourses, isolated from day-by-day politics, public opinion and solely directed by the military and higher political elites. Rather, threat perceptions and their concrete implications or the way how imagined, potential and real threats are perceived makes a focus on psycho-political factors obligatory.⁷⁵ Therefore, in addition to the operational dimension one has to focus on the influence of the *psychological milieu* on decision-making in foreign and security policy, which is constituted by the state elite's – civilian and military – keeping in mind the national past and self imagery.⁷⁶ The latter is constructed predominantly on historical and conflict-centered experiences based on the master narrative of the birth in war followed by a life in inescapable conflict while seeking peace. Since both countries never enjoyed full and durable peace with their neighbors the image of peace they seek for is the image of an abstract and utopian peace.⁷⁷

In contrast to limited threats, the dramatic nature of existential threats or *continuous existential threats* (CET's) is mainly based on their implications that go beyond the matrix that allows to manage a conflict politically. Threats in general but especially CET's can rely on self-reproducing mechanisms that "make certain conflicts impervious to resolution, or just some other form of control" through escalatory dynamics.⁷⁸ CET's are interwoven with the ideas, values, symbols of a state – its ideology and core of legitimacy – threaten a state not only physically but also ideologically and have the potential to overshadow traditional conflicts and societal cleavages. This reciprocity is symptomatic for protracted conflicts and negotiations as well as the reluctance and "political fear" of states that "negotiations and concessions might jeopardize their national existence."⁷⁹ Negotiating with the other imposes the risk of a substantial backlash regarding the subject matter and political

74 This milieu defines a national security conception as "the product of the given reality of external environment and internal resources". Cit. Bar-Joseph, Uri: Towards a Paradigm Shift in Israel's National Security Conception, p. 99. In: Karsh, Efraim (Ed.): Israel: The First Hundred Years. Vol. II, From War to Peace? London: Frank Cass Publ., 2000, p. 99-114.

75 The term *psycho-political* refers to "psychological, social-psychological, and cultural factors as they affect political behavior". This is based on the idea that behavior and decisions in international relations, beyond institutional, political and idealistic factors, to a considerable extent are based on the attitudes and behavior of each conflict party induced by images of the national self, ideological beliefs and perceptions of the other. Kaplowitz used the term 'interaction effect' which supports his argument that the state and its institutions can not be seen as a black box, but as reciprocal connected with their non-statist environment. Cit. Kaplowitz, Noel: Psychopolitical Dimensions of International Relations: The Reciprocal Effects of Conflict Strategies, p. 373. In: International Studies Quarterly, Vol. 28. No. 4, 1984, pp. 373-406.

76 See Bar-Joseph, 2000, p. 99.

77 Regarding the utopian component of peace in the Israeli debate, Gavriely-Nuri writes: "Full peace (*shalom male*) – this phrase refers to the full diplomatic as well as civilian relations (including commercial and cultural ties, tourism, etc.) as normally maintained between friendly countries. It represents a situation contrary to formal peace (usually known as a cold peace, *shalom kar*), with the two closely resembling the pair *peace de facto* vs *peace de jure*." Cit. Gavriely-Nuri, Dalia: The idiosyncratic language of Israeli 'peace': A Cultural Approach to Critical Discourse Analysis (CCDA), p. 572. In: Discourse & Society, Vol. 21, No. 5, 2010, pp. 565-585.

78 Cit. Wæver, Ole: What exactly makes a Continuous Existential Threat existential – and how is it discontinued?, p. 19. In: Barak, Oren/ Sheffer, Gabriel (Eds.): Existential threats and civil-security relations. Lanham: Lexington, 2009, pp. 19-35. For a detailed introduction into CET's see also Buzan/ Wæver/ de Wilde, 1998.

79 Cit. Kelman, Herbert: Social-Psychological Dimensions of International Conflict, p. 73. In: Zartman, William (Ed.): Peacemaking in International Conflict: Methods and Techniques. Washington: United States Institute of Peace Press, 2007, p. 73.

opposition and resistance by non-state hardliners.⁸⁰ Regardless of what Jerusalem or Kashmir might be worth as objects, the perception of both is ideologically, psychologically and emotionally connected to much more existential values and beliefs whose loss would inevitably impair the ideological framework of which they were made an integral core element. Although many politicians would agree to a limited and conditional Israeli withdrawal from selected West Bank settlements, it remains a minimal consensus in political mainstream between doves and hawks, leftists and rightists, non-observant and observant Jews, to refuse compromises on the matter of the status of Jerusalem or to change its post-1967 status which is Jerusalem complete and united, indivisible and eternal capital of the Jewish People in the Land of Israel.⁸¹ Similarly, although the initial Kashmir dispute had been primarily a political dispute between Congress and Muslim League, escalations like the wars between Pakistan and India and the competition between a Kashmiri movement – claiming secular determined liberation, constitutional emancipation and independence – , a minority of militants and Muslim political organizations, transformed it into an ideological and religious conflict. Mainly the shifting of discourse, from secular-territorial to religious-territorial, linked Kashmir with Pakistan's confessional imperative to claim Kashmir as an integral part of the Islamic Republic, justified on the basis of the 'Two-Nation-Theory'.

The way how nations see themselves in the course of history reflects an intransigent attempt to “normal-ize” their historical track and memory through which a society “produces ideas of what a normal past should look like and uses those images as ideals to strive for or denied rights to long for.”⁸² Using Olick's terminology of national “claims of genuineness”, images enshrined in the „national story“ refer to a specific past and express the desire of adapting it to the nation's present and future. These claims for images of authenticity are exemplary embodied in the claim of inclusiveness (US, Australia), of innocence referring to a historical burden combined with the desire to undo the past (Germany, South Africa, Cambodia, Rwanda etc.)⁸³, and of inevitability and legitimacy challenged by adversaries and new sub-narratives from within society (Israel)⁸⁴:

Given the seeming pervasiveness of such narrative foils, we might wonder if images of normalcy serve some formal as well as substantive purposes, such as giving identitarian myths – and the programs they motivate – dramatic shape. Just as there are many reasons why cases cannot be normal, moreover, there are many definitions of normalcy. The question is how images of normalcy work within and are produced by particular societies; normalcy is as much an endogenous feature of collectivities as it is an external standard.⁸⁵

When self-imagery and perceptions of the other tend to be continuously stable, approaches towards conflict can become highly affected by situational outcomes of wars and the interaction with what is seen as the enemy. As Kaplowitz pointed out, national self-images and the prism through which the other is perceived, experienced a new stimulus in the case of events that were “very costly, spectacular, catastrophic, or cumulative”

80 See Saunders, Harold: *Pre-negotiation and Circum-Negotiation: Arenas of the Multilevel Peace Process*. In: Crocker, Chester/ Hampson, Fen Osler/ Aall, Pamela (Eds.): *Turbulent Peace: The Challenges of Managing International Conflict*. Washington: United States Institute of Peace Press, 2001, p. 490ff.

81 United due to Basic Law: Jerusalem, Capital of Israel passed by the Knesset on 30 July, 1980.

82 Cit. Olick, Jeffrey K.: Introduction. *Memory and the Nation – Continuities, Conflicts, and Transformations*, p. 382. In: *Social Science History*, Vol. 22, No. 4, 1990, pp. 377-387.

83 This claim is most prominently expressed in the concept of German collective guilt which was introduced after World War II accepted by many German political leaders and intellectuals. For a detailed discussion of the policy of regret and its international dimension see Barkan, Elazar: *The Guilt of Nations: Restitution and Negotiating Historical Injustices*. Baltimore: John Hopkins Univ. Press, 2001.

84 See Olick, 1990, p. 382.

85 Cit. *ibid.*

86 Cit. Kaplowitz, 1984, p. 399.

. The perception of key events in the history of both states changed over time: Israel's military self-image as *Shimshon der nebidicker* (poor little Samson) or inferior David miraculously defeating superior Goliath in the 1948 War of Independence and the 1967 Six Day War was challenged by the catastrophic outcome during the first days of the 1973 Yom Kippur War and subsequent wars. But the “divine miracle” or the “rebirth” of Israel, as it was interpreted by the religious Zionist and Kookist narrative and adopted by the government, as a direct result of its total victory and Israel's new hegemonic role in the region, annulled Israel's claim of inevitability of conflict and non-acceptance until the anticlimax of 1973. In comparison, Pakistan's defeat and the surrender of its army in East-Pakistan in 1971 is a similar case in point. Pakistan's total defeat after the surrender of its troops, the de facto territorial and political-ideological state collapse after the creation of Bangladesh together with the national feeling of humiliation and revisionism among its leadership, required a renegotiation of the national story. Responding to the near death experience of 1971, the day before Dacca's fall on 16 December, Zulfikar Ali Bhutto in his infamous speech at the UN Security Council promised to “come back and fight” and the survival and transformation of his country into “a new, a better and a greater Pakistan” and threatened “a thousand year war” with India.⁸⁷

1.4 Methodology

The research framework combines cultural and historic research as it analyzes how theoretical or abstract products come into practice as institutionalized features of the state and in the social field. Involving historic arguments and methodology, the study cannot provide a complete chronological and consistent view on all events. Rather, it has been attempted to introduce relevant key events in history and to contextualize them within the framework of analysis which is based on dominant variables like religion, politics, nationalism and security. It is also not the aim of this study to present the full amplitude of socioeconomic, historic-political and cultural factors in their entirety. They specify *why* certain short-term trends or long-term developments occur. What is more of interest – and what can sufficiently be analyzed and explained in this study – is *how* these developments were interpreted and instrumentalized.

Cross-country comparisons are challenging endeavors in which the researcher is forced to always recalibrate his position and view on the subjects of interest in order to guarantee a well balanced focus between the two (or more) cases. Comparative works often have to deal with reservations and it seems to be taken as granted that the outcome of a study can and should primarily focus on similarities between the subjects being analyzed. This creates a precondition, holding that only similar cases can be compared. In this study this view is questioned with an attempt to analyze *similar* phenomena playing a *comparable role* in Pakistan and Israel. However, *differing* phenomena can also have a *comparable function* and *similar phenomena* can have *differing outcomes*.⁸⁸

87 See Abbas, 2011.

88 A comparative analysis of Pakistan and Israel also has to deal with the much cited problem of “the big V and the small N” inherent to the debate on cross-country comparisons in political sciences with too many variables (V) but only few cases (N). This problem can be solved when increasing the cases or reducing the number of variables analyzed in the study. Instead of increasing N by including other countries in the study, I reduced the variables by organizing them in dominating but open and interrelated key or control variables (religion, nation, security, politics) to such an extent that in the end, in the two cases Pakistan and Israel (N = 2), I introduced more key variables (V = > N).

The selection and operationalization of variables poses another challenge to the comparison: The interrelation of variables like religion and politics makes clear that any analytical approach has to reconsider the functional dimension of both variables, understood not as an individual and separable phenomenon but as a structural concept including both.⁸⁹ This includes the notion of religion as an independent variable when for instance politics is influenced by religious factors – or when it is “sacralized” to use this popular term. On the other hand, religion can be influenced by a policy as well or by political actors, programs and institutions that “politize” religion. Then, the dialectic impact of politics on religion (or ethnicity, national identity etc.) can signify the use of religion in the service of politics (dependent variable) vice versa.

This study holds that only through systematic comparative and intensive in-depth case-studies it is possible to explain complex phenomena and to focus on their context and preconditions. This assumption can and should also be expanded to cases which seemingly represent “most different cases” in order to generate new results and to go beyond the narrowed focus of single case studies or “most similar cases” comparisons. The former always have to neutralize the main argument, that apples and pears are two distinctive cases which cannot be compared without risking to overstretch the framework of analysis.⁹⁰ Therefore the view on the subjects – among which religion has a central position – requires an interpretation of religion which goes beyond the narrow determinants of interpretation set by a distinctive religious doctrine – that is Islam or Judaism including their manifold sub-sects, schools of thought and traditions. This step automatically involves a range of various disciplines and somewhat crisscrosses research fields like history, political sciences – including comparative politics and international relations – anthropology and religious studies. In order to adequately approach the field of security and related psycho-political phenomena like threat perceptions, it is inevitable to discuss theoretical approaches stemming from the fields of military and security studies as well. Nevertheless, comparisons which involve an inter-religious comparative element have somewhat been a neglected terrain in the research tradition on nationalism which had been made prominent by Benedict Anderson, Ernest Gellner and others.⁹¹ However, the comparative method – often over-hastily labeled as the way out of ethno- and euro-centrism⁹² – can provide an instrument which can maximize the researcher's efforts to escape euro-centrism and orientalism. The goal of a comparison is to investigate similarities and differences, convergence and divergence between the two cases which allows to explain phenomena within their specific context, rather than to

89 In this context I am following Sharkansky: „Politics and religion are similar as a social phenomenon. Politics and religion depend on one another. Both religion and politics employ doctrines and organization in order to advance their causes in competition with rivals. The commonalities of politics and religion are in the various fields of their behaviors.“ Cit. Sharkansky, Ira: *The Politics of Religion and the Religion of Politics: Looking at Israel*. Maryland: Lexington Books, 2000, p. 11-14.

90 For the varying forms of comparisons in social sciences see also Lijphart, Arend: *Comparative Politics and the Comparative Method*. In: *American Political Science Review*, Vol. 65, No. 3, 1971, p. 682-693.

91 Inter-religious comparisons seem to shift the focus from nationalism to globalization, trans-nationalism, new religious movements and to the more popular fields of terrorism and religious violence. See for instance the works on fundamentalism: Marty, Martin E./ Appleby, R. Scott (Eds.): *Fundamentalisms Observed*. The American Academy of Arts and Sciences: The Fundamentalism Project, Vol. 1. Chicago (a.o.): Univ. of Chicago Press, 1991 and consecutive volumes 2-5 (1993-95); Six, Clemens; Riesebrodt, Martin; Haas, Siegfried (Eds.): *Religiöser Fundamentalismus. Vom Kolonialismus zur Globalisierung*. In: *Querschnitte*, Vol. 16. Innsbruck, Wien (a.o.): Studien-Verl., 2004. See also Kippenberg, Hans G.: *Gewalt als Gottesdienst. Religionskriege im Zeitalter der Globalisierung*. München: C.H. Beck, 2008; Malik, Ifkhar H.: *Jihad, Hindutva and the Taliban*. Karachi: Oxford Univ. Press, 2005, to name some of them.

92 For his overview on the state of the debate, see Kaelble, Hartmut: *Die Debatte über Vergleich und Transfer und was jetzt? In: Geschichte Transnational*, 8 February, 2005. In this case more of relevance is Haupt and Kocka's distinction between synchronous and diachronous comparisons. See Haupt, Heinz-Gerhard/ Kocka, Jürgen (Eds.): *Geschichte und Vergleich. Ansätze und Ergebnisse international vergleichender Geschichtsschreibung*. Frankfurt a. M.: Campus, 1996, p. 9-45.

just describe them. Furthermore, the comparison aims at analyzing the results of both cases in the interest of a generalizing common position.

1.4.1 Comparative Dimension: Some Notes on Pakistani-Israeli Relations

Especially since the 1990s, historical comparisons experienced a revival in both the publication of comparative studies and the theoretical and methodological debates that are associated with them. The ideas of “*histoire croisée*” and “entangled history” are part of that debate.⁹³ The selection of the cases Pakistan and Israel neglects the focus on direct or indirect transfers between the two countries: Discussed only in few articles, Pakistan-Israel relations lack a tradition of normality in terms of existing political-diplomatic or economic ties.

⁹⁴ The demand for closer ties is, understandably, rare:

Given the isolation of Israel vis-à-vis the Islamic world, and given Pakistan's increasing isolation through the perception of its increasing radicalism, the opportunity to show a nascent dialogue between the second largest Muslim nation and the Jewish state would be a public diplomacy boon for two countries with flagging public diplomacy images. Dialogue with Israel gives Pakistan more credibility to burnish a moderate image, while dialogue with Pakistan allows Israel to reach beyond seclusion. All of this being carried out through non-diplomatic, nongovernmental channels helps mitigate the dynamic of the absence of formal diplomatic relations.⁹⁵

Contacts between the two countries, in Pakistan often referred to as „ideological twins“, do officially not exist. Rather, bilateral relations are framed by Pakistan's non-acceptance of Israel on the official level and by intelligence reports, mainstream political statements and psychological mindsets claiming Israel's frequent intervention in Pakistani affairs on the unofficial level.⁹⁶ Only little attention in public has been given to the existing backdoor diplomacy reaching its positive climax in September, 2005, when the foreign ministers met in Istanbul, followed by a meeting between president Pervez Musharraf and prime minister Ariel Sharon.⁹⁷

Pakistan sees Israel primarily through the military and economic prism. The debate to cope the Israel Defense Forces' reserve system, admiration for Israel's becoming the rising Nasdaq star behind the US and China and the world's leading start-up nation or the country's visionary plans to utilize the vast Negev desert region for agricultural developments have since been focused on. But the dominating ideological discourse concentrates on Israel's role as an illegitimate occupying force, enemy to large parts of the Arab-Muslim world and the powerful symbolism inherent to the Israeli-Palestinian conflict. In Pakistan, like in most other Muslim countries, the Middle East conflict evokes expressions of solidarity and fraternity towards the Palestinians, combined with anti-Israeli and antisemitic mindsets through all strata of society. In November, 2010, the Jewish Agency reported on a recent aliyah made by Jews from Pakistan to Israel. According to the press release, the airlifting operation was undercover and complicated based on a confidential agreement between the two

93 For the concept of *histoire croisée* see Werner, Michael/ Zimmermann, Bénédicte: *Beyond Comparison: Histoire Croisée and the Challenge of Reflexivity*. In: *History and Theory*, Vol. 45, 2006, p. 30-50; for “shared” or “entangled history” see Conrad, Sebastian/ Randeria, Shalini (Eds.): *Jenseits des Eurozentrismus. Postkoloniale Perspektiven in den Geschichts- und Kulturwissenschaften*. Frankfurt a. M.: Campus Verl., 2002.

94 See Kumaraswamy, P. R.: *The Strangely Parallel Careers of Israel and Pakistan*. In: *Middle East Quarterly*. Vol. 4, No. 2, p. 31-39; *ibid.*: *Beyond the Veil: Israel-Pakistan Relations*. Jaffee Center for Strategic Studies, Memorandum No. 55, 2000; Yegar, Moshe: *Pakistan and Israel*. In: *Jewish Political Studies Review*, Vol. 19, No. 3-4, 2007. Siddiqi, Ayesha: *Is Pakistan like Israel or North Korea?* In: *The Express Tribune*, 6 June, 2010.

95 Cit. Rockower, Paul: *Israel-Pakistan Public Diplomacy Campaign*, Pub D 504, 12 December, 2008, p. 3.

96 For instance Israeli plans to destroy Pakistan's primary nuclear facilities in Kahuta during the 1980s in a strategic alliance with India.

97 During the 1990s bilateral relations suffered when Israeli authorities refused to provide a visiting visa for prime minister Benazir Bhutto's trip to the Palestinian territories.

governments. Out of the 2,500 members of the Jewish communities in Pakistan that were recorded in 1947, probably around a dozen Jews remain in Pakistan, mainly in Karachi, Sindh, where the *Bene Yisrael* have lived over the past centuries. Discriminatory politics and everyday life in the Muslim majority society and a promising future in Israel made more and more Jews leaving the country, most of them without compensation for their property. Gen. Pervez Musharraf became the first Pakistani leader to officially recognize the Jews of Karachi during an official visit to Jewish communities in New York. Proposals to establish diplomatic ties with Israel provoked harsh opposition from all political and religious camps. However, a historical review illustrates continuing efforts by subsequent governments to establish loose strategic links between Jerusalem and Islamabad. Similarly, Israel's governments who were clearly oriented towards India based on economic and strategic interests, aimed to include Pakistan in their regional security paradigm. Beyond the political level in Pakistan, resentments against Israel remain embedded within a popularized narrative highlighting the "Mossad-CIA-Blackwater-RAW" connection in which Israel, together with the US and India, is seen as an omnipresent force harming the strategic interests of Pakistan with its spy operatives being active on Pakistani soil. Hence, a strong political-ideological anti-Israeli element and latent antisemitism in Pakistani society and public consciousness, forms a substantial part within the national conspiracy mindset which, according to Siddiq, resulted in an abstract and highly ambiguous relationship:

Pakistan has a love-hate relationship with Israel. While we abhor Tel Aviv, secretly powerful Pakistanis happily claim similarities between the two states starting with the fact that both Israel and Pakistan were created on the basis of a religious identity. For those who compare a sense of similarity probably makes them feel important and elevated. After all, Islamabad would like to feel as important as America's best buddy. Some might argue that such comparison itself is a sign of neo-colonial mentality of Pakistani rulers.⁹⁸

Israel in turn sees Pakistan primarily – if not exclusively – not as a direct adversary but as a key nuclear and terrorist security threat to the Western world.⁹⁹ While geographically bound to the Middle East, there is a strong orientation within Israeli self-perception according to which the State of Israel, historically and culturally, is seen as belonging to the West. Following the 9/11 attacks, Israel's political leadership declared Israel's solidarity with the US, the "free world" and the West. In reaction to the attacks, Israel mobilized its troops along the Israeli-Syrian demarcation line despite ongoing peace talks with Damascus via mediators. Subsequently, Israel – although not directly involved – has provided support and legitimation for the international and US-led missions in Central Asia, Middle East and Africa. Single events such as the kidnapping and murder of *Wall Street* journalist and American-Israeli citizen Daniel Pearl in 2002 and the 2008 Mumbai attacks in which members of a Jewish *Habad* community were killed by *Lashkar-i-Taiba* operatives, believed to have been trained and equipped on Pakistani soil, reinforced traditional Israeli and international perception of Pakistan. Facing a new proxy war with Iran, Israel has suspected Pakistan's ISI to have silently provided intelligence for Iranian operations against Israeli diplomats in India, Thailand and Georgia in 2011/12 which are believed to reciprocate assassinations of Iranian nuclear scientists by Mossad-trained Iranian dissidents.¹⁰⁰ Taken together, the lack of intensive interrelations allows the comparison to circumvent the problem of diffusion of intercon-

98 Cit. Siddiq, 2010.

99 See Bar'el, Zvi: With all eyes on Iran, who's watching Pakistan's nuclear arsenal? In: Ha'aretz, 25 November, 2009.

100 In turn, similarly to the Arab bloc in the OIC and at the UN, Iran has supported Pakistan's cause with regard to Kashmir. See Pakistan Today: Pakistan's enemies will be considered Iran's enemies: Ahmadinejad, 21 May, 2012.

nected cases which usually jeopardizes the assumption of independence between analytical units, such as states, societies, economic systems etc.¹⁰¹

1.4.2 Field Research, Critical Literature and Language

Preliminary works has been done in my master thesis in which I focused on the genesis of the *Jama'at-i-Islami*, initially a competitor to the narrative of statehood as represented by the Muslim League and later a political partner of subsequent regimes. However, central determining aspects of Pakistani Muslim nationalism and its inner paradigm shifts were touched upon only briefly. Between 2009 and 2012, in the course of research and writing, the situation in Pakistan and Israel remained highly volatile due to a sequence of key events in its foreign and domestic affairs. With regard to their implications on the thematic subjects of this thesis, their influx into the national discourse uncovered the central issues discussed in this work and helped to contrast them. However, I tried to concentrate on the long-term developments, attitudes and discourses within the context of state ideology. Within the voluminous corpus of existing literature on the subject I tried to contrast older literature produced during the early years of statehood with what we can call new critical literature.¹⁰² As in most societies, official historical narratives are prominently presented by an old guard of historians whose authority is challenged by a new generation of scholars that has been born after independence and thus, often claims to represent a redefinition of historic nativeness based on their access to more sophisticated sources such as official archive documents. Among these scholars of whom most live abroad and of whom some earned remarkable international reputation, some were strongly criticized at home and labeled as denigrators and whistle blowers. Their conclusions and analysis were often portrayed as contributing to the division of the nation and to international isolation. This scholarly atmosphere in which early works tend to triumphalism while their responsa often tend to negativism and cynicism, would deserve an in-depth analysis.¹⁰³ As for this work it reflects an academic clash of competing narratives and illustrates the politicization and emotionalization of discourses on history and memory and reaffirms their hybrid nature.

In this study I refer to various specific terms that are not self-consistent and which I try to reconstruct within the given country-specific framework. Therefore, when I refer to “the nation”, “the land” or “the conflict” or adapt a specific expression (e.g. the “Afghan Jihad”, “war or struggle for independence“, “existential threat” etc.), I do this with reference to the specific meaning implied in these terms when they were mentioned in the literature or in the interviews. This is based on the assumption that the specific individual meaning of a term and how it is understood and interpreted individually, can only adequately be reflected by reproducing

101 For Galtung's problem see for instance Naroll, Raoul: Galton's Problem: The Logic of Cross-Cultural Research. In: Social Research, Vol. 32, No. 4, 1965, p. 428-451.

102 Special reference is given to this corpus in Chapter III which I used throughout the study.

103 In its quality, this problem seems to be more visible in the Israeli case, despite similar trends in Pakistani academia and increasingly in the post-9/11 years. For instance in a booklet by US-Israeli NGOs with special focus on anti-Israeli campus culture, one author complains: “There are numerous reports of professors questioning the legitimacy of the State of Israel, in class, and students feeling too intimidated to challenge them, for fear of ridicule or reduced grades. Academic freedom goes a long way, particularly on traditionally liberal college campuses, where Israel has gone from David to Goliath since the Six-Day War of 1967. The Jewish state is commonly perceived as a brutal occupier of the Palestinian people and stumbling block to Palestinian freedom and statehood. Too few students have the knowledge, or courage, to offer a counter view.” Cit. Rosenblatt, Gary: Israel's biggest Threat on Campus, p. 44. In: Bard, Mitchell G.: Tenured or Tenuous: Defining the Role of Faculty in Supporting Israel on Campus. Israel on Campus Coalition/ American-Israeli Cooperative Enterprise, 2004, pp. 44/45.

the term via its associated symbols, beliefs and historic references. When I refer to the occupied territories of the West Bank as “Judea and Samaria”, I use a term that is religiously overloaded with biblical connotations and politically linked to the rejection of the Palestinian claim for the territory envisioned as part of a future Palestine by the UN in 1947.¹⁰⁴ While initially the term was used mainly in the political rightist camp and by most religious groups, it later entered the popularized language of the political mainstream and is, thus, part of a “nationalized” repertoire.

As supplementary sources to the literature collected during field research in Pakistan, Israel and the Palestinian Territories¹⁰⁵, I conducted interviews. Selected interviewees were active and retired representatives of political parties and institutions – here special reference was given to religious-political parties and their non-parliamentary wings – civil bureaucracy, governmental and private think tanks, faith-based organizations and NGOs, military, media and diplomats, scholars and academicians affiliated with institutes and universities. With regard to the mesa complex of this study this broad selection of interviewees reflects not only the intention to include the arguments and opinions of both, the “ruling elite” and the “intellectual elite”, but also the dialectics between supporters, bearers and profiteers of the state system and those who stand in opposition to the state. The interviews were conducted as semi-qualitative and semi-structured interviews in which I tried to cover a certain sequence of themes combined with selected or suggested questions. In opposition to fully structured interviews, this method provides the maximum of openness to change the sequence in order to reach viable answers in regard to the main research questions.¹⁰⁶ The interviewer is in this way able to improvise follow-up questions and to dig deeper in areas of interest that emerge to explore further meanings and dimensions. The interviewee, selected because of his expertise and specific inside view or because of his membership in a specific group, his position in institutions, or due to his status as an intellectual or well-informed citizen allows an additional level of understanding of historical events or current trends within his society. Given the researcher's status as an „outsider“ – in this case a foreigner, non-Muslim and non-Jew – the expert's knowledge and personal view is made accessible through the interview.¹⁰⁷ Given the already broadened focus of this study, I will discuss theological aspects of Islam and Judaism with respect to their impact on practices of religious life and their legal, political and cultural-ideological translation in the Pakistan and Israel. This of course leaves open important theological contexts as they might be expected in the case of in-depth comparative religious studies.

104 See United Nations General Assembly Res. 181, 29 November 29, 1947.

105 Data was collected in Pakistan from May to July, 2008; June to September, 2009; March/April, 2011, and in June, 2011. Field research in Israel and in the West Bank has been done from December, 2009, to January, 2010, and in June and November, 2010.

106 See Kvale, Steinar: *Interviews: An Introduction to Qualitative Research Interviewing*. London: Sage, 1996. For expert interviews see Haller, Michael: *Das Interview. Ein Handbuch für Journalisten*, 2nd Ed. Konstanz: UVK, 1997, p. 152ff.

107 In addition, interviews via phone and email as well as informal conversations helped to aggregate data and information. Participation at conferences, workshops, meetings and receptions organized by academia, press and security and diplomatic communities as well as attendance at sessions and events held by the Knesset, the Arab League, UN bodies, NGOs and others, provided further understanding towards the local and regional matrix. Events organized by political foundations, think tanks and universities in Pakistan, Israel, Egypt and Germany gave important impulses as well.

1.5 Content

The chapters are aimed to organize overlapping areas of research. In some parts, phenomena still persist, while at the same time new developments emerge. In the greater interest of presenting the phenomena, this has resulted in a breaking up of strict linear chronology.

This **first chapter** will introduce into the theoretical frameworks which I will adopt the basis for the discussion of the empirical data in Chapters 3 to 7. These involve the central role of the state and its resources. A main interest of this study lies in analysis of the use of cultural resources through which an ideological corpus is adopted and modified to its local context. Further, orientations towards the state by society in large and its particular elites are highlighted. This step involves the focus on how religious forces – political and non-political movements that promote a religious program – are represented in the political culture. This includes mainly those who decided to cooperate with the state and to accept it in principle. Again, it seems to be problematic to follow a common view in political sciences which sees the religious in terms of a passive participant in politics, in the democratic process and in the state's institutions. However, this thesis sees the religious parties as an active element that co-formulate the framework of Pakistani and Israeli political cultures, their respective political interests which are often based on concrete demands, for instance in the fields of education, in the constitutional debate, and, increasingly, in main domains of state affairs such as foreign policy. This thesis holds that this active and continuous role is mainly legitimized because of the state's strong ideological emphasis on religion. Similar to the strong religious framing of political culture, the continuous perception of threats, some of them being existential, has contributed to a framing of political culture, mindsets in society and state ideology itself with a strong orientation towards security aspects. Thus, securitization and cultures of insecurity are introduced as a concepts which will be discussed in their specific local contexts in the following chapters.

The **second chapter** of this work is dedicated to the complex nexus of religion and politics on the one hand, and nationalism as a concept with its link to the nation-state on the other. Here it is vital to put forward the discourse and debate over the nature of the state not only as the political supreme but also as an ideological construction which was established by a secular Western oriented political elite that, despite its efforts to share power with traditional religious forces only reluctantly and only for the sake of their political support, allowed religion to become a central pillar. Since independence, the image of the state has been fortified with numerous symbols, myths and narratives. Accordingly, religion not only entered and changed the political culture to such an extent that, beyond its stakeholders, the religious-political parties, secular power groups have to obey to the framework and its strong references to Islam and Judaism. The analysis of Israel in the following chapters illustrates that the sacralization of politics appears to be an irreversible social process with a secular and non-observant Jewish majority unable to push through its demands against a minority of religious orthodoxy while the Pakistani case indicates that liberal-progressive impulses in the ideological state discourse were increasingly tabooed. The chapter also highlights the concept of nationalism and tries to reflect its inner dialectics and how these factors provide the ingredients of a modern state ideology. Especially the first complex, the relation between religion and politics, over the past decades, has become a classic within the fields of

political sciences. Its inherent problem is the question of how to define the boundaries between the antagonism created by Western political philosophy and the paradigmatic dilemma of the interrelationship between tradition and modernity. Similarly, the nation-state is a concept which had to be integrated into communitarian-universalist concepts such as the *umma* and the Jewish people or the children of Israel. Studies on nationalism and ideologies share the inability of their prolific writers to define the limitations of both complexes. Keeping this problem of definition in mind, inherent also to the field of ideologies, this chapter is an attempt to focus on selected country-specific characteristics of nationalist and religious discourses in order to inductively approach the complex of ideology.

In the **third chapter**, I will present selected topoi as they are enshrined in the official national narratives and represent core references of state ideology. Pakistani narratives of partition, very much like their Israeli counterparts with the *shoa* in its center and against the background of the fundamental crisis and the emerging identity of a homeless people which so strongly influenced the demand for a sovereign state, style the foundation of the state as a miracle, unexpected and created despite large opposition. In the Israeli case, the transference of Zionism from Europe to Palestine, and thus the transfer of components from European culture to a renewed Hebrew culture had a much greater impact on the self-consciousness of state and society as compared to the Pakistani efforts to strengthen Muslim symbolism with its phases of Arabization and Islamization. Historiography played an essential role in consolidating and disseminating myths, symbols and images of post-independence discourses. Suffused with hagiographic elements is the cult of leadership that, despite significant differences, places Mohammad Ali Jinnah as the central personality until his premature death in 1948 into the limelight of national historic discourse. Similarly, the legacy of David Ben-Gurion, until today the longest serving prime minister who was able to make himself indispensable within the political mechanisms and state institutions of labor Zionist Israel which he helped build and which expressed the paradigmatic transformation from Herzlian Zionism to the labor Zionist first republic of Israel (Ben-Gurionism), is identified as the father of the nation.¹⁰⁸ Subsequently, the two leaders defined the political culture significantly to such extent that even today, reference to their personalities is required for contemporary political forces to gain legitimation. However, while the national story, its memory and its founding myths in academia and in the public education system had been sacrosanct and remained unchallenged during the initial years, they were increasingly questioned since the 1980s by new critical scholarship that has gained increasing attention beyond its academic target groups and, especially in the Israeli case, generated a heated political discourse.

Instead of portraying a coherent vision of how the division line between the sacred and the mundane should be determined, leaders used symbols and narratives that strengthened the position of the state and empowered it to determine parameters of daily life on the legal level. The **fourth chapter** discusses key institutional tensions which, as an extension of state-society cleavages, point out to the wider context of the religious-secular divide as a grand theme and future challenge to Pakistan and Israel, largely unresolved to this day.

108 Ben-Gurion was in office from 1948 to 1953 and again from 1955 until 1963. After current prime minister Netanyahu (*Likud*, first term from 1996 to 1999 and second term since 2009) brokered a center-right coalition with *Kadima* in May, 2012, he will hold an absolute majority until the elections in 2013. Electoral success beyond 2013 would make the “King of Israel” who is the first state leader born in Israel, the longest serving prime minister since Ben-Gurion. See Stengel, Richard: Bibi’s Choice. In: *Time*, 28 May, 2012.

This perspective focuses on the status quo and analyzes institutional arrangements like the constitution, personal law and tries to define the status of minorities given the notions of Pakistan and Israel as religious states based on the doctrine of one particular majority sect, their descriptions as ethnic or military democracies. The latter refers to the exceptional role which the army plays beyond its key task of defense. Here I am arguing that the hegemonic role of the military in society, politics and economy has enriched the state ideology with the world-view of the army as an institution.

Policies endorsed by the state and especially in the fields of education, family planning and state subsidies were often seen as an existential threat by the religious establishment, who supposed that any renegotiation and conditionality of the status quo could threaten their authority in the religious discourse and their socio-economic status. This fear has been responded by the custodians of secular culture who are cautious of the fact that, from their perspective, too much of influence of religion would lead to a complete transformation of state and society.

In the **fifth and sixth chapter**, different religious-political orientations and their interpretation of the state will be highlighted. As has been shown in the first chapter, an ideology accumulated by the founding fathers and their political elites had been adopted to the state as a direct result of the political struggle for independence. Nevertheless, an ideology is here understood functionally as an umbrella body which itself adapts various elements. Accordingly different groups promoted differing narratives of state ideology or how the state should look like according to their view. Despite a great deal of discussion of the significance of the requirements of religion for the envisioned state and its society, only little attention had been given to the question of how to make religious needs adaptable and how to implement them into the structures of the nation-state, its political system, administration and bureaucracy and its legal bodies. This chapter offers insight into the ambiguous relationship between religious groups and the political guard who acquired the top positions in administration, politics and military after independence. The religious orthodoxy, of which some leaders had initially been opposed to the idea of a state but then had been appeased by the founding fathers, positioned itself at times contradictory. Accordingly, one can differentiate between different narratives of why and under which circumstances the state was founded but which relate to one and the same event. Distinct narratives were offered by the religious sector where groups explained the state and its creation in specific teleological terms, according to a fundamentalist or messianic paradigm etc.

Religious-political parties have learned the art of using the electoral political system and coalition tactics to its advantage and to impose “politics of piety” in public or in its domains where the state is not represented. Some elements within the religious sector aim at changing the status quo according to their religious-political program but remain committed to the state, its legitimacy and its institutions. In both countries there is the (contemporary) tendency to adapt symbols and values of secularist nationalism and especially those with Islamic or Jewish references, to the categories of traditional religion. This means that a rethinking and reinterpretation took place in which both, the secular and the religious, connected through reciprocal exchange, in fact overlap. Different from this loyalist-statist orientation, revolutionary streams emphasize an agenda of change in which current policies by the state are seen as having lost their legitimation. They intensively refer to

the state's narrative, which they accept in principle with only a minority that consequently denies the state's right to exist as an illegal human intervention in history.¹⁰⁹ What makes the two cases of Pakistan and Israel outstanding is not so much the fact that state policies faced opposition from religious forces. Rather, the focus of this thesis tries to highlight the nature of resistance offered to the state since it argues on the basis of official ideology with its references laid down during the crucial historic phase in which, especially on the constitutional level, the new state was determined to become an entity with its legitimation primarily being religious.¹¹⁰ Therefore, the motif of betrayal and unfulfilled promise by the state and its secular elites has significantly gained momentum since independence.

The analysis in the **seventh chapter** catalyzes the core elements of ideology and highlights the orientations it gave birth to with regard to the view towards the constructed „other“. Here, much emphasis is given to the security mission of the state which is the military, political-ideological and economic defense of its territorial, political and economic integrity and sovereignty if they are considered threatened.¹¹¹ The analysis of external threats to the state is aimed at illustrating that despite the continuity of the ideological conflict within, throughout the states' history, these tensions temporarily ease when external and especially existential threats emerge. This goes hand in hand with the attempts by state actors and their religious proxies to change the perception of the conflict. Genuinely based on territorial and political-ideological claims, the conflicts between Pakistan and India and Israel and its Arab neighbors, since their beginning, have been exposed to attempts to frame and legitimize them as the logical expression of an religious antagonism.

Finally, the **last chapter**, brings together and systematizes the arguments from all chapters. Siddiqa formed the term „national-religious security state“ with reference to both countries.¹¹² Other accounts saw both states as ideological laboratories which envisioned a national entity accompanied by the universalist claim of becoming the foundation stone for better, more equal and more peaceful new societies that would serve as role models for other countries that would follow them on the path of decolonization and independence. It is not the aim of this study to provide scenarios for the countries' future design. Nevertheless, it will try to focus on some main narrative strings which developed immediately after the states' creation but have been modified during their history. Among these grand themes, which are all dealing with existential fears indicating a more or less negative outlook to the future, the chapter will catch some relevant contemporary variants of these themes. Concluding, the chapter will end with the generalizing findings with regard to commonalities and differences between the two countries.

109 In Pakistan, new religious non-state partisan groups such as organizations under the banner of the Pakistani Taliban (TTP) argue that the ruling elite because of its inability to respond to the most pressing needs of their country and their corrupted power politics which is contrary to Islam in general and to the Taliban's doctrinal interpretation in particular, has lost its legitimation. Their war against the Pakistan Army and their attacks on symbols of the Pakistani state is, thus, justified as a just war against a non-Muslim entity which sold the country to the US.

110 A similar argument – reference to the religious narrative of statehood – is used by those groups who support the state and cooperate.

111 Here I provide much more room for the discussion of perceptions of external threats and their manifestation in the politics of security and foreign affairs.

112 See Siddiqa, 2010.

**Part I: BIRTH AND CONSOLIDATION OF RELIGIOUS-
NATIONALIST STATE IDEOLOGY**

2 The Theoretical Nexus of Religion, Nationalism and Politics

*As long as in the heart, within,
A Jewish soul still yearns,
And onward, towards the ends of the East,
An eye still gazes toward Zion;
Our hope is not yet lost,
The hope of two thousand years,
To be a free people in our land,
The land of Zion and Jerusalem.¹¹³*
HaTikvah (The Hope)

*Blessed be the sacred land,
Happy be the bounteous realm,
Thou symbol of high resolve,
O Land of Pakistan!
Blessed be the centre of faith.
[...]
The flag of the crescent and star,
Leads the way to progress and perfection,
Interpreter of our past, glory of our present,
Inspiration of our future,
Shelter of God, the Glorious and Mighty.¹¹⁴*
Pāk Sarzamīn (The Pure Land)

In the context of nation-building and its symbolic framework, national anthems play a significant role. Their narratives canalize central messages and connect the political-territorial identity of a state with the cultural identity of its people as a collective representation resulting in a specific historical narrative.¹¹⁵ Anthems reduce the high grade of abstraction and the universal claim embedded in a state ideology and simplify its content to make it more plausible for the common man.¹¹⁶ The triumvirate of religion, nation and politics – beyond the contexts of Pakistan and Israel – seems to be unequal or even contradictorily and leads one to raise the question of how religion as a traditional cultural field on the one hand, and the nation as a phenomenon linked to modernity on the other, as an antagonism make up for a couple. Further, one might ask why and how this is relevant to the field of politics. Any political culture with differing grades of religion and its structure, ideas and images in it, provides the framework in which political activism and mobilization take place. This seems especially true in the case of Pakistan and Israel whose ideological bodies seem to clash with the idea of strict secularism due to their history of thought. Further, keeping those two countries in mind, it seems also that the prognosis of religion being marginalized and privatized has lost its validity. Rather, Pakistan and Israel, like other “confessional” states such as Saudi Arabia (1932), Iran (1979) or Sri Lanka (1948)¹¹⁷ developed political and social cultures in which religious symbolism, myths and rituals¹¹⁸ constantly frame the national identity.¹¹⁹

113 Verses based on Naphtali Herz Imber's (1856-1909) poem *Tikvateynu* (1878). See also Heskes, Irene: *Passport to Jewish Music. Its History, Traditions, and Culture*. Westport: Greenwood Press, 1994, p. 229-234.

114 Text written by Abu-Al-Asar Hafeez Jalandhuri (1900-1982) who was also a political activist in the Pakistan Movement. His more prominent works include Pakistan's national anthem as well as the song text of *Watan hamāra Kashmir*, written during the 1960's and considered something like an anthem due to its reference to both AK and J&K. See *Pakistan Academy of Letters: Pakistani Literature*, Vol. 11, No. 1, p. 53.

115 See Friedland, Roger: *Religious Nationalism and the Problem of Collective Representation*, p. 129. In: *Annual Review of Sociology*, Vol. 27, 2001, p. 125-152, p. 138.

116 See *The Express Tribune: Pakistan creates new anthem record*, 14 August, 2011.

2.1 Religion and Politics

Within the process that finally leads to the declaration of sovereignty and the foundation of the modern nation state, the concept of the nation as „an imagined political community - and imagined as both inherently limited and sovereign“¹²⁰ has attracted significant attention. According to the classical view of European political theory, the nation manifests itself in the nation state and thus offers an unit of organization and values as a surrogate that can ensure existential security.¹²¹ Following Anderson's approach, the nation can be connected to the religious sphere. Thus, strict secular nationalism can be contrasted with religious nationalism, e.g. a civil religion.¹²² Rousseau's (1712-1778) ideal type of a *religion civile*¹²³, as it has been further developed by Bellah with reference to the USA, is a specific form of public religion. Later, Bellah himself revised his approach and introduced the term *public philosophy* which has to be applied as in contrast to institutionalized religion, e.g. churches.¹²⁴ According to Bellah, the autonomous dimension of the civil religion, in the case of the USA, is thus based on the American national identity and Christian and especially protestant symbols and images. It forms its own specific variant of a political culture whose political rituals and discourses are strongly influenced by a religious-nationalist self perception.¹²⁵ At the functional level, America's civil religion is preoccupied with religious semantics and central conceptions of exile, exodus and chosenness as well as biblical-territorial connotations which see the land in the light of a “new” or “American” Israel.¹²⁶

117 See Alavi, Hamza: Ethnicity, Muslim Society, and the Pakistan Ideology. In: Weiss, Anita M.: Islamic Reassertion in Pakistan. The Application of Islamic Laws in a Modern State. Lahore: Vanguard, 1987, p. 21-47. Here it remains open for further discussion whether states such as the Vatican apply as confessional states, as for instance Zingel suggests. See Zingel, Wolfgang-Peter: Stabilitätsanalyse Pakistan. In: Faath, Sigrid (Ed.): Stabilitätsprobleme zentraler Staaten: Ägypten, Algerien, Saudi-Arabien, Iran, Pakistan und die regionalen Auswirkungen. In: Mitteilungen, Vol. 67. Hamburg: Deutsches Orient-Institut, 2003, p. 281-320. Sharif al-Mujahid, historian and like Justice Javid Iqbal, the son of Muhammad Iqbal, one of the chief architects of Pakistan's official Islamic ideology, provides an international overview of states with religious constitutional provisions. See al-Mujahid, Sharif: Ideology of Pakistan. Islamabad: Islamic Research Institute, 2001, p. 172-191.

118 Considering these elements of the religious narrative, they functionally appear similar to the secular-nationalist repertoire. See Friedland, 2001, p. 129.

119 See Smith, Anthony D.: Nationalism and Modernism. A critical survey of recent theories of nations and nationalism. London (a.o.): Routledge, 1998, p. 141; Juergensmeyer, Mark: The New Cold War? Religious Nationalism confronts the Secular Order. Berkeley: Univ. of California Press, 1994, p. 5ff.; Westerlund, David (Ed.): Questioning the Secular State: The Worldwide Resurgence of Religion in Politics. New York: St. Martin's Press, 1996.

120 This definition is still seen as state of the art in the field of nationalism. Cit. Anderson, Benedict. Imagined Communities: Reflections on the Origin and Spread of Nationalism, Rev. ed. London/ New York: Verso, 1991, p. 5.

121 See Olick, Jeffrey K.: Introduction. Memory and the Nation – Continuities, Conflicts, and Transformations, p. 378. In: Social Science History, Vol. 22, No. 4, 1990, p. 377-387.

122 See Moyser, George: Religion and Politics, p. 433. In: Hinnells, John R. (Ed.): The Routledge Companion to the Study of Religion. London (a.o.): Routledge, Repr., 2007, p. 423-438.

123 See Rousseau, Jean-Jacques. Du contrat social ou Principes du droit politique (1762). Ed. Sálvio M. Soares, MetaLibri, 2008, Vol. 4, p. 93-101.

124 “There was an implicit but quite clear division of function between the civil religion and Christianity. Under the doctrine of religious liberty, an exceptionally wide sphere of personal piety and voluntary social action was left to the churches. But the churches were neither to control the state nor to be controlled by it. The national magistrate, whatever his private religious views, operates under the rubrics of the civil religion as long as he is in his official capacity [...]” Cit. Bellah, Robert N.: Beyond Belief. Essays on Religion in a Post-Traditional World. New York: Harper & Row, 1970, p. 176.

125 “This accommodation was undoubtedly the product of a particular historical moment and of a cultural background dominated by Protestantism of several varieties and by the Enlightenment, but it has survived despite subsequent changes in the cultural and religious climate.” Cit. Ibid.

126 Ibid., p. 168-190. For the element of chosenness as a leitmotif of nationalist interpretation of history, see Smith, Anthony D.: Ethnic election and national destiny: Some religious origins of nationalist ideals. In: Nations and Nationalism, Vol. 5, No. 3, 1999, p. 331-355.

Prior to the rise of nationalism as a focal point of European academic research in the 1930's, French theorist Ernest Renan (1823-1892) in his lecture *What is a Nation?*, assigned a significant but nevertheless limited meaning to religion in the building of a nation.¹²⁷ Renan's „civic nationalism“ is based on a „spiritual principle“, merging the glorious past of a community and its common sense of the present to live together as a nation – expressed in various cults of belongingness and identification that include religion but are not determined by its dogmatic core – rather than by its organizational uniting function and its pure symbolism.¹²⁸ Greek *polis* religion established a system of cults, particular rituals and sanctuaries, as well as a sacred calendar. This well-defined religious system was only accessible for a citizen of the *polis*. In other words, only worship to the *polis*' particular canon of identity made the individual an accepted member of the citizenry with all the privileges and responsibilities that were connected to the status of a citizen. Renan's claim to free the nationalist discourse from its dominant emphasis on objective characteristics such as race, class and religion, and to concentrate instead on the dynamics between the belief in belonging together because of shared past experiences – such as the sacrifice for the community – and its adaption to the present and the future, has proved highly influential to the historians' generation of Anderson, Gellner and Hobsbawm. Being not less influential, his lecture *Le Judaïsme comme Race et comme Religion*¹²⁹ deals explicitly with the ambiguity of the determination of the Jewish people as a unique ethnically and religiously defined exclusive identity. Rejecting both models, Renan claimed that only the expression of a “collective moral consciousness”¹³⁰ based on the political interpretation and transformation of world Jewry into a sovereign political entity as a state would substantiate and justify a *Volk* and a nation.¹³¹

Kippenberg and von Stuckrad pointed out to the potential of a discourse model of religion with which the cultural manifestations could be shifted into the focus of the general debate on religion in order to go beyond Bellah's narrow interpretation of religion.¹³² A similar argument can be found in the concept of a political religion according to which nationalism reproduces features of traditional religion and thus serves as a “political surrogate” for religion.¹³³

According to Voegelin has religion an essential function with regard to the political ideologies of the 20th century which saw themselves as products of modernity and secularism and as “anti-movements” and pluralistic “non-ideologies”¹³⁴ and targeted church and clergy but simultaneously occupied functional element of re-

127 See Renan, Ernest: *Qu'est-ce qu'une nation?* Lecture held at the Sorbonne University, 11 March, 1882 (Bibliothèque électronique de Lisieux).

128 See Ibid.

129 Held at a conference organized by the Cercle Saint-Simon, 27 January, 1883. For the print edition by C. Lévy (1883), see Open Library.

130 For this interpretation with regard to the Pakistani nationalist debate see Jalal, Ayesha: *Self and Sovereignty. Individual and Community in South Asian Islam since 1850*. London (a.o.): Routledge, 2000, p. 326.

131 See Renan, 1882. As a response to his works on Judaism, Renan was accused of racism and antisemitism although not in a biological sense. In his 1883 lecture Renan distanced himself from this criticism and also in later works he refused antisemitic determinations, at that time a common phenomenon within the European discourse on nationalism. This was especially the case in German ethnic nationalism. Interestingly, since the 1980's, Israeli anti-Zionist and post-Zionist writers rediscovered Renan's works and referred to it in order to contrast the Zionist dogmatic connotation of the Jewish people.

132 See Kippenberg, Hans G./ von Stuckrad, Kocku: *Einführung in die Religionswissenschaft. Gegenstände und Begriffe*. München: C. H. Beck, 2003, pp. 102/103.

133 See Smith, 1998, p. 98.

134 See Maier, Hans: *Politische Religionen. Gesammelte Schriften, Vol. 2*. München: C. H. Beck, 2007, p. 117.

ligion or even combined elements of religion.¹³⁵ This is especially the case at the affective-psychological level with regard to the individual dynamics of political movements and their rituals. Voegelin described political communities as social fields which could not be separated and treated solely as profane fields, e.g. of legal order or power.¹³⁶ In this sense, the connectivity between the individual and action and thought of a political ideology come close to a “religious experience” and the active participation in a “mystical process”. As part of this process, the individual's relation to the state is similar to that of a believer to its religious dogma. In other words, from the individual's point of view, the state becomes a divine entity whereas the ideology is framed as a “political messianism”.¹³⁷

And finally, the approach of a “political theology” is based on very similar assumptions, meaning the introduction of theological models into the political arena and their secularization and use for the purpose of reinforcing the legitimacy of specific policies. Then, political theology has to be seen as a system of reasoning and discourse that uses religious concepts in order to understand, evaluate, and shape a course of action in the political arena. In 1922, Carl Schmitt emphasized the unlimited power of the non-relative absolute of the state, in which he saw a conceptional secularized variation of the absolute in religion.¹³⁸ This feature is manifested in various political cultures worldwide and includes political rhetoric by various religious agents. But beyond that, a politicized theology can provide a meta-narrative for the political entity and framing of the past, the present and the future and provides a prism or matrix through which political reality can be interpreted and translated into theological meanings vice versa.¹³⁹ As a result, here again, the plausibility of actions by the state is understood as following and extending “the institutional logic of religion into the domain of the democratic nation-state [...]”.¹⁴⁰

Following Almond and Easton and their approach towards political culture¹⁴¹, the inclusion into a development process of a political system towards modernity and a “cultural secularization” – in this study – makes sense only to a certain degree given the fact that Pakistan and Israel as states were established by nationalist movements whose leaders and founding fathers, despite their secular or even anti-religious stances, had to accommodate the religious sectors with a systematic inclusion of religious elements into the legislative, executive

135 See for instance Hobsbawm, Eric: *Das Zeitalter der Extreme. Weltgeschichte des 20. Jahrhunderts*. München: DTV, 3rd Ed., 1999, p. 19.

136 See Voegelin, Erich: *Die Politischen Religionen* (1938). 2nd Ed. München: Fink, 1996, p. 63.

137 See Maier, 2007, p. 114; Smith, 1998, p. 98; Hornung, Klaus: *Das Totalitäre Zeitalter. Bilanz des 20. Jahrhunderts*. Berlin (a.o.): Propyläen, 1993, p. 22-57. Similarly, Smith writes: “[...] a surrogate religion which aims to overcome the sense of futility engendered by the removal of any vision of an existence after death, by linking individuals to persisting communities whose generations form indissoluble links in a chain of memories and identities.” Cit. Smith, Anthony D.: *The Ethnic Origin of Nations*. Oxford: Basil Blackwell, 1986, p. 176.

138 Until today, Schmitt's notion of the state's use of emergency rules or the state of exception, the underlying main instrument of power in dictatorships, attracts research on the position of the state in (post-)conflict societies for its prediction of enduring authoritarian rule. Carl Schmitt's contemporary political environment – the fragile Weimar Republic with the weakness of the legislative parliamentary power and the president's uncontrolled power to enact the state of emergency – and subsequent events, clearly substantiated his paradigm according to which the state of normalcy becomes an abstract model, borne down by the exception becoming the rule and instrument of power in the hands of the sovereign. For a commented work on Schmitt's concept, see Rissing, Michaela/ Rissing, Thilo: *Politische Theologie. Schmitt - Derrida - Metz. Eine Einführung*. München: Fink, 2009. See also Gray, Phillip W.: *Political Theology and the Theology of Politics: Carl Schmitt and Medieval Christian Political Thought*, p. 177-181. In: *Humanitas*, Vol. 20, No. 1 / 2, p. 175-200.

139 This last reflection requires the incorporation into an appropriate conception and critical definition of what the public political sphere is. Said this, and especially in the context of the well-established conceptions of the political culture, one becomes aware of the limited validity of classical system theory in political sciences.

140 Cit. Friedland, 2001, p. 142.

and judiciary. Rather, the emphasis laid on a “civic culture” based on secular and participative lines which at the same time bears strong non-secular values and beliefs, has to be critically revised.¹⁴² The persistence and continuity of religious institutions and religious symbolism stand in stark contrast to the model of a secular oriented political system and give prove to the only limited use of the concept of political culture with regard to the analysis of religious states and the influence of religion and ideology on state and society.¹⁴³ The same is of course true with regard to alternative models such as Kimmerling's “partial theocracy” which has been popularized by some accounts on the historical genesis of Israel.¹⁴⁴ Similarly, there is no appropriate model being used with reference to the secular discourse in Pakistan that lost much ground due to the expansion of institutionalized official Islam and its counter-models as provided by traditional authorities and institutions of learning.¹⁴⁵ Further, any secular discourse on the role Islam could play in Pakistan's society seems to have become victim to the politics of Islamization of the 1970s and 1980s and growing tabooing of its more contemporary and recent variants.¹⁴⁶ Among the sources to which apologists of a liberal-secular model, or a seemingly pluralist Islamic model of state refer – a kind of welfare state (*nizām-i-zakat*), as proclaimed by the *Jama'at-i-Islami* and other religious parties – is Pakistan's national hero and „poet of the East“ (*Sha'er-i Mashriq*) himself. Mohammad Iqbal, whose poetry was re-interpreted and instrumentalized by zealots from both the religious and the secular camp, wrote: „Be it the royalism of monarchs or the jugglery of democrats; Separate religion from politics and one is left with the barbarism of Genghis Khan.“¹⁴⁷ Equally idealized seems the notion of a “liber-

141 With regard to the factors that guarantee the stability for a political system, Almond and Verba see the “civic culture” as the merger of modernity and tradition as an ideal model. In contrast, they see the “political culture” as the model that allows the transformation of a political system from tradition to modernity and as the „the particular patterns of orientation toward political objects among the members of a nation“ Cit. Almond, Gabriel A./ Verba, Sidney (Eds.): *The Civic Culture. Attitudes and Democracy in Five Nations* (1963). Newbury Park: Sage Publ., 1989, p. 13. In this model, the orientation of citizenry towards values and norms is cognitive, affective and evaluative. Only the balanced and positive orientation by citizens towards the state at all three levels allows a stable political system which, according to Easton's input-output model, is a interaction-oriented system which includes the participation of all actors for their potential to mobilize political support and legitimacy. See *Ibid.*, p. 14; and Easton, David: *A Framework for Political Analysis*. Englewood Cliffs: Prentice Hall, 1965.

142 Cit. Seitz, Werner: *Die politische Kultur und ihre Beziehung zum Abstimmungsverhalten. Eine Begriffsgeschichte und Methodenkritik*. Zürich: Realtopia, 1997, p. 93.

143 See Almond/ Verba, 1989, p. 30ff.

144 See Kimmerling, Baruch: *The Invention and Decline of Israeliness. State, Society, and the Military*. Berkely: Univ. of California Press, 2001, p. 207ff.

145 Secular is here being used as indicating the liberals' difficulties to combine European-democratic political thought with religion. Obviously, it seems problematic to imagine a secularized or de-sacralized alternative model of state since this includes a fundamental paradigm shift by a state which is supposed to be religious because it has been created for a religious community, the Muslims of the Indian Subcontinent. The same dilemma of legitimation challenges those who, in the past and present alike, claimed Islamization of state and society to be the one and only way into Pakistan's future, thereby creating a situation in which „one can very well ask, what is to be Islamized in a country which, by its *raison d'être* is supposed to be Islamic [...]“ Cit. Malik, Jamal: *Colonialization of Islam. Dissolution of Traditional Institutions in Pakistan*. Lahore: Vanguard, 1996, p. 289.

146 The term theocracy had been used during the formative period by Khalifa Abdul Hakim, co-founder of the *Institute of Islamic Culture* (1954) who was considered a modern progressive Muslim thinker: “Such is the theocracy of Islam which is not to be identified with any theocracy that ever existed. Call it a theocracy or call it a secular state as you please: it synthesizes the virtues of both repudiating the evils with which they often get contaminated.“ Cit. Hakim, Khalifa Abdul: *Islamic Ideology: the Fundamental Beliefs and Principles of Islam and their Application to Practical Life*. Lahore: Institute of Islamic Culture, 1961, pp. 242/243. For the institute see Qasmi, Ali Usman: *God's Kingdom on Earth? Politics of Islam in Pakistan, 1947–1969*, p. 1221-1225. In: *Modern Asian Studies*, Vol. 44, No. 6, 2010, pp. 1197-1253.

147 Cit. Iqbal, Mohammad/ Malik, Fateh Mohammad (Ed.): *Muslim Political Thought. A Reconstruction*. Islamabad: Alhamra, 2002, p. 12. For the welfare state model and its discourse, e.g. within the issue of Islamic banking, see Shehab, Rafiullah: *Nizam-i-Zakat: The Fiscal System of the Islamic State*. In: *Journal of Islamic Banking and Finance*, Vol. 16, No. 3, 1999, p. 32-39. For a brief discussion of Abul A'la al-Maududi's model of an Islamic free economy, vague due to its lack of concrete mechanisms, see Aziz, Farooq/ Mahmud, Muhammad: *Islamic Economics system In the Eyes of Maulana Maududi. An Analysis*. In: *Indus Journal of Management & Social Sciences*, Vol. 3, No. 2, 2009, p. 45-50.

al democracy”, that under the banner of “enlightened moderation” had been used by military ruler Pervez Musharraf as a counter-ideology to the Islamization efforts of the 1980s and its aftermath during the 1990s. However, the question of how liberalism might constitutionally fit into a concept of state whose nature is determined by Islam and a lack of institutional democratic experience, has not yet been placed in a broad public discourse but has attracted the country's intellectual circles and especially the military. Open sympathies have been expressed towards the Indonesian and Turkish systems for their balance of power between the civilian government¹⁴⁸ and the army and at least constitutional limitations to the religious forces.¹⁴⁹

The legitimizing function of religious topoi and symbols in political systems – understood as “cultural power”¹⁵⁰ – as interwoven competing identity drafts cannot be overemphasized. Part of the debate about modern political movements and new religious phenomena is the notion of these new actors and institutions as a reaction to modernity itself. This notion requires the historical inclusion of Western-European hegemonic culture since the 18th century and, in the case of Israel, the Zionist's movements obsessive use of European-nationalist discourses. Especially the emphasis laid on religious and political collectivism in Islam and Judaism brings to the forefront a fundamental change of the meaning and function of religion.¹⁵¹ This change demystified and transformed religion from a pure theological-individual framework with focus on the thereafter into an ideological-collectivist system of the present with a political theory and a clear draft for rule and power and their legitimacy.¹⁵² This study aims at presenting a framework of analysis which highlights the interaction between the political and the religious spheres in order to avoid typologies and categorization of religious manifestations in politics. Further, this approach enables us to select a framework with which religious ideologies, actors and institutions can be adequately analyzed. This study sees religion as providing 1.) a basis on which specific political program can be articulated, 2.) as the basis to ensure legitimacy for providing a platform for mobilization, and, 3.) as a symbolism which allows for political activism and the formulation of collective identities.¹⁵³

148 As of 2012, the two governments' signature of agreements and joint statements on high-level cooperation can be seen as part of this rapprochement. Beyond the relationship between the security establishments becoming closer, Pakistan is keen to win Turkey as an investor. Incentives include special investment zones, similar to those provided to China. See Stratfor: Pakistan, Turkey: 9 Joint Agreements signed, Situation Report, 22 May, 2012.

149 Interview with Lt.-Gen. (Rtd.) Talat Masood, Islamabad, 8 April, 2011; Bajpai, Kanti: Pakistan's Future: Muddle Along In: Cohen, Stephen P. (Ed.): *The Future of Pakistan*. Washington: Brookings Inst. Press, 2011, p. 70-81: “By liberal democracy, we mean here the kind of disposition exemplified by Mohammed Ali Jinnah, the founder of Pakistan, or, to give a more contemporary example, Turkey, where there is a regularly elected civilian leadership, an army that stays in the barracks but keeps a careful eye on things, and fairly widespread public support for moderate Islamic rules and standards in social life.” Cit. *Ibid.*, p. 75. See also Farrukh, Saleem: *Opinion Army*. In: *The News*, 22 April, 2012.

150 Well known is the field study by Demerath and Rhys in which they highlighted the institutionalization of religion by political leaders in order to gain power. After consolidation of power, political elites make a drastic turn aimed to keep religion radically at arms-length. See Demerath/ Williams, 1992.

151 For the concepts of collectivism and the universal claim of monotheistic religions see Eisenstadt's comparative works. For instance Eisenstadt, S. N.: *Jewish Civilization. The Jewish Historical Experience in a Comparative Perspective*. New York: State Univ. of NY Press, 1992, p. 23-42.

152 Cit. Malik, 1996, p. 15. An overview on the pioneers of reform and politicization of Islam offers Peters, Rudolph: *Erneuerungsbewegungen im Islam vom 18. bis zum 20. Jahrhundert und die Rolle des Islams in der neueren Geschichte: Antikolonialismus und Nationalismus*, p. 105-126. In: *Ende/ Steinbach*, 1989, p. 91-131. See also Halm, Heinz: *Die Araber. Von der vorislamischen Zeit bis zur Gegenwart*. München: C. H. Beck, 2004, pp. 100/101; Ayubi, Nazih: *Politischer Islam. Religion und Politik in der arabischen Welt*. Freiburg (a.o.): Herder, 2004, p. 274-281; Malik, 1996, p. 15-17, and Schölch, Alexander: *Der arabische Osten im neunzehnten Jahrhundert 1800-1914*. In: Haarmann, Ulrich (Ed.): *Geschichte der arabischen Welt*. München: C. H. Beck, 2nd Ed., 1991, p. 365-431.

153 See Tepe, 2008, p. 56-59.

This is also important when reconsidering the general expansion of civil societies, in which religious actors are central forces.¹⁵⁴ And finally, one has to differentiate between religion as an individual or collective belief connected to an ideological setup identified with the state, and religion as an instrument of differentiation and demarcation. These compressed reflections have also to reconsider the secularization paradigm and its reversal.¹⁵⁵ This dominant academic view had been questioned at the end of the 1970s, with sociopolitical events like Iran's Islamic Revolution in 1978/79 and Pakistan's religious drive in which Islam became the motor for state policies and the misused legitimate instrument for consolidating military dictatorial power. Moreover, these events highlighted the fact that religion has ever been a significant factor in all spheres of public and private life and that growing influx of religion into politics proved predictions of the decline of religion to be unsatisfying. Rather, the development of religion, its revitalization and the return of the sacred, proved to be more complex, taking into consideration specific local, regional and global contexts and frameworks, that indicate specific processes of fundamental change like the privatization, pluralization¹⁵⁶ and individualization of religious practices and their imagination¹⁵⁷, within the perception and performance of religion.¹⁵⁸ Another contribution by the secularization school is Norris' and Inglehart's "existential security hypothesis": This approach claims that, if a population is saturated by feeling secure because of a maximum of society of the welfare state enjoys the gifts of highly developed infrastructure, high life standards and physical security, it gradually turns away from religion.¹⁵⁹ That is, according to the theory, because people, besides their improved socioeconomic living conditions and their acceptance of the political parameters and the state and its ideology in which they are fully integrated, experience a lack of insecurity.¹⁶⁰ The notion of the latter is important with regard to the issue of security and insecurity in Israel and Pakistan, two countries, that since their creation were built on the basis of a conflict- and threat-centered regional perceptions.

154 See Kippenberg, 2008, p. 35-38.

155 Going back to the claim of classical post-Enlightenment theories of August Comte, Herbert Spencer, Emile Durkheim, Max Weber and Karl Marx who – in different ways – explained the dissemination of positivist ideas as an irreversible evolutionary process, paralleling modernization of Western societies in the socioeconomic and political spheres. As a selection of its proponents see the early works of Peter L. Berger who later recognized religion's prevalence, and Martin, David: *A General Theory of Secularization*. Oxford: Blackwell, 1978.

156 Here theories of the "religious market" argue that pluralization and competition among religious organizations and agents rely on supply and demand models with regard to the consuming believer. See Iannaccone, Laurence R.: *The Consequences of Religious Market Structure: Adam Smith and the Economics of Religion*. In: *Rationality and Society*, Vol. 3, No. 2, 1991, p. 156-177.

157 See Luckmann, Thomas: *The Invisible Religion: The Problem of Religion in Modern Society*, 1st Ed.. New York: MacMillan, 1967; Casanova, José: *Public Religions in the Modern World*. Chicago (a.o.): Univ. of Chicago Press, 2004, p. 211-234.

158 This became clear at the end of the 1970's and is still the case, when observing the development of Christian communities in Europe, the Americas and Africa: Declining memberships and participation in the traditional religious life and rituals of worship like prayers, the believers' attachment to the very idea of belief itself, and the failure of the Catholic church to recalibrate its positions towards the most pressing needs and unresolved questions that alienate its most loyal believers, for instance with the issue of Aids in developing countries, underline the decline and crisis of institutionalized religion. This is also true for the tolerance aspect of religious co-existence, which offers a mixed present global scenario with religious minorities being legally more and more integrated into society and state institutions on the one hand, and religious groups who face growing discrimination on the other.

159 That is the full provision of material and immaterial factors by the state to its society. See Heinrich, Wolfgang / Kulesa, Manfred: *Deconstruction of States as an Opportunity for New Statism? The Example of Somalia and Somaliland*, p. 58. In: Hippler, Jochen (Ed.): *Nation-Building. A Key Concept for Peaceful Conflict Transformation?* London: Pluto Press, 2005, p. 57-69.

160 See Norris, Pippa/ Inglehart, Ronald (Eds.): *Sacred and Secular: Religion and Politics worldwide*. Cambridge: Cambridge Univ. Press, 2004.

2.2 Religious Imaginations of the Nation

Which identity underlies the logic of a Muslim or a Jewish nation? How can an Islamic welfare state and a Jewish democracy be characterized given their parallel national claim for a Pakistan and an Israeli nation? The Western understanding of what constitutes a nation as the highest political and religious unit of organization would require the strong notion of a public religion. The concepts of a Muslim and Jewish nation transformed into the more universal models of the community of believers (*umma*) and the Jewish people imply a transnational approach and simultaneously defines the “other” by excluding specific strata of society which do not by definition belong to the religious community, resulting in their de facto exclusion from the nation.

2.2.1 Islam and the *Umma*

The *umma*¹⁶¹ as the transnational imagination of a Muslim community is essential in the context of nationalism and how it was interpreted among the Islamic scholars and intelligentsia. Ibn Khaldun had highlighted the need for inner social cohesion (*‘asabiyya*), institutional structures of power and leadership as preconditions for the establishment of an Islamic state for Muslims. His theory sees religion as the main pillar for statehood.¹⁶² The legitimacy of this state is, thus, primarily based on its capacities to consolidate an equal and just society within and to defend Islam against external threats.¹⁶³ With regard to Islam's strong universalist element with regard to the definition and nature of the Islamic community, the *umma* and its colonial variants like (e.g. *al-jāmi‘a al-islāmīya*)¹⁶⁴ Eisenstadt remarks:

Islam connected the reconstruction of a combined political-religious collectivity with a strong ideological negation of any primordial element or component within this sacred political-religious identity. Indeed, of all the Axial Age civilizations, particularly the monotheistic ones, Islam was the most extreme in its denial of the legitimacy of such primordial dimensions within the Islamic community – although in practice the story was often markedly different [...].¹⁶⁵

The refusal to accept nationalism as the ideological vehicle through which legitimacy is ensured, has been justified by political Islam on the basis of a refusal of the narrowed territorial reference to the homeland (*watan*). As a result, this orientation, at least theoretically, stands for a counter-narrative towards ethno-nationalism with constructions like pan-Arabism in between.¹⁶⁶ Thinkers of reform (*islāh*) Islam like Jamal ad-Din al-Afghani (1837-1897) and Mohammad Abduh (1849-1905) had argued that the decline of Muslim civilization had been the direct result of the colonial experience. In this sense a self-inflicted malaise, they argued that only reform could introduce a rebirth or renaissance of Islam (*nahda*). Western hegemony could only be countered by adapting its social-political and materialistic and especially its military supremacy. Western innovations like the very idea of the nation had been seen as an authentic element of early Islamic times, exemplified for the

161 The qur’ānic term can be found in various meanings, for instance in 2:128 as *umma muslima*. In 2:213 *umma wāhida* is mentioned.

162 In contrast, language as the most important factor of a shared “Arab” culture had been highlighted, for instance by the Syrian intellectual Sati al-Husri (1882-1968). See Wieland, Carsten: Nationalstaat wider Willen. Politisierung von Ethnien und Ethnisierung der Politik: Bosnien, Indien, Pakistan. Frankfurt (a.o.): Campus Verl., 2000, p. 87.

163 See Weiss, Anita M. (Ed.): Islamic Reassertion in Pakistan. The Application of Islamic Laws in a Modern State. Lahore: Vanguard, 1987, p. 2-4.

164 Or the idea of an “Islamic People” (*Ahl-i Islām*) with the Ottoman Caliphate as its cultural representation which arose in the late 18th century. See Schulze, Reinhard: Geschichte der Islamischen Welt im 20. Jahrhundert. München: C. H. Beck, 2. rev. Ed. (1994), 2003, p. 27-29.

165 Cit. Eisenstadt, 1992, p. 41.

166 See Wieland, 2000, p. 87.

Muslims through the life of the Prophet and his companions (*sahāba*).¹⁶⁷ But beyond strict secular conceptions of the *umma*¹⁶⁸, and despite the powerful arguments in favor of its deep connection with the nationalist Western discourse and their compatibility, any attempt to unify religion and political rule had to struggle with the dogma of *dīn wa dawla* which saw both aspects as one indivisible entity. This did not, however, include the demand for the introduction of entirely new life and faith practices in the life of the Muslims or the establishment of a new concept of political rule and public policy, but rather a return to long-standing notions of the ideal Islamic political system and its re-interpretation.¹⁶⁹ The idealized Muslim *umma* is therefore beyond the size and meaning of the nation and is, on a global level, the “community of believers” which as a transnational social construct, and makes up for the largest political unit of order.¹⁷⁰ Its claim to leadership as articulated by the rhetoric of political Islam in relation to other faith communities, is based on interpretations of their particularistic qur’ānic notion, for instance in 3:110 (*al-‘Imrān*). Interpreted by Islamist narratives as the sanctification of chosenness and divinely legitimized rule, this *sūra* had also been instrumental to claim of Islamist parties worldwide of gaining political power as a means to realize the principle of God's absolute sovereignty in an Islamic state. However, Muhammad Asad (1900-1992), convert and co-architect of Pakistan's first constitution, accepting the notion of a community interpreted the *sūra al-‘Imrān* exclusively with regard to individual Muslim morality:

This is the moral justification of the aggressive activism of Islam, a justification of the early Islamic conquests and of its so called 'imperialism'. For Islam was 'imperialist' if you insist on this term; but his kind of imperialism was not promoted by love of domination, it had nothing to do with economic or national selfishness, nothing with the greed to increase Muslim comforts at other peoples' cost; nor has it ever meant the coercion of non-believers into the fold of Islam. It has only meant, as it means today, the construction of a worldly frame for the best possible spiritual development of man. For, according to the teachings of Islam, moral knowledge automatically forces moral responsibility upon man. A mere platonic discernment between Right and Wrong, without the urge to promote Right and destroy Wrong, is a gross immorality in itself. In Islam, morality lives and dies with the human endeavor to establish its victory upon earth.¹⁷¹

The discourse on the character of an Islamic State was institutionalized only months after Pakistan's independence by Asad. Born in Lemberg as Leopold Weiss, the Jewish convert and scion of a rabbinical family who had been educated in the spirit of orthodox Judaism, had been strongly influenced by his perception of the Jewish-Arab relationship in Palestine in the 1920s.¹⁷² Accordingly, Asad, who became director of the Department of Islamic Reconstruction before he joined the foreign service where he represented Pakistan at the

167 See Zubaida, Sami: Islam and Nationalism: Continuities and Contradictions, pp. 408/409. In: Nations and Nationalism, No. 10, Vol. 4, 2004, p. 407-420. Together with Prophet Muhammad, the *sahāba* left Medina in 622 A.D. and settled in Mecca. Their reputation as *mubārījūn* (emigrants, pilgrims) had been highlighted by the consolidating Pakistani state during the initial years with reference to the millions of migrants from India who settled in the new Muslim state, mainly in Sindh, thus, providing the Pakistan project with another sacred element. For this debate see Chapter 3.

168 For his contribution to the term, see Schulze, 2003, p. 30.

169 See Khoury, Adel Theodor: Fundamentalistische und totalitäre Tendenzen im heutigen Islam, p. 86. In: Grabner-Haider, Winke, 1989, p. 86-96.

170 See Steinbach, Udo: Die Stellung des Islams und des islamischen Rechts in ausgewählten Staaten. Einleitung: Vom islamisch-westlichen Kompromiß zur „Re-Islamisierung“, p. 200. In: Ende, Werner/ Steinbach, Uwe (Ed.): Der Islam in der Gegenwart. München: C. H. Beck, 2nd Ed., 1989, p. 198-211.

171 Cit. Asad, Muhammad: Islam at the Crossroads (1934), repr. Lahore: Talha Publ., 2003, p. 16.

172 What he experienced in the holy land made him adopt a highly critical view on Zionism which he refused as an attempt to transform European ills – and especially antisemitism and the nationalist claim of chosenness – from the Diaspora to Palestine.

United Nations, envisioned an Islamic state along the spiritual contours laid down by Pakistan's poet-philosopher-cum-ideologue Iqbal.¹⁷³

2.2.1.1 Indian Muslim Nationalism

The concept of the nation as proposed by Muhammad Iqbal, the true father of the Two-Nation Theory, had a strong influence in the League circles, as whose temporary chairman Iqbal had served. Its emphasis on *millat* established an overarching program of religion, law and spirituality. Unlike the notion of *qaum*, the Western inspired secular model of nationhood which stressed the possibility of a society of believers and unbelievers, *millat* is characterized by an exclusive claim and features of a religious community which, despite differentiation, would provide equal rights to Muslims and non-Muslims.¹⁷⁴ Leading figures of political Islam such as the Egyptian Sayyid Qutb, tried to elevate tolerance as a integral element of the *umma*, and contrast it with a backward and "primitive" nationalism of the West. According to them racism, national belonging and political ideologies were only minor manifestations and temporary phases in human history.¹⁷⁵ The *umma*, in contrast, was styled as marking the end of a development process and the cornerstone of an ethnically, religiously, morally and ideologically defined just society.¹⁷⁶ In recent decades, and especially since the 1990s, Muslims worldwide, either by direct participation in various theaters of war in the Middle East, Central Asia and the Balkans, or through their expressions of solidarity and fraternity with the Muslim communities involved in fighting, had revitalized a spiritual and transnational understanding of the *umma* and its territorialized variant, the *dar ul-Islām*.¹⁷⁷ The idea of Pan-Islamism, after the collapse of the Ottoman Empire and the Caliphate – less in its immediate impact on the process of nation building in the colony and the political discourse that aimed at the emancipation of the Muslim minority and influence but rather in its long-term effect – had manifested a strong symbolic discourse: The latent presence of a *neo-umma* after the fall of the Caliphate gained prominence in the Muslim collective memory, but could not offer concrete solutions for its transformation into a state. The demand for Muslim sovereignty on the subcontinent had been preceded by efforts to find a solution within the framework of an Indian unit in which the Muslims saw their status protected by legal rights. In 1928, Jinnah spoke to the All Parties National Conference in Calcutta and called for a common constitution within a pan-Indian independent state in order to prevent the breakup of the Subcontinent and a permanent estrangement between Hindus and Muslims. Jinnah's last attempt to preserve the union may, can be seen as a crucial turning point and as an accelerating factor in the development of a Muslim separatism, which finally expressed itself in the Pakistan idea. The conference's failure to find a common position exposed the deep conflict of in-

173 See Asad, Muhammad: The Road to Mecca. New York: Simon & Schuster, 1954, p. 8ff.; Windhager, Günther: Leopold Weiss alias Muhammad Asad. Von Galizien nach Arabien, 3rd Ed. Wien: Böhlau, 2008.

174 See Jalal, 2000, pp. 576/577. Thus, Iqbal proclaimed an inclusive nationalism that would not extinct the cultural distinctiveness of the Indian Muslims as a spiritual entity and therefore, he stood for an alternative model to the Congress' composite nationalism with a united anti-colonial struggle as its amalgam. See Ibid., p. 224-239.

175 See Qutb, Sayyid: Zeichen auf dem Weg (Ma'alim ti-t-Tariq). Istanbul: Islamische Bibliothek, transl. Shukri, Muhammed, 2005, p. 227ff.

176 See Lewis, Bernard: The Political Language of Islam. Karachi: Oxford Univ. Press, 2004, pp. 32/33.

177 See also Steinbach, 1989, p. 201. A new variant of this grand theme, as of 2012, can be found in Pakistani mainstream media, with regard to discrimination and Buddhist violence in Myanmar against the Rohingya people.

terests between the Congress and the Muslim League.¹⁷⁸ Provincial representatives argued for separated and de-centralized electorates what would ensure the status quo with Muslim majorities like in Punjab and Bengal. This was against Jinnah's compromise to drop this demand in favor of a one-third quota for the central government which would enable Muslim minorities in the other provinces to gain substantial participation.¹⁷⁹ In the wake of growing unrest since 1933, especially due to the global economic crisis, Hindu-Muslim relationship further deteriorated more and more when the Hindu-dominated Congress could expand its influence to the provincial governments significantly after the elections of 1937.¹⁸⁰ The elections and the League's weak performance confirmed Muslim fears of becoming marginalized despite their holding of a total share of around 25 percent.¹⁸¹

The collective feeling of being politically isolated evolved further from the end of the 1920s, when the dream of Hindu-Muslim shared independence declined substantially, until August, 1942, when Gandhi's *Quit India* campaign¹⁸² deepened the growing distance between the League and the Congress. As a result, those voices claiming a Muslim unilateral move for the creation of Pakistan, attracted more and more support.

However, only after the *Lahore Resolution (Pakistan Resolution)* had gained momentum at the League's mystified meeting in Lahore, the claim for state sovereignty and the annulment of the *Government of India Act* of 1935 gained more attention among the political power groups for it raised the issue of territorial and political sovereignty on behalf of the whole of "Muslim India". While it did not claim the *Government of India Act* to be null and void, it called for a revision of the administrative status of the "independent states" with Muslim majorities and the rights of Muslim minorities in other areas to be strengthened:

This session of the All-India Muslim League emphatically reiterates that the scheme of Federation embodied in the *Government of India Act*, 1935, is totally unsuited to and unworkable in the peculiar conditions of this country, and is altogether unacceptable to Muslim India [...]. Muslim India will not be satisfied unless the whole constitutional plan is reconsidered de novo, and that no revised plan would be acceptable to the Muslims unless it is framed with their approval and consent.¹⁸³

In addition to its refusal of the Act, the League brought forward its own constitutional demands for its respective territories:

[...] that geographically contiguous units are demarcated into regions which should be so constituted with such territorial readjustments as may be necessary that the areas in which the Muslims are numerically in a majority, as in the north-western and eastern zones of India, should be grouped to constitute 'independent States' in which the constituent units shall be autonomous and sovereign [...]¹⁸⁴

178 See Ludden, David: *Geschichte Indiens*. Essen: Magnus Verl., 2006, p. 221.

179 See Jaffrelot, Christophe (Ed.): *Pakistan: Nationalism without a Nation?* New Delhi: Manohar (a.o.), 2002, pp. 10/11.

180 The Congress gained majorities in seven of the eleven provincial parliaments. The *Government of India Act* as the constitutional reform of 1935 and the determination of elections in 1937 had been refused by the League since it did not mention Muslim and minority rights explicitly. See Ludden, 2006, p. 223.

181 This existential fear had been aggravated by growing Hindu radicalism: The concept of *shuddhi* (purification) claimed peaceful Hindu-Muslim coexistence in one state as being impossible. It further stressed the need for conversion and subordination of non-Hindu minorities to the new Hindu nation (*Hindu Rashtra*). These concepts referred to the ideological works of V. D. Savarkar and other Hindu intellectuals. Savarkar's *Hindutva: Who is a Hindu?* (1923) was a milestone in the history of Hindu nationalism; in 1925, the *Rashtriya Swayamsevak Sangh* (RSS) was founded and soon became the strongest organization for the promulgation of Hindu radicalism. For its religious-nationalist programs see Six, 2006, p. 93-97.

182 This movement under the lead of Gandhi called for an immediate British withdrawal but failed when the British refused to do so and responded with the imprisonment of the movement's leadership.

183 Cit. Philips, Cyril Henry (Ed.): *The evolution of India and Pakistan: 1858 to 1947*. Select documents, pp. 354/355. In: *Select Documents on the History of India and Pakistan*, Vol. 4. London (a.o.): Oxford Univ. Press, 1962.

184 Cit. *Ibid.*

Pakistan, despite the newspapers' headlines, was not mentioned as a sovereign Muslim entity.¹⁸⁵ According to Jalal, Jinnah, in his meetings with the British side, evoked the scenario of partition of the Indian Subcontinent with the aim of improving the League's position in the negotiations with the British and the Congress.¹⁸⁶

Simultaneously, the struggle for Muslim autonomy included the concept of a sacred space for the purpose of maintaining religious rites and practices which were based on the values of Indian Muslims and whose continuity was perceived to be essentially threatened by the processes of secularization in the everyday life at the side of the British colonial power as well as by what was seen as an aggressive Hindu hegemony. Still circulating in Pakistani society, these discourses of genesis have a strong impact on the state-building process.¹⁸⁷ Worldwide, the long period of decolonization has seen new state names and start-ups, while the new creations experienced only minor territorial changes. For Rothermund the abstractness of the idea of Pakistan and the practical implementation of this concept marks a curiosity in history.¹⁸⁸

Muhammad Iqbal and Jinnah provided the ideological foundation of what would later be referred to as the two-nation theory as the political guiding concept of the Muslims, which was of a major help to shape a new Muslim national-religious identity. It developed mainly during the 1930s, especially after the founding of the state in the wake of a rewritten history of the colonial chapter of Muslim struggle for independence and claimed a new Pakistani identity. Jinnah himself was confronted with the suspicion of the clergy accusing him of lacking the proper behavior and lifestyle of a devout Muslim. As a Shi'ite he represented in many ways the type of the "westernized" and elitist Aligarh graduate who during his four-year degree in London had been absorbed by the traditions of the European Enlightenment and the practices and customs of the British Empire of that time. However, until 1940 he tried to dissolve Islam in the context of a Muslim nationalism of its religious connotations and to reinterpret it instead politically and culturally as the leading concept of Muslim South-Asian statehood:

The problem of India is not of an inter-communal character but manifestly of an international one, and it must be treated as such [...] the only course open to us all is to allow the major nations separate homelands by dividing India into 'autonomous national states'. It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religious in the strict sense of the word.¹⁸⁹

To some extent as a reactionary counter-concept to concept of *Hindutva* and the "pan-Indian nationalism"¹⁹⁰ promoted by Gandhi, Nehru and the Congress elite, the League sought to legitimize the pursuit of its own state by stereotyping its own community with the "image of Pakistanis as an Arab in the Diaspora" and its ter-

185 The day after, the Hindu Press published an article titled „Pakistan Resolution passed!“. See Khaliqzaman, Choudhry: Pathway to Pakistan. Lahore: Longmans Pakistan Branch, 1961, p. 237.

186 For this argument see Jalal, Ayesha: The Sole Spokesman. Jinnah, the Muslim League and the Demand for Pakistan. New York: Cambridge Univ. Press, 1999.

187 The core of successful nation-building, according to Hippler, includes state-building, socio-political integration and ideological legitimation. For his overview on the concept see Hippler, 2005, p. 3-27.

188 Rothermund points out to the similarities in the discourses linked to the creation of Pakistan and Israel describing especially the territorial component as artificial constructs. See Rothermund, Dietmar: Delhi, 15. August, 1947. München: DTV, 1998, p. 38.

189 Cit. Jinnah, Mohammad Ali: Speeches and Writings of Mr Jinnah, Vol. 1. Ahmad, Jamil-ud-din (Ed.), Lahore: Mohammad Ashraf, 1968, pp. 168/169. Quoted in Metcalf, Barbara D.: Islamic Contestations. Essays on Muslims in India and Pakistan. New Delhi: Oxford Univ. Press, 2004, p. 183.

190 See Khālid, Durān: Pakistan und Bangladesh, p. 276. In: Ende/ Steinbach, 1989, p. 274-307.

territorial claim as the demand for a “Land of the Pure”¹⁹¹. The tension between competing Muslim and Hindu narratives indicates the identity crisis with which both camps had to struggle when defending their claims.

The endeavor of introducing an Islamic government as the government of *shari‘a* or an Islamic State, has, in principle, not been accomplished.¹⁹² The latter, a state based on an Islamic system, had been prominently introduced into the South Asian nationalist discourse by Maudūdī. In his writings and speeches, he was keen to highlight the guaranties provided by his vision of Islamic statehood with regards to comprehensive human rights for Muslims and non-Muslims alike, in contrast to Western political and social concepts, which he, in principle, saw as doomed to fail.¹⁹³ The perception of Western civilization and its inner tensions, from Maudūdī’s point of view, became corroborated in the ideological conflict between the supporters and opponents to the idea of Pakistan where it was represented by the League’s Westernized and Aligarh-oriented elite.¹⁹⁴ Maudūdī feared that nationalism as a product of Western political philosophy would degrade the Indomuslim community with religion losing ground as the main marker of identity of Muslim society and as the ideological backbone for the Islamic state (*Islami Hukumat*). Accordingly, the concept of a religiously determined Muslim nation (*Millat-i Islamiyya*), as presented by Iqbal at the congress of the Muslim League in Allahabad on 29 December, 1930,¹⁹⁵ contravened Maudūdī’s political intention to cooperate with the League in the realization of Pakistan in order to lobby for its modification into an Islamic state.¹⁹⁶ The manner in which Maudūdī opposed the leaders of the Pakistan Movement, similar to his stance against hegemonic imperialist British rule, illustrates the JI’s ambiguous stance towards Western values and traditions which, until today, remained unchanged in principle:

There is only one ideology in Pakistan and that’s the ideology of the Britishers who have left it and an elite class which was educated according to the British program. They are ruling the country in the same way. Different names were given to this class and to their so called ideology but they are the same people. The army is also part of the establishment. There are differences among the Pakistan Army, there are very good friends of mine in the army, retired generals, retired Chiefs of the Army Staff and former Chiefs of the ISI. Unfortunately, these officers could not rid the army of the colonial and British legacy and traditions, it is still a slave of those. Hamid Gul, Mir Aslam Baig, Ehsan ul-Haq and all these generals are retired and they come to Mansurah and we sit here, discuss things and pray together.¹⁹⁷

191 See Ibid., p. 278.

192 The case of Sudan and Hassan al-Turabi’s vision of an Islamic political entity might serve as an example.

193 “[...] the United Nations, which may now be more aptly described as the Divided Nations, made a Declaration of Universal Human Rights, and passed a resolution condemning genocide; regulations were framed to prevent it. They are just expressions of pious hopes. [...] When we speak of human rights in Islam we mean those rights granted by God. Rights granted by kings or legislative assemblies can be withdrawn as easily as they are conferred; but no individual and no institution has the authority to withdraw the rights conferred by God.” Cit. speech Maudūdī on Radio Pakistan, Lahore, 20 January, 1948. Quoted in: Maududi, Sayyid Abul ‘Ala: Human Rights in Islam. Islamabad: Da’wah Academy, International Islamic University, 1998, p. 13.

194 “The Jama’at welcomes the scientific advancement in modern industrial and agricultural development and wants to exploit the latest scientific technique and inventions in the development of Pakistan’s industry, agriculture etc. But that does not mean that we should play the blind and follow that civilisation in such cultural matters also which are antagonistic to ours and harmful to humanity in general. The Jama’at considers that the West has made two sorts of contributions. The one is scientific development – the most useful service to humanity. The second is equally opposite to it, i.e., the worst service to humanity – uprooting the moral values altogether. It has administered a rude shock to the foundations of family life, the bedrock of every civilisation worth the name, by laxing the sexual discipline. It has robbed man of the man in his and has reduced the individual to a mere economic animal.” Cit. Khan, Ali Ahmad: Jamaat-e-Islami Pakistan, p. 346. In: Verinder, Groves (Ed.): Pakistan. Government and Politics. In: Government and Politics of Asian Countries Series, Vol. 12. New Delhi: Deep&Deep Publ., 2000, p. 333-351.

195 Later, in 1938, shortly before his death, Iqbal brought a modified model in the discourse with an emphasis on a Muslim state, thus, a territorially defined nationalism. See also Malik, Jamal: Islam in South Asia. A Short History. Leiden: Brill, 2008, p. 370.

196 See Maududi, Sayyid Abul ‘Ala: Weltanschauung und Leben im Islam. Freiburg i. Br. (a.o.): Herder, 1971, pp. 172/173.

197 Cit. Interview with Qazi Hussain Ahmad, former *amir* Jama’at-i-Islami, Mansurah, 21 August, 2009.

Facing the reality of partition of the subcontinent and the creation of two new states, the JI was forced to ease its aggressive rhetoric against Jinnah. This was due to the political calculus that the party could exploit the enormous religious driving force that had transformed Muslim separatism from its humble beginnings in 1906 into official state ideology, and that it would profit from the popularity of the Quaid-i-Azam by supporting the new establishment to a limited extent. The partition of British India, like in the case of other religious groups, forced the leadership to decide to either settle in Muslim Pakistan or to stay in what was now India.¹⁹⁸

Realizing the requirement to create a distinctive theoretical basis for an Islamic state and a strategy for its practical implementation, Maudūdī formulated a vision of the state relying on Islam as a de-territorialized, tolerant and value-based system with strong reference to the rule of the rightly guided caliphs (*ḵhalīfat-i-rashīdun*) and the model of the first Islamic state of Medina, the *sunna* of the early Islamic period of the 7th century (“golden age narrative”¹⁹⁹).²⁰⁰ The Jama’at’s Islamic agenda can be labeled as neo-traditionalist, modernist and fundamentalist in a way, with *qur’ān* and *sunna*, according to their view, being interpreted literally. While the system of modernity allows a re-interpretation of Islamic traditional values and is therefore accepted in principle, its values and contents, were refused by Maudūdī. This change between antagonistic paradigms has been clarified by Brown through his “prism of modernity”:

Rather than viewing modernity as a source of light, dispelling the darkness of tradition, we should instead imagine tradition as a beam of light, refracted by the prism of modernity. A tradition emerges from the prism of modernity as a multi-colored spectrum of responses. Some responses will show the effects of modernity much more dramatically than others, but none will be entirely untouched. At the same time, each color of the spectrum, each different response, is clearly rooted in the tradition. All responses to modernity from a religious tradition, and even those that seem to have left the tradition altogether behind, maintain a certain continuity with the tradition, just as each band of the spectrum is present in the light entering a prism.²⁰¹

This model also allows an insight into Maudūdī’s idea of human knowledge and its limitations: Although he acknowledges the human ability to develop a transcendental self-consciousness as a precondition for knowledge, he limits it to the irrefutable and eternal truth of the *sunna* and the *qur’ān*. Therefore, human self-consciousness and wisdom does not culminate in individual experiences but in the collective experience of God (*ma’rifā*).²⁰² However, Maudūdī sees human perception as located within a development process, and as not yet able to understand and accept the supremacy of divine law as the best law for mankind.²⁰³ The call for imposing *shar’ā* is brought forth as part of an political-revolutionary agenda. As an anti-thesis to *tauhīd*, the concept

198 Despite JI Pakistan’s centrality forms of cooperation or exchange between Mansurah and the JI organizations in South Asia – in Indian-held Kashmir, Bangladesh, Sri Lanka and India where Maulana Jalaluddin Umri led the *Jamaat-e-Islami Hind* (JIH) to prominence – do formally not exist. See website JIH.

199 See for instance Jackson, Roy: Mawlana Maududi and Political Islam. Authority and the Islamic State. London (a.o.): Routledge, 2011, p. 84-86.

200 “According to Maududi, during the caliphate of Hazrat Uthman the spirit of ignorance reasserted itself and found its way into the Islamic social system and at last the caliphate after the pattern of prophethood came to an end to be replaced by a tyrant kingdom. This was a ‘counterrevolution’ which brought forward ‘ignorance’ under the guise of Islam.” Cit. Zaidi, Syed Mohammad Zulqurnain: Pakistan Resolution and Jama’at-i-Islami, p. 386. In: Yusuf, Kaniz F./ Akhtar, M. Saleem/ Wasti, S. Razi (Eds.): Pakistan Resolution revisited. Islamabad: NIHCR, 1990, p. 367-398. The legitimacy to serve as political leaders exercising state power was part of the caliphs’ competence to decide on matters which laid beyond the scope of the religious sources of interpretation as part of their competence to bring policies in conformity with Islam (*Siyāsa shar’ā*). See Rohe, Mathias: Das Islamische Recht. Geschichte und Gegenwart. München: C. H. Beck, 2009, pp. 36/37.

201 Cit. Brown, Daniel W.: Rethinking Tradition in Modern Islamic Thought. In: Cambridge Middle East Studies, Vol. 5. Cambridge (a.o.): Cambridge Univ. Press, 1996, p. 3.

202 See Hartung, 2001, p. 114.

203 Cit. Maududi, 1971, pp. 150/151.

of *ijtihād* emphasizes the need of independent interpretation and judgment to make Islamic tradition adoptable to modern times and the idealistic form of a Muhammadian society as envisioned by Maudūdī.²⁰⁴ Accordingly, *ijtihād* as a tool of legitimate re-interpretation and reform (*islāh*) to authenticate and harmonize elements within Islam with modernity, must be based on rational efforts towards finding the absolute truth with the *qurʾān* and the *sunna* as absolute sources.²⁰⁵ In their efforts to bring about this re-interpretation, modernist Islamic thinkers came under pressure to which they sought to respond by re-opening the gates of *ijtihād*. This was a major challenge to the Sunni ruling under 'Abbasid rule (750-1258) whereas independent reasoning by an authorized jurist or person of knowledge (*mujtahid*) had been abandoned, and the ruling whereas a jurist was bound to *taqlīd*, the legal ideas as outlined by a recognized school of law, was established.²⁰⁶ *Ijtihād* was, thus, the essential precondition for the establishment of an Islamic state which, in turn, had to be realized before in order to legitimate *ijtihād*. Again, this constitutes the central contradiction in Maudūdī's theoretical work which he aimed to bypass with the legalization of a limited *ijtihād* as a proper means of adapting Islam to the requirements of modernity. His preoccupation with *ijtihād* had also been shared by Iqbal who in turn influenced Maudūdī's works, for instance when emphasizing the importance of the Prophet's life as a role model for the Muslim self (*khudī*).²⁰⁷ Iqbal, who saw Islam as a practical means of making the eternal principle of *tauhīd* "a living factor for the intellectual and emotional life of mankind", saw the restrictions on *ijtihād* as the main reason for the "immobility of Islam during the last 500 years".²⁰⁸ Although highly critical towards the separation of religion and state and the Turkish model of laïcité as constitutionally enshrined in 1937, he – like Iqbal – could not hide his admiration and referred to it as an example of successful and legitimate *ijtihād*:

The truth is that among the Muslim nations today, Turkey alone has shaken off its dogmatic slumber, and attained to self-consciousness. She alone has claimed her right of intellectual freedom; she alone has passed from the ideal to the real transition which entails keen intellectual and moral struggle.²⁰⁹

To remain independent of the interpretation of the *ʿulamāʾ*²¹⁰, Maudūdī elaborated a theory about the methodology of the change from the contemporary colonial social reality to the Islamic State in which his *Jama'at-i-Islami* as a small elite would play a central intermediary role.²¹¹

2.2.2 Judaism and the Jewish People

In the Israeli case, the relationship between the nation and the Jewish community is complex as well: Yet on the semantic level, the construction of the "People of Israel" (*Am Yisrael*) as the Jewish people whose place of descend and destination embodies a dialectics in which the biblical past is connected to the present and the fu-

204 See Rohe, 2009, p. 36ff.

205 See Peters, 1989, pp. 110/111, Hartung, 2001, p. 114.

206 See McDonough, 1984, pp. 10/11; Brown, 1996; Rohe, 2009, p. 46; and Hartung, 2001, p. 114.

207 See Jackson, 2011, p. 89-94.

208 See Iqbal, *Mohammad: The Reconstruction of Religious Thought in Islam*. Lahore: Sang-e-Meel, 2004, p. 130ff.

209 Cit. *Ibid.*, p. 131, 142.

210 See Ahmed, 1994, p. 671.

211 See Hartung, 2001, pp. 114/115. With regard to the name of his organization, Lewis writes: "Gathering is good – hence the *jamāʿa*, "the community," ruled by *ijmāʿ*, "consensus." Separation is bad, and gives rise to *firqa*, "sect", and other forms of disunity. The two notions are combined and contrasted in the prophetic injunction to the Muslim not to separate himself from the community, the *jamāʿa*." Cit. Lewis, 2004, p. 13.

ture through the land, had been subjected to different interpretations not before the 19th century in the light of the European modern nation state.²¹²

Terms such as „Israel“, „House Israel“ (*Bet Yisrael*)²¹³ and „Children of Israel“ (*B'nei Yisrael*) refer to passages of the Hebrew bible²¹⁴ where they are synonymously used while describing the nation of the Israelites and their father Jacob (Israel).²¹⁵ It is its notion in the Hebrew bible as a holy community of people chosen by God and connected to him as the descendants of Abraham and Sara through the covenant which provides the term its sacral connotation.²¹⁶ Following the era of slavery and exodus to Egypt, God led the Israelites to the promised land where they dispersed the Canaanites to enforce God's laws. Zionist interpretation aimed to dissolve the tension evoked by biblical and orthodox interpretation and to harmonize the term with the vision of a modern nationalist narrative.²¹⁷

In the mutual encounter of religion and state, similar to the *qur'ān* who “spells out a political religion”, the sanctified connection between the *umma* and God, the Torah, as the “covenant between a people and a God, a people whose capacity to occupy erez yisrael, the Land of Israel, is dependent on following its laws.”²¹⁸ Thus, scriptural understanding and reference to the religions of Judaism and Islam “provide images and precepts for a society, indeed the foundations for a state”²¹⁹

2.2.2.1 Zionism

Broadly speaking, Zionism as a modern ideological movement of Jewish nationalism defines the religious, territorial and political framework of the relationship between Judaism and the claim to intervention in history and political sovereignty. Thus, the declaration of the State of Israel on 14 May, 1948, manifested the political ideology of Zionism and, in the sense of Herzl, created a sovereign and internationally recognized Jewish state. The idea of a “national home” had been evolved when the majority of East European Jewry were persecuted and threatened. Herzlian Zionism stands among the various Zionist schools of thought as a consensus between political and cultural Zionism with regard to their central demands as they had been earlier articulated at the First Zionist Congress (29-31 August, 1897) in Basel.²²⁰

In his *Judenstaat* Herzl referred to *Freiland, ein soziales Zukunftsbild* (1890), written by his friend, the economist Theodor Hertzka (1845-1924) in which he portrayed the vision of a free and just society of settlers in Kenya.

212 See Brenner, Michael: *Propheten des Vergangenen. Jüdische Geschichtsschreibung im 19. und 20. Jahrhundert*. München: C. H. Beck, 2006, p. 19-21.

213 See Jeremiah 31:33.

214 The *Tenakh*, mentioned often only in its acronym TNK, includes the *Torah* (commandment), den *Nebiim* (prophets) und *Ketubim* (scriptures).

215 See Genesis 32:29; 35:10.

216 The covenant between Abraham and God as being valid and obligatory for Jews. In the biblical Jewish tradition also *berit mila*, the “covenant of circumcision”. See Stemberger, Günter: *Jüdische Religion*. München: C. H. Beck, 5th Ed., 2006, p. 11-15; Deuteronomium 7:6.

217 Herzl's works document this attempt quite clearly. See Herzl, Theodor: *Der Judenstaat. Versuch einer modernen Lösung der Judenfrage*. Leipzig (a.o.): Breitenstein, 1896, p. 11.

218 Cit. Friedland, Roger: *Religious Nationalism and the Problem of Collective Representation*, p. 128. In: *Annual Review of Sociology*, Vol. 27, 2001, p. 125-152.

219 Cit. *Ibid.*, p. 127.

220 See for instance Hecht, Georg: *Der neue Jude*. Leipzig: Engel, 1911, pp. 9/10.

221 See Herzl, 1896, p. 4.

The entity, which Herzl demanded to be established in Argentine or Palestine²²², would be guided by the *Society of Jews*, a conglomerate responsible for the political, diplomatic and scientific representation of Jewish Palestine to foreign states and financiers.²²³ To make the “royal dream” of “Ueber's Jahr in Jerusalem” reality, Herzl proposed the establishment of Jewish financial institutions which would provide independence.²²⁴ Economic progress and wealth²²⁵ would be based on the work of the *Jewish Company*, a chartered stock company responsible for real estate, land appropriation and building.²²⁶

The idea of returning to Mount Zion is integral part of Jewish thought since the destruction of the Second Temple and territorial Zionism is deeply connected its legacy:²²⁷ Like in the case of Pakistan, the act of state independence of 1948 is still seen as highly problematic with regard to the relationship between Zionism and Judaism and the State of Israel and his acceptance among religious Jews. Despite all their sacralized conception of the pre-exile Land of Israel, the Zionist founding fathers perceived the idea of Israel primarily through the secular prism and, thus, created an “anti-thesis to traditional messianism”²²⁸. According to the traditional-orthodox messianic interpretation collective salvation will be brought by the Messiah at the end of patient suffering and hoping.²²⁹ The idea of both individual and universal eschatology is closely linked to it: Only the return of the Jewish People as the “community of Israel” to the united Land of Israel would guarantee redemption (*yeshua*) by a Messiah as a logic result of Jewish religious life in the land according to the commandments of the Torah. Accordingly, rule in its political dimension in the State of Israel is legitimized only when subjected to messianic leadership. Even those Zionists who were eager to refer to the religious-biblical symbolism of Judaism were confronted by the resistance of the Ultra-Orthodoxy (*Haredim*) who felt that any Jewish intervention in time and space would endanger the survival of religious tradition and its divine commandments (*Halacha*).²³⁰

The position of the Zionist founding movement in pre-state Palestine was dominant due to its institutional empowerment of semi-official organizations such as the *World Zionist Organization*, the Labor Zionists of David Ben-Gurion, the *Jewish Agency* and the trade union *Histadrut*. In the light of this strong institutional fortification, the resistance of local non-Zionist Jewish groups was comparably weak and, thus, favored the consolida-

222 Palestine was given priority since it would enable the Jewish settlers to uphold custodianship over the ex-territorialized Christian holy places. Thus, the Jewish government – its leadership heading an aristocratic republic with reference to the European monarchic model, to which Herzl adhered – would earn legitimacy from its “Ehrenwacht” in the eyes of the world. See Herzl, 1896, p. 28, 73/74.

223 According to Herzl, the Society which he considered “the new Moses of the Jewish People” would represent Jewish values and morality. Cit. Herzl, 1896, p. 70.

224 See Herzl, 1896, p. 15.

225 See Herzl, 1896, p. 42.

226 See Ibid., p. 33-37.

227 See Avineri, Shlomo: *The Making of Modern Zionism: The Intellectual Origins of the Jewish State*. New York: Basic Books, 1981. The territorial demand was highlighted by Herzl according to whom the Jewish people as a people of the middle-class remained highly independent but relied on the European powers' support in the struggle for land. See Herzl, 1896, p. 27.

228 See Bunzl, John (Ed.): *Islam, Judaism, and the Political Role of Religions in the Middle East*. Gainesville: Univ. Press of Florida, 2004, introduction.

229 See especially Ravitzky, Aviezer: *Messianism, Zionism, and Jewish Religious Radicalism*. Chicago, London: The University of Chicago Press, 1996.

230 See Ingber, Michael: *Fundamentalismus im Judentum und in der jüdisch-israelischen Gesellschaft im Staat Israel*, p. 101. In: Six, Clemens; Riesebrodt, Martin; Haas, Siegfried (Ed.): *Religiöser Fundamentalismus. Vom Kolonialismus zur Globalisierung*. In: *Querschnitte*, Vol. 16. Innsbruck, Wien (a.o.): Studien-Verl., 2004, p. 91-115; Friedman, Menachem: *The Haredi (Ultra-Orthodox) Society- Sources, Trends and Processes*. Jerusalem: The Jerusalem Institute for Israel Studies, 1991.

tion of the state as a Jewish ethnic-centric republic.²³¹ Peleg underlines that the political drive of the Ben-Gurion leadership until 1948 lacked serious efforts to introduce an alternative model of liberal democracy „based on full civil equality in law and in practice, and enshrined in a written constitution and a comprehensive bill of rights“. Indeed, the reasons why the Zionist elite voted against passing a written constitution in 1949 were complex. In addition to an “illiberal” spirit within the founding party *Mapai* and harsh opposition by the religious parties, Ben-Gurion's personal style of governance was that of a hegemonic patriarchy in which the doctrine of statism, that is the supreme legacy of state and nation above class and confession, ruled the mind-sets of the political elite.²³²

Those Zionist groups that were committed to the idea of a territorial and political Jewish state were not only predominantly secular, rather they emphasized the demand to radically break with traditional Judaism and the period of exile, associated with the stereotype of the “Ghetto Jew”. Only the establishment of a state for the Jewish people could guarantee for the protection against repressions and antisemitism. “Leaving the Ghetto” of Europe and settling land was the amalgam that had held the various Zionist groups together since not only the question where the Jewish State was to be founded divided the different camps: “Zions' where located in areas as far flung as Argentina, Alaska, Angola, Ecuador, French Guyana, the New Hebrides and Tasmania. A recent book carried the title *States for the Jews: Uganda, Birobidzhan and 34 Other Plans.*”²³³

This division was deepened when Herzl died in 1904, with his followers trying to push forward their individual territorial demands.²³⁴ The advocates of the Jewish state had ever been confronted by the orthodoxy, that refused the idea of a Jewish nation-state in Palestine, built by human hands before the intervention of the Messiah – “Our nation is a nation only through its Torah”²³⁵. In this respect, the cultural Zionism of Achad Ha'am (1856-1927) aimed at forming a new Hebrew cultural framework for the immigrants to Palestine.²³⁶ Arts, language, academia and literature were the grounds on which a new type of Hebrew self-understanding – drawn by Max Nordau's Hebrew “Muscle Jew” – emerged.²³⁷ This clear distinction between secular and religious perished when a minority of rabbis joined the Zionist project and religious Zionism was invented. From the orthodox point of view, this form combined the requirements of tradition and of the political ideology of

231 With reference to historical comparisons of new states, Migdal highlights an actor-oriented approach in which he differentiates between „old rulemakers“, „potential rulemakers“ and „potential statebreakers“ which are the basic interest groups with the strongest influence on the state-building process. See Migdal, Joel S.: *The Crystallization of the State and the Struggles over Rulemaking : Israel in Comparative Perspective*. In: Kimmerling, Baruch (Ed.): *The Israeli State and Society. Boundaries and Frontiers*. Albany: State Univ. of New York Press, 1989, p. 3-23.

232 See Peleg, Ilan: *Democratizing the Hegemonic State. Political Transformation in the Age of Identity*. New York: Cambridge Univ. Press, 2007, p. 174-176. *Mamlachtiut*, in religious Zionism stands for the acceptance of the state leadership and the Chief Rabbinate and their decisions in the sense of civilian obedience with can be expanded to the traditional orthodox rabbinical authorities. In the light of the historical experience of the fratricidal war between the biblical kingdoms of Israel and Judea, disobedience or violence against fellow Jews is seen as endangering the unity of the Jewish People and is, thus, a taboo. See Adelman, 2008, p. 36; see also interviews in ICG Middle East Report: *Israel's Religious Right and the Question of Settlements*, No. 89. Jerusalem/ Brussels, 2009, p. 6-11.

233 Cit. Shindler, Colin: *What Do Zionists Believe?* London: Granta Books, 2007, p. 7.

234 Israel Zangwill became the leader of those who demanded Uganda to be the new Jewish home. See Hecht, 1911, pp. 12/13.

235 Cit. Saadia Gaon, in: Dieckhoff, Alain: *The Invention of a Nation. Zionist Thought and the Making of Modern Israel*. New York: Columbia Univ. Press, 2003, p. 138.

236 According to Kohn, Ha'am sought to create a miniature of Jewish life in Palestine as a bridge between present and past which would harmonize the relations with the Diaspora. See Kohn, Hans: *Nationalismus und Imperialismus im Vorderen Orient*. Frankfurt: Societäts-Verl., 1931, p. 179.

237 See Hecht, 1911, p. 10.

creating a state for Jews in Palestine without contradiction.²³⁸ In regard to the messianic element of traditional orthodox thought, a new dynamic became acute when during the 1920's, the chief rabbi of the *Yishuv* Abraham Yitzhak HaCohen Cook (1865-1937) declared the Zionist endeavor and the desired Jewish state a pre-stage on the way to redemption and the advent of the Messiah. This messianic conception and other teachings of Rabbi Cook strongly influenced the emergence of religious-nationalist groups and the settler movement after the Six-Days-War (1967).

In the discourse on the political legitimation of the state, the role of Judaism and its expression became a practical matter since many Zionist leaders, involved in the negotiations, led by Ben-Gurion, agreed on the point that Judaism needed to be formalized but advocated a strict division between state and religion. Others voted for the implementation of *Halacha* as the guiding and legitimizing principle of the state. The religious-political groups, basically represented by the anti-Zionist ultra-orthodox *Agudat Yisrael*, demanded the perpetuation of the status quo of the *Yishuv* – religious jurisdiction, including matters of personal status (marriage, divorce) would continue to be directed by the Chief Rabbinate under Jewish halachic law.²³⁹ In return for political support, Ben-Gurion accepted further demands regarding *Sabbath*, *Kashrut* laws, autonomy of the religious education and representation in the High Court.

As many Zionist leaders had emphasized before, the endeavor of Zionism was comparable to the programs of secular-nationalist movements worldwide, seeking the establishment of a sovereign territorial and political entity for a people. The model of statehood promoted by Ben-Gurion's pioneering socialist Zionism went further by characterizing the state in the making as a national state and bearer of a universalistic enlightenment, an ethos expressed by means of democracy and equality. The Israeli telos of being a light unto the nations (*or lagoyim*) ought to harmonize two principles of legitimation: 'The dialectics between nation and state offered the framework of the nation as a product of a primordial national community whose members share cultural traditions, origin and historic continuity at such a rate that the demand for the state is legitimized in terms of a "natural and historic right"²⁴⁰. Created by and for the nation, the state's *raison d'être* is to uphold the nation's continuity and is in the specific Israeli case closely linked with the safeguarding function of state power to guarantee independence and, in the light of the *shoa*, the physical existence of the Jewish People in the State of Israel: "The Zionist project did not bring survivors of the Holocaust to Israel to suffer another Holocaust."²⁴¹ In other words, as Herzl had proclaimed in his theory, the Jewish people represented an entity *because of external threats*.²⁴²

Regarding the boundaries of this national particularistic entity, as the one and only effective political community with substantial participation in state and society, even citizens, that are not member of the national group but do apply to all legal requirements for citizenship, cannot participate in the political community as

238 See Brenner, Michael: *Geschichte des Zionismus*. München: C.H. Beck, 2. Ed., 2005, pp. 89-92.

239 The *Judges Act of Knesset* was adopted in 1953.

240 See Provisional Government of Israel: *The Declaration of the Establishment of the State of Israel*. Official Gazette, No. 1, Tel Aviv, 14 May, 1948.

241 Cit. opening remarks, MK Tzipi Livni, Opposition Leader (*Kadima*) at the 3rd Annual Conference on Security Challenges of the 21st Century, INSS Tel Aviv, 15 December, 2009.

242 See Herzl, 1896, p. 14.

full-privileged members: Non-Jews, Israeli Arabs and immigrants who do not apply to the requirements formulated by the Law of Return (*aliyah*)²⁴³ are therefore not fully recognized by this exclusive conception as “Jewish nationals”. Contrary to this, according to the universalistic principle, the notion of the state as a fabric of policy-making in order to achieve collective goals does, ideally, respond to the will of its citizenship in which all individuals that are by law citizens of the state are included and therefore represent the effective political community.

The combination of both principles and their implementation into the state by the elite of socialist Zionism could not happen without ideological and pragmatic tensions. This became obvious when more and more immigrants had to be “absorbed” in the early Israeli society. In the context of early pioneering Zionism, this procedure was, beyond its legal implications, linked to the idea of a Zionist re-education of the new nationals. Disillusioned by the failure of early pioneering socialist Zionism – manifested in the Kibbutzim²⁴⁴ – it was obvious that the new state, settled by an international and intercultural melting-pot society needed a less narrow framework for the identification of citizenship with the state and to arrange a more comprehensive ideological basis for the inclusion of most segments of society. Statism (*mamlakhtiut*) became the dominant vehicle for legitimacy from the 1950's to the early 1960's. Proposed by the Labor elite that had to respond to the exorbitant influx of immigrants that were not affiliated – or rather, not “duly reeducated in the light of revolutionary Zionist values”²⁴⁵ –, statism represented an elite discourse that is deeply linked with Ben-Gurion's personal perception of state supremacy.²⁴⁶ It emphasized the unifying character of the Jewish cultural and historical heritage in the Land of Israel. As a “civil religion of one subgroup without hampering the basic unity of the Jewish population” a process of revitalization and nationalization of Jewish biblical symbols and motifs resulted in the adoption of religious holidays, excavation projects in Israel etc.²⁴⁷ Regarding the role of the state and its interaction with the citizenship, statism was based on a state-centred civil obedience.

The strong impact of the specific socialist Zionist drive – personified by the founding father and the “Ben-Gurion Boys” Moshe Dayan, Simon Peres and Moshe Sharett²⁴⁸ – on state-society structures can also be observed in terms of a continuance of Ashkenazi dominance in all Zionist institutions (*Jewish Agency*, *Histadrut*, *Jewish National Fund* (JNF), *Zionist Council* etc.) and the strategy of political cleansing – off “lefties” and “socialist red flags” – and radical replacement of positions, that followed “the day after” *Likud*'s electoral victory in

243 Enacted in 1950, I shall refer to the *Law of Return* (Amendment No. 2) 5730-1970, passed by the Knesset on 10 March, 1970. Art. 4B of this amendment of the *Chok HaSch'vut* defines a Jew as “a person who was born of a Jewish mother or has become converted to Judaism and who is not a member of another religion” and, thus, goes beyond the halachic definition.

244 The extent to which socialist elements were inherent during the realization of the Kibbutz ideal, is in fact controversial. Israeli scholars who position themselves as “post-” or “anti-Zionists”, argue that the first settlements in pre-state Israel were the beginning of a systematic settlement policy that reflected the structures of an colonial “ethnocratic settler society”. See for instance Piterberg, Gabriel: *The Return of Zionism: Myths, Politics and Scholarship in Israel*. London: Verso, 2008.

245 Cit. Cohen, Erik: *The Changing Legitimations of the State of Israel*, p. 150. In: Medding, Peter Y. (Ed.): *Israel. State and Society, 1948-1988*. Studies in Contemporary Jewry, Hebrew Univ. Jerusalem, Vol. 5, pp. 148-165.

246 See Liebman, Charles S. / Don-Yehiya, Eliezer (Eds.): *Civil Religion in Israel*. Berkeley (a.o.): Univ. of California Press, 1983, pp. 81-122; Peleg, 2007, S. 174-176.

247 See Liebman / Don-Yehiya, 1983.

248 The same applies to the opposition with what has been called revisionist-rightist Zionism. Until today, the elite of this political milieu is prominently represented by the Ashkenazi Arens, Begin, Weizmann, Livni and Netanyahu families and Begin's *Herut* party, today's *Likud*, that took over in 1977 and initiated an ideological turn in Israeli politics and society.

1977.²⁴⁹ The exclusive setup of Israel's political community and its institutions was maintained in essence although over the last few years, yet a mild transformation can be observed. Beyond these inclusive “cosmetic” changes, the dominance by one ethnic group – Ashkenazi Jews, politically affiliated with both major blocs, socialist and liberal-revisionist Zionism – continues.²⁵⁰ The latter, that lacked the broad networks and organizational strength of socialist Zionism, during the 1960's began to open its platform and lower positions for other ethno-national groups. Exemplary, is the rise of the *Sephardi Guardians of the Torah (Shas)* during the 1980's as the reaction of the Sephardi minority to a social, economic and scholarly marginalization in the Israeli State. However, it was a generation of young rabbis, stemming predominantly from a Sephardi milieu whose split from the Ashkenazi *Agudat Yisrael* was basically induced by scholarly arguments and sectarian disputes. Their claim of restoring the “Sephardi crown to its ancient glory” ought primarily to restore the prestige of the Sephardi seminaries and Torah schools (*yeshivot*), rather than to create a political platform to represent a Sephardi identity – a term that had in fact never been used in Israel before Shas entered the political community.²⁵¹

2.3 Nationalism and National Identities

To characterize nationalism as a political field more precise, it is necessary to respond to the different theoretical approaches within this controversial field of research to allow for a concrete operationalization of the central terms "nation" and "nationalism". The concept of the nation proves to be problematic in terms of its limited applicability on almost exclusively Western European contexts. Nevertheless, the struggle for supremacy in Palestine between Jews and Arabs was identified early as a special case.²⁵² Jewish historians such as Hans Kohn (1891-1971) who stood close to the Zionist idea, legitimized the demand for Jewish sovereignty with reference to the indivisible unity of the land, the religion and the political requirement of Zionism.²⁵³ Regarding the question of the development of nations, having been formulated by Renan already a century ago in a similar manner, within the research on nationalism a controversy between primordialists and “modernists”²⁵⁴ has been created. Unlike the primordialists that emphasize the origins of the nation in its continuity with social, economic and political organization of the pre-modern period, the latter based their argument on the concept of the nation and its evolution in the light of the Enlightenment, the French Revolution and industrialization.

249 Interview with Morris Zilka, former Special Envoy of Jewish Agency to Iran, Canada; JNF Head Africa Dept., Judea and Samaria etc., Tel Aviv, 11 January, 2010.

250 See Peleg, 2007, p. 168ff.

251 This was the beginning of a movement of renewal within the *Haredi* sector, expressed by the mobilization of the *torabni* concept - following the Torah, referring to reformed religious and historical traditions to the modern Israeli context – and *l'shuva*, meaning the revival of a more observant lifestyle and a doctrinal separation from other *l'shuva* interpretations, e.g. by the more messianic *Chabad* Hassidism. See Lehman, David/ Siebzeiner, Batia: Remaking Israeli Judaism: The Challenge of Shas. New York: Oxford Univ. Press, 2006, pp.42-119; Rosmer, Tilde: Shas. The Sephardi Torah Guardians and their Construction of the New Jewish Israeli Identity. Unpubl. M.A. Thesis, History of Religions, University of Oslo, 2002.

252 See Kohn, 1931, pp. 80/81.

253 See *Ibid.*, p. 175-182ff.

254 Representative for the “constructivists” of nationalism see also Deutsch, Karl W.: Der Nationalismus und seine Alternativen. München: Piper, 1972; Kedourie, Elie: Nationalism. Oxford (a.o.): Blackwell, 4th Ed., Repr., 1994; Hobsbawm, Eric J.: Nations and Nationalism since 1780. Programme, Myth, Reality. Cambridge (a.o.): Cambridge Univ. Press, 2nd Ed., Repr., 1994; Anderson, 1998.

As a sound political concept neither universalist nor incidental, Gellner assessed nationalism as a consequence of the European Enlightenment, and drew attention to its deep socioeconomic roots which derive from a radical historical break and transition from the agrarian to the industrial society and modernity itself.²⁵⁵ This is not to say that the modernist approach per se denies the historical emergence lines of nationalism, which date back to “pre-modern” times. Rather did modernity with its socio-economic factors dominate over other factors and traditions, such as the category of ethnicity, which had been strongly emphasized by Smith. Gellner attaches high importance to the development of the concepts of nationalism and the nation state: Both phenomena are not natural, inherent characteristics of human development, but rather represent the pre-requisite and centric point of reference of nationalism.²⁵⁶ But Gellner points out to asymmetries in the interrelationship between the state and the nation. According to him, there have always been countries “that have certainly emerged without the blessing of the nations.”²⁵⁷ And also Kedourie sees the emergence of modern nationalism as based on an ideological movement and the symbolic language of nationalism, thus, a self-generated process.²⁵⁸

Symbolism and rites are the format that ensures a sense of identity, as a prominent, ceremonially shaped communication.²⁵⁹ The use and ritualization of particulate elements of history by ceremonial communication never occurs in a “power-neutral” space. Instead, the symbolic codes of an identity are always determined by certain social groups²⁶⁰ that are either motivated by short-term political and electoral calculations or by a long-term ideological-political motivation. The processing of colonial experience and the initiation of a new national narrative context as a mediator between collectively-national and historical memory as the balancing act between patriotism and subversion is, contrary to the Halbwachs' postulate, closely interwoven with the respective narrative of the national memory.²⁶¹ Historiography shapes to a not inconsiderable part the national memory and can provide legitimacy. The rise of nationalist political movements worldwide has established the

255 See Gellner, 1997.

256 “Nationalism is a state-centered form of collective subject formation, a form of state representation, one grounding identity and legitimacy of the state in a population of individuals who inhabit a territory bounded by that state.” Cit. Friedland, 2001, pp. 137/138.

257 Cit. Gellner, Ernest: Nations and Nationalism. Ithaca: Cornell Univ. Press, 1983, p. 6. Gellner sees a nation as „two men are of the same nation if and only if they share the same culture, where culture in turn means a system of ideas and signs and associations and ways of behaving and communicating.“ Further he writes: „Two men are of the same nation if and only if they recognize each other as belonging to the same nation. In other words, nations make the man; nations are the artifacts of men's convictions and loyalties and solidarities. A mere category of persons (say, occupants of a given territory, or speakers of a given language, for example) becomes a nation if and when the members of the category firmly recognize certain mutual rights and duties to each other in virtue of their shared membership of it. It is their recognition of each other as fellows of this kind which turns them into a nation, and not the other shared attributes, whatever they might be, which separate that category from non-members.“ Cit. Ibid., pp. 6-7.

258 See Kedourie, Elie: Nationalism in Africa and Asia. New York (u.a.): The World Publ. Company, 1970. Here the notion of identity comes into play with reference to Halbwachs and Assmann. For their concepts of collective identity and memory as well as history as a “super-organic” product of scholarship and sciences, see Halbwachs, Maurice: The Collective Memory. New York: Harper & Row, 1980, p. 50-87; Zerubavel, Yael: Recovered Roots: Collective Memory and the Making of Israeli National Tradition. Chicago (a.o.): Univ. of Chicago Press, 1995, pp. 4/5; Assmann, Jan: Das kulturelle Gedächtnis. Schrift, Erinnerung und politische Identität in frühen Hochkulturen, 6th Ed. München: C. H. Beck, 2007, p. 134-143; Eisenstadt, Shmuel Noah/ Giesen, Bernhard: The Construction of Collective Identity, p. 74. In: Archives Européennes de Sociologie, Vol. 36, 1995, p. 72-102.

259 See Assmann, 2007, p. 143.

260 See Eisenstadt/ Giesen, 1995, p. 78ff.

261 Rather than using nationalism as the result of a long historical process that ensured national unity, in African and Asian societies, a nationalist repertoire had been used as a medium to gain this unity. Therefore the historian's self-understanding and reputation in these societies is a different one as compared to, e.g. the European context. The historian's authority, in these societies, is both academic and political. See Wieland, 2000, p. 125.

view that attempts by the state to legitimize rule often have to refer far back in history to selectively ensure a sense of tradition. The creation and raising of national identities like on the levels of political representation, in diplomacy and cultural exchange, is done by inclusion of diverse rites and symbols of the memory, e.g. holidays and ceremonies, the visual symbolism of architecture and in art and literature. In the two latter fields, with the cult of the hagiography, heroes were created – or, as the example of Israel's Massada myth might well illustrate, existing historical exemplary figures were distorted. While intellectuals and scientists ensure the establishment of formal historical discourses and the reproduction of the past and its inclusion into the present, the multiple rituals of the performance of the past provide primary access to this knowledge, too. In this context, the education sector usually plays a significant role in the socialization of young citizens and provide their access to national traditions. The act of remembrance reconstructs selectively specific segments of the past to a narrative: of its own:

Yet these commemorations together contribute to the formation of a *master commemorative narrative* that structures collective memory. With this concept I refer to a broader view of history, a basic "story line" that is culturally constructed and provides the group members with a general notion of their shared past.²⁶²

By highlighting of its own identity, its place of origin and its historical development, this narrative enters the linear process of nation-building as a national and formal narrative. However, its historicity and its linearity may be interrupted by selected historical events, which highlight the ideological principles and fundamental values, which serve as the core of the national narrative. In particular, the historical turning point, which marks the rise of the founding movement – in that sense as a *revolutionary* movement – provides the beginning of the national story.²⁶³ Historic events are being transformed into political myths.²⁶⁴ Despite their reference to the past or to "imagined traditions"²⁶⁵ they allow insight into the sociopolitical present because they reflect current claims of a specific group. This observation is striking when looking at the ritualized performance of the past in terms of a state's inner and foreign policies in which it often follows the lessons it has learned in the past and through which it sees developments of the present. Further, the interaction between past and present and the ability of a state to duplicate and implement them forms imperatives and worldviews that, e.g. claim a specific international role or divide the world into „hostile“ and „friendly“ states.

2.3.1 Religious Nationalism

Dealing with the cases of Pakistan and Israel, it seems adequate to focus on the inter-linkages between nationalism and its religious components. Van der Veer has highlighted the failure of Euro-centric tendencies in political theory to see nationalism as an exclusively secular concept. In order to understand the influence of the factor religion within the nation and nationalism, the discourse on the interrelation between modernity, secularism and nationalism has to be reconstructed.²⁶⁶ Van der Veer's studies proved that religion in South Asia

262 Cit. Zerubavel, p. 6.

263 "The emphasis on a 'great divide' between this group and others is used to dispel any denial of the group's legitimacy. The commemoration of beginnings justifies the group's claim as a distinct unit, often by demonstrating that its roots go back to a distant past." Cit. Ibid., p. 7.

264 Ibid., p. 9ff.

265 See Anderson, 1998.

266 See van der Veer, Peter: Religious Nationalism: Hindus and Muslims in India. Berkeley: Univ. of California Press, 1994, p. 11-13.

not only plays a surrogate role, e.g. in ethnic conflicts. Rather it has been the most important provider of identity and legitimized the foundation of new entities in the region as well as the European colonial endeavor.²⁶⁷

The same seems to be true with regard to existing theories of nation-building: Referring to Pakistan and Israel, Hippler emphasizes their special ways towards nationhood by embedding the nationalist call for independence into a religious framework:

It is not absolutely essential, though, for such an integrating ideology forming the basis for nation-building to always and automatically be 'nationally' oriented. It can also be replaced by other value and identity models, at least for a time: constitutional patriotism – 'liberty, equality, fraternity' – secular ideologies (for example socialism) or religion can assume the same function or auxiliary functions. The cases of the founding of the states of Pakistan and Israel are illustrative in this respect: when states were founded for the 'Muslims of India' and 'the Jews', these originally religious classifications were increasingly reinterpreted in a 'national' way.²⁶⁸

The politicization of religion, described as characteristic also by Robinson for the increasing influence of the political movements of British India and their medium of political articulation to the British colonial administration²⁶⁹, is contrasted by Van der Veer's account which highlights the autonomous development of religious institutions and their potential for transformation.²⁷⁰ Like Gellner, he acknowledges the interdependence of the two dimensions of state and nation. However, he underlines the strong potential of religious-nationalist ideologies in the Islamic context to take over secular ideological state features:

Obviously, it is impossible to ignore the role of the state in the formation of nationalism. It is clear, that state and nationalism are directly connected. Nationalism seeks control over the political unit, the state. Thus far, Muslim nationalism is the only religious nationalism that has been able to capture the state.²⁷¹

The agents propagating the inclusion of religious elements into the nationalist discourse quite often came from the secular intelligentsia who were confronted with the resistance of some strata of the traditionalist religious sector.²⁷²

Juergensmeyer, although he focuses in his works primarily on religious violence, has presented a useful framework in which the religious-political mixture of nationalist ideology can be adequately located. Like Kippenberg, he highlights the individual act of religious violence – “religious terror” – as a ritualized form of symbolic warfare in which the believer participates in a globalized and transcended cosmic drama between good and evil in the light of a millenarian world-view,²⁷³ but sees religion – in its collective dimension – as a counter-ideology of protest, competition and protection against the secular nation-state and its failure with

267 See Ibid., p. 30. On the influence of pietism and 17th century European imaginations of superiority, constructed as a contrast to “oriental despotism” see Mann, Michael: 'Torchbearers Upon the Path of Progress': Britain's Ideology of a 'Moral and Material Progress' in India. An Introductory Essay. In: Fischer-Tiné, Harald/ Mann, Michael (Eds.): Colonialism as Civilizing Mission. Cultural Ideology in British India. London: Anthem Press, 2004, p. 1-26.

268 Cit. Hippler, 2005, p. 8.

269 See Robinson, Francis: Islam and Muslim Society in South Asia. In: Contributions to Indian Sociology, No. 17, 1983, p. 185-203.

270 “Religious identities are produced in religious configurations, which are related to other more comprehensive configurations, such as the state. I would argue that the formation of religious communities is certainly affected by state formation but cannot be reduced to it.” Cit. van der Veer, 1994, p. 30.

271 Cit. Ibid., p. 31.

272 “The common enemy of the Jewish traditionalists (but also of the Christian and Muslim ones) had a face: the face of the member of the intelligentsia who wanted to establish a totally new, national identity with an evolutionary culture, to replace the perennial, transcendental identity with its unchanging rituals and beliefs. The traditionalists rightly saw in the intelligentsia a social category that was not only fashioning a different collective identity but also striving blatantly to deprive them of their leading position.” Cit. Dieckhoff, 2003, p. 144.

273 See Kippenberg, 2008, p. 11-27, 199-207.

special regard to its non-religious nationalist elements.²⁷⁴ Moreover, the religious narrative which, according to Juergensmeyer and Friedland, is able to mobilize believers does not replace the nationalist message in its entirety but offers a more attractive framework of a sacralized modern nation-state in which nationalism is suffused with the religious²⁷⁵ as a secular concept perceived as a religious political culture.²⁷⁶ Further, Friedland hints at his observation that such a distinct culture favors policies that are by far more socialist in their orientation.²⁷⁷

2.3.2 Authenticity and Indigenoussness

Linked to the question of how a national identity is characterized, is the imagination of a “genetic” identity. Here, the conception of the citizen who is born and socialized in the land and in the state merges a territorial as well as political determined indigenoussness:

‘Indigenous’ is a term applied to people – and by the people to themselves – who are engaged in an often desperate struggle for political rights, for land, for a place and space within a modern nation’s economy and society. Identity and self-representation are vital elements of the political platform of such peoples. Politics [...] is all about identity, among various ethnic groups, with claims [...] to rights, land and competing claims to ‘first people’ status and standing.²⁷⁸

Conceptions of a new ethnicity embody hybrid ideological constructions mixing essentialist, primordial and therefore historically consistent notions of citizenship. The debate on national belonging embarks on a political dimension within the nation building discourse as the following statement by a former Pakistani cabinet member underlines:

Ethnicity will remain a potent factor in formation, deformation and reformation of states. [...] However, in the next 90 years we are likely to witness very volatile times [...] We are even more unique than Israel. Judaism has a very strong connection with ethnicity. It’ll take another two hundred to three hundred years for a Pakistani ethnic identity to develop. We have not even begun to create a genetic Pakistani identity. Perhaps this will change after more inter-marriages.²⁷⁹

That such claims are merely based on an ideal type induced by the idea of purity becomes clear with regard to the problematic legal rules and procedures of inter-religious and inter-ethnic marriages or conversions in both countries, when exclusive conceptions of belonging to a religious or ethnic group rely on descent.²⁸⁰ This shows that liberal egalitarian principles, rooted in the constitution, surrender to the reality of a diverse multi-ethnic state framed by religiously determined laws of civil status. As a substitute for a not yet existing national identity, in both countries, the accentuation of Islamic and Jewish identities, gives expression to the state’s unifying aim of integration and control despite the reality of ethnic-religious complexity and diversity:

274 See Juergensmeyer, Mark: *Terror in the Mind of God. The Global Rise of Religious Violence*. Berkeley: Univ. of California Press, 1999, p. 254ff.

275 See Friedland, 2001, p. 126-130.

276 Ibid., p. 129.

277 This is true in the cases of Pakistan and Iran but would apply to other countries as well. See Friedland, 2001, p. 135. Recent changes in Middle Eastern regimes, in which religious forces in charge of government are confronted with the difficult task to respond to pressing socioeconomic needs is a case in point.

278 Cit. Guenther, Thomas: *The Concept of Indigeneity*, p. 17. In: *Social Anthropology*, Vol. 14, No. 1, 2006, p. 17-32.

279 Cit. Address by former Minister for Information Javed Jabbar on the occasion of the lecture „Ethnicity and other factors: State formation, De-formation and Reformation“ organized by the Area Study Centre for Europe (ASCE), University of Karachi, on 28 April, 2009.

280 With regard to marriage which is in Pakistan’s mainstream society, more than in Israel, strictly determined on the basis of ethnic, tribal and family status and sectarian affiliation, minorities often maintain their own rules. For instance Ahmadis are not allowed to marry exogamously. In Israel, marriage within *haredi* sects follows similar lines, often possible only with the leading rabbi’s approval.

In many multiethnic (proto)societies, the impetus for pushing through social integration and creating a nation-state came and comes from the state apparatus itself, using methods like material incentives (financial, economic, public service employment etc.), cultural means (language policy, education system, policy on religion) or compulsion.²⁸¹

In this way certain groups emerge as the winners of identity politics, though not exclusively and unchallenged any more due to increasing political and economic participation of other social groups.²⁸²

2.3.3 Citizenship, Ethnicity and Demography

While Muslims in colonial India experienced both, minority and majority status – with their majoritarian areas in the North-Western and Eastern regions of the colony – on the whole, they accounted for about 25 percent of the total population.²⁸³ In Pakistan Muslims constitute an overwhelming majority of more than 90 percent of the total population while religious minorities are believed to account for between three to ten percent including Hindus (1.6 %), Christians (1.59 %), Ahmadis (0.22 %) ²⁸⁴, Sikhs and Buddhists (0.07 % ²⁸⁵), Bahais, Parsis, Kalashis, Bahai, Zikris and Jews.²⁸⁶

A similar controversy, a Jewish-Israeli *Kulturkampf*, is being discussed in the Israeli context with regard to the country's ethnic-religious cleavage and the question of political participation. Smootha has introduced his model of an “ethnic democracy” as the main focal point of discourse within this cleavage. While the term is highly contested and controversial, it questions nothing less than the ideology of a “Jewish democracy” and, thus, Israel's fundamental narrative and the basic claim of post-independence Zionism. Beyond this ideological dimension, the ethnic-religious question of participation in the state requires numerical clarification. Despite about 42 percent of Jewish world population holds Israeli citizenship with 5.704.000 Israeli Jews as of 2009, a significant majority of about 58 percent (7.296.000) lives in the Diaspora.²⁸⁷ However, the Israeli state, for decades, and because of its ideological claim of being a Zionist-Jewish state open for “the exiled”, those Jews who wish to settle in Israel, has been challenged in maintaining its immigration numbers. With the country's economy and labor market relying heavily on the influx of qualified immigrants, decrease of immigration numbers, increasing numbers of dual citizens who leave Israel²⁸⁸ and high birth rates among those parts of population who do not fully integrate into the labor market, might shape the country's future. With a frustrated middle class which bears the burden of Israel's settlements in the West Bank and the drop out of ul-

281 Cit. Hippler, 2005, p. 10.

282 Religion in the formation of identities on the Subcontinent has been identified as the key identity marker by Brass whose works on groups such as the Sikhs are highly relevant to this study. See Brass, Paul: *Language, Religion and Politics in North India*. London (a.o.): Cambridge Univ. Press, 1974. Despite the violent history of the relationship between the Sikh communities and the Indian state, and their total share of around two percent of the population, Sikhs are well represented in its institutions like in the army where they compose a large share of the officer ranks, thus over-representing Sikh identity. See also Jalal on the imperative of citizenship in the cases of India and Pakistan and identity formations in the post partition scenario which made Hindus and Muslims on both sides „declared enemies of co-religionists beyond the nearest international checkpoint“. Cit. Jalal, 2000, p. 568.

283 See Malik, 2006, p. 204.

284 Ahmadis themselves claimed about 600.000 individuals in 2010. See US State Department: *International Religious Freedom Report*, July-December 2010, September, 2011, p. 3.

285 All numbers according to the last official census for 1998. See GoP: *Population Census Organization: Census*, 1998.

286 *Ibid.*, p. 199-204. Similar to the numbers for the Shi'a and Ahmadi proportions, members of minority groups might tend to exaggerate their numbers while Sunni Muslims might doubt it. Pakistan's Jewish communities faced a rapid decline and like other minority groups, kept a low profile in public. After some dozen Jews were airlifted to Israel at the end of 2010 and beginning of 2011, it is believed that the last community in Karachi is defunct with only a hand full of its members still living in Pakistan.

287 See Annex, Tabelle 7.

tra-orthodox communities as a productive work force while being the main receiver of state subsidies, this problem is likely to deepen in the future.²⁸⁹ Israel's economy and immigration, until recently, proved to be affected by wars only insignificantly.²⁹⁰ With Israel entering a new security environment with Iran as a potential nuclear adversary and the fear of upcoming conflict in the region steadily growing, the country's future challenge would be a massive brain drain accompanied by financial retracements and international disinvestment. Fear of a brain drain became a persistent argument used by the Israeli leadership according to which "the first-stage Iranian goal is to terrify Israel's most talented citizens into leaving"²⁹¹ The security argument applies to contemporary Pakistan too, where domestic violence and the fear of terrorist attacks and tensions with India on the regional level, dissuade local and foreign investment and push unemployment²⁹² while the country's weak economy deteriorates by the day.²⁹³

With regard to the legal requirements for citizenship, Pakistan together with Cambodia is the only country in Asia that grants citizenship on the basis of *jus soli*, the US-Canadian legal tradition by which nationality or citizenship is recognized to individuals born in the territory of the related state.²⁹⁴ Like in Israel, the issue of dual citizenship remained in the center of a controversy which culminated in 2012, when the Supreme Court abandoned Farah Naz Isfahani's (PPP) and Interior Minister Rehman Malik's parliamentary status²⁹⁵ because of their dual citizenships.²⁹⁶ While the court's maneuver was politically motivated and aimed at discrediting the PPP-government, the judges argued that the oath for citizenship for the US would disqualify Isfahani from being able to serve as a Pakistani member of parliament, thereby arguing on the grounds of antagonistic security interests between Pakistan and the US.²⁹⁷ Involving the issue of loyalty, this precedence case questions the very nature of Pakistan's citizenship law and is expected to be expanded to other prominent politicians.²⁹⁸ Israel upholds a legal argumentation that in principle applies to *jus sanguinis*. Being granted to all individuals irrespective of their religious or ethnic descend, citizenship is granted by virtue of birth in Israel or naturalization which

288 Immigration trends with regard to the US have slightly changed in recent years. Due to decline of the US job market since 2008, the end of domestic instability after the Second Intifada in 2005 and the Lebanon War in 2006, the trend of Israel-born immigrants obtaining legal permanent residence in the US seems to have been reversed for the moment with 5.943 Israeli immigrants in 2006 down to 3.826 in 2011. For the data from 2002 to 2011 see Guttman, Nathan: Fewer Israelis immigrate to U.S. In: The Jewish Daily Forward, 19 April, 2012.

289 See Ha'aretz, 2 August, 2011: Netanyahu's Panic is a Threat to Israel's economic Stability.

290 While the 1967 and 1973 wars in fact were motors for Israel's defense industry and especially its R&D branches, "In 2006 and at the turn of 2008 to 2009, Israel fought wars against two groups trained and funded by Iran. While these wars had little effect on the Israeli economy, and Israeli companies have become adept at upholding their commitments to customers and investors regardless of security threats large and small, the next iteration of the Iranian threat could be different from anything Israel has ever experienced." Cit. Senor, Dan / Singer, Saul: Start-up Nation. The Story of Israel's Economic Miracle. New York: Council on Foreign Affairs/ Twelve, 2011, p. 265.

291 Cit. Prime minister Netanyahu in an interview, December 2008. Quoted in: Senor / Singer, 2011, p. 265.

292 Unemployment and security reasons have cultivated the brain drain of Pakistan's educated middle and upper classes of which many leave the country for education in the UK or the USA. Seen as a sine qua non for the survival of Pakistani economy, ironically, the "Dubai chalo syndrome" guarantees the influx of rich remittances by Pakistani guest workers from the Gulf region. For Pakistani images and myth regarding the UAE. See Ahmed, Akbar S.: Discovering Islam. Making Sense of Muslim History and Society. London (a.o.): Routledge, 2nd Ed., 2002, p. 172-184.

293 See Ahmed, 2010, p. 30.

294 See GoP: Pakistan Citizenship Act, 1951, 13 April 1951.

295 See The Frontier Post: SC suspends Malik's Senate membership, 4 June, 2012.

296 Being the wife of former ambassador to the US Husain Haqqani who was ousted from office due to his alleged role in the Memogate affair in 2011, it is widely believed that the Court was trying to indirectly target Haqqani.

297 See Khosa, Sameer: The Law on Citizenship. In: Dawn, 28 May, 2012.

298 See The Frontier Post: Dual nationality: 14 more parliamentarians listed, 4 June, 2012.

requires five years of residency and the acquisition of basic knowledge of Ivrit and national history. However, the right of blood, similar to all the other states that grant nationality on the basis of *jus sanguinis*, is exclusively dedicated to aspirants who are Jewish by birth or because they converted to Judaism under the guise of a rabbi whose school of thought is recognized by the Ministry of Interior. Thus, the Israeli case exemplifies a legal tradition in which citizenship is determined by both, the territorial principle and the principle of lineage of nationality on the one hand, and the ethno-religious exclusive right of being a member of world Jewry on the other.

Israel's ethnic-religious demography is further fragmented because of its large proportion of non-Jewish citizens. Out of a total population of 7.848.800 (March, 2012), 75.3 percent are considered as Jews due to their registration at the Ministry of Interior with about four percent including relatives of immigrants and registered inhabitants without religious affiliation.²⁹⁹ As for the state territory, around 19.9 to 20.5 percent of its population being Palestinian Arabs with Israeli citizenship and in addition those who refused to acquire citizen status but live in East Jerusalem as permanent residents or, like in the case of the Druze, as Syrian citizens in the occupied Golan Heights.³⁰⁰ 1.286.500 Muslim citizens, most of them Arab, compose the largest group among the non-Jewish population followed by 151.700 Christians and about 125.300 Druze:³⁰¹

Many Jewish Israelis question the willingness of their Arab fellow citizens to come to terms with the existence of the state. Arab Israelis often are perceived as a security threat and a political/ demographic time bomb. With allegations of cooperation between Arab Israelis and Palestinian militant organizations since the intifada, such perceptions have further solidified.³⁰²

While the demographic demon – that is the explicit fear of minorities becoming a substantial new force primarily on the basis of legal emancipation and, thus, a threat to the majority or a “fifth column” and “enemy within” – remains subjected to heated debates in both Israel and Pakistan, numbers show that there is indeed a growth in numbers. However, with regard to their proportion of the total population, minorities' total share remained more or less the same since the foundation of the modern state with 15 to 21 percent in Israel and three to ten percent in Pakistan.³⁰³

Demographically hegemonic states with a religious majoritarian or ethnically defined bias have to deal with their minorities. Cases like Estonia, Latvia, Sri Lanka, Israel, Belgium, Canada and Switzerland show that, once a minority group reaches about 15 to 20 percent share of the population, combined with factors such as the concentration in a particular region of the state's territory³⁰⁴, cultural identity markers (e.g. language), international pressure on human and minority rights issues etc., the dominant ethnic-religious group has to agree to a transformation of its hegemonic order by gradually granting limited or full rights to peripheral strata of society. Politically, this can result in increased participation in the framework of a power-sharing model of governance or, in the worst case, in separatism and re-negotiations of the territorial and political status quo. The

299 For the numbers see Central Bureau of Statistics: Population by Population Group. Monthly Bulletin of Statistics, No. 4/2012.

300 References to these groups and terms used in official documents tends to be highly politicized; for instance when the group refers to itself as “Palestinian citizens of Israel” in contrast to the National Security Council's formula of “Arab Citizens of Israel”. See International Crisis Group: Identity Crisis: Israel and Its Arab Citizens. Middle East Report, No. 25, 2004, Executive Summary and Recommendations.

301 For the data see Central Bureau for Statistics: Statistical Abstract of Israel 2010, No. 61, Subject 2.

302 Cit. ICG, 2004, Executive Summary.

303 See ICG, 2004, p. 1; Malik, 2005, p. 203.

304 Also *Demographic Concentration Factor*.

latter point materialized during the history of Pakistan and Israel in the Great Partition of the Indian Subcontinent in 1947, the state collapse and the creation of Bangladesh in 1971 vis-à-vis the de facto parallel existence of three governmental entities of Gaza (until 2005), Palestinian Territories and the territory of the State of Israel and the model of a Two-States-Solution as a final status solution within the Middle East Peace Process.

It is hardly surprising that the demographic argument is subjected to biased miscalculations and provides a powerful weapon in the hands of those who aim at winning public support and votes. Accordingly, the ethnic-religious demography challenge, instead of being harmonized within an umbrella ideology, a plausible national identity and politics of integration instead of differentiation, remains a strong pool of reference for Hindu nationalist groups in India, Pakistani ethnic rival factions and religious militant groups and nationalist lobbies in Israel that feel the state's self-legitimacy as a Jewish majoritarian democracy being threatened.³⁰⁵

2.3.4 The Role of Languages

Language as an “extension of nationalism” played a major role in the construction of a Muslim-Pakistan and Hebrew Jewish-Israeli collective identity.³⁰⁶ Seeing the *‘ulamā’* as defenders of religious culture, Maulana Ashraf Ali Thanvi had declared that “in the present circumstances, [...] the protection of the Urdu language is protection of our religion”. In Israel, religious groups like the *Agudat Yisrael* were keen to separate themselves from their Sephardi competitors and their non-orthodox environment by using traditional Yiddish instead of Ivrit. Seeing new Hebrew as a vehicle of indoctrination linked to the ideology of the state and, similar to the case of Pakistan, the introduction and modification of an official language as an “internal colonialism”³⁰⁷ based on the “anglicized” or “vernacular proto-elite” of the founding generation which itself had problems to articulate its program in the new language.³⁰⁸ Similar to this, Hebrew emerged from the Zionist narrative under the formula *Yehuda, daber ivrit!* (Jew, speak Hebrew!) – and was to be the language of the full assimilated, absorbed and educated elite of new modern Hebrew culture.

The introduction and development of an exclusive language, only used by an intellectual, religious or ethnic elite, to the point where it is accepted as the hegemonic language is closely linked to the ideological discourse in which language can be identified as a tool with which power is exercised, hence, language is regarded an ideological element within a state. Naturally, language automatically involves knowledge and its proliferation

305 Khushwant Singh, author of *Train to Pakistan* (1956), gives insight into these Indian narratives, present in contemporary Hindu-Nationalist circles and their concepts of Hinduness (*hindutva*), in recent essays and journalistic works and especially in *The End of India* (2003). See also Malik, Ifikhar H.: *Jihad, Hindutva and the Taliban. South Asia at the Crossroads*. Karachi: Oxford Univ. Press, 2006, p. 84-129.

306 See Rahman, Tariq: *Language and Politics in Pakistan*. Karachi: Oxford Univ. Press, 1996, p. 161.

307 See Rahman, Tariq: *Language, Power and Ideology*. In: *Economic and Political Weekly*, Vol. 37, No. 44/45, 2002, p. 4556-4560. In this context, Jalal sees Urdu as being instrumental to “neo-imperialist rule” and speaks of a Pakistani Punjabi dominated imperialism with reference to the language war between West and East Pakistan where the introduction of Urdu as the official language had been refused by the students and intellectuals of Dhaka who, for instance on 21 February, 1952, when the protests became violent and styled by the rioters as the defense of Bengali. See Jalal, 2000, pp. 570/571.

308 With reference to the first wave of Jewish immigrants to Palestine Fellman writes: “Indeed, many could already speak Hebrew upon arrival in the country, while others were willing to improve their knowledge or begin learning the language. They passed on Hebrew to their children in the home, and in the kindergartens and schools they set up throughout the country. Thus, within a biblical generation, in the forty years between 1881-1921, a core of young, fervent Hebrew-language speakers was formed, with Hebrew as the unique symbol of their linguistic nationalism.” Cit. Fellman, Jack: *Eliezer Ben-Yehuda and the Revival of Hebrew (1858-1922)*, online article Jewish Virtual Library, n. d.

within society. Therefore, education has to be seen as a main arena where state ideology is disseminated, e.g. through textbooks. Beyond its meaning and use as an instrument of communication and interaction, language – and its preference of one selected ethnic milieu or class group – has to be seen as a element within the ethnic national discourse. Ethnicity, only thematized and brought to the consciousness of the nation-to-be-created and to the forefront of its cleavages and divides, as a byproduct of modernity and the rise of nationalism.³⁰⁹ Anderson assigns „intellectual theft“³¹⁰ of antique languages to this process, in which, like in the case of religion, language's functionality within the formation of identities became overemphasized. The production of native status symbols and styles is therefore not only an attempt to create authenticity but also part of a political program that is aimed to either suppress or appease dynamics that would challenge the superimposed identity setup. With regard to the role of language the cases of Pakistan and Israel represent a dichotomy in which the introduction of Urdu, from the very beginning, did not contribute to the formation of a collective identity. Rather, Urdu and its identification with the economic, political and cultural elites, deepened existing cleavages within Pakistani society while the attempt to impose Urdu on the Eastern part of the country only strengthened separatism which ultimately led to the 1971 war and the independence of Bangladesh.³¹¹ Against this background, the Israeli project of integrating a society of immigrants and to form, at least, a cultural homogeneity on the basis of a shared language, has been successful and, thus, helped to strengthen the identification of citizenship with Zionist ideology.

2.3.4.1 Urdu

When the 11th and 12th centuries witnessed Muslim conquests of Punjab and Northern India, Persian was the language at the court of the Delhi Sultanate used in literature and poetry. Before Urdu began to rise in the northern intellectual centers of Delhi, Aurangabad and Lucknow, it had been used in a local variation, the southern or Deccan Urdu since the end of the 15th century.³¹² The establishment of Urdu threatened a monopoly of power, until then held by the Muslim *ashraf* elites. Politically, the Mughal Empire saw its rise during the reign of Akbar I (1542-1605), who, as a descendant of the Timurid ruler Babar, succeeded in establishing a South Asian dynastic rule. The dominant status of Persian as the court language was abandoned due to Akbar's policy of *sulb-i kul* (unity), proclaimed in 1581.³¹³ The decline of the Moghul empire which began with the death of Aurangzeb (1658-1707), witnessed also the decline of Persian. In 1837, following a British order,

309 This argument was presented in the early 1960's with reference to the ethnic transformation of New York, considered the role model for the world's immigration societies as well as the romanticized concept of a “melting pot”. Needless to say that Israel immigration and absorption policies aimed at defending that concept regardless of its negative social implications. These included also frustration and discrimination of immigrant groups. For instance the Mizrahi youth channeled their anger with the establishment of the Israeli Black Panther protest movement (*HaPanterim HaShorim*) in 1971, which referred to the American Black Panther Party, that became a forceful political actor and pressure group for the interests of the Black Americans during the 1960's and 1970's. See Glazer, Nathan / Moynihan, Daniel P.: *Beyond the Melting Pot: The Negroes, Puerto Ricans, Jews, Italians, and Irish of New York City*. Cambridge: MIT Press, 2nd, 1970.

310 See Anderson, 1998, p. 63ff.

311 See also Rahman, 2002.

312 See Schimmel, Annemarie: *Im Reich der Grossmoguln: Geschichte, Kunst, Kultur*. München: C. H. Beck, 2000, p. 315. Given the dual claim regarding the origin of Urdu, according to which it arose to prominence during the rule of Wali in Aurangabad, but was recognized mainly by the rising North Indian Muslim classes that integrated Urdu into the broader cultural framework of an Indian Muslim identity, Malik too, points out to its Deccani roots and the role of Wali who brought Urdu poetry to the Mughal court in Delhi. See Malik, 2008, p. 283.

313 See Malik, 2008, p. 171ff.

Urdu, labeled as Hindustani, became the substitute for Persian as working language at the legal courts.³¹⁴ The development of contemporary Urdu as the official language of Pakistan³¹⁵ was paralleled by the creation and propagation of modern Hindi in India. As an exclusive cultural identity marker, aimed at antagonizing Pakistanis and Indians after partition and independence of both new states³¹⁶, the introduction of “new” languages is closely linked to the re-invention of confessional traditions with regard “to help integrate the multi-ethnic and multi-lingual state [...]”.³¹⁷ Just as Punjabi and its various subgroups were linked to a specific ethnic group with a strong literary tradition, Urdu became known as a language of elites and medium of Muslim intellectual thought.³¹⁸ Although not entirely the language of Muslim writers and still acknowledged by Hindu intellectuals in India, Urdu's origins and literary tradition were closely identified with a genuine Muslim literary culture thus making up “an important pillar in Muslim cultural memory.”³¹⁹ Another author points out to the mix of pride and admiration towards Urdu as a key feature of the Pakistani state “cramped to the status of a symbol of the East just as the rising sun. Although with no formal association with this magnificent language to the extent that when around 90% of Pakistan chooses it as elective for their graduation.”³²⁰ However, according to the last official population census of 1998 in which the number given in the census of 1961 appeared to be the same³²¹, the total number (Pakistan) of Urdu speakers was 7.57 percent as compared to Punjabi (44.15), Pashtu (15.42), Sindhi (14.1), Seraiki (10.53), Baluchi (3.57) and other languages (4.66). The regional concentration of Urdu speaking population was Sindh (21.05), followed by Islamabad (10.11) and Punjab (4.51) whereas it was below one percent in the NWFP, FATA and Baluchistan.³²² Thus, the demand for establishing Urdu not only as the second official language, together with English, but also as a feature of Pakistani Muslim national identity and as an extended functional element of Islamic state ideology, has in fact never been successful. Rather, the narrow frame of identity, identified with an minority elite, the *muhajirin* from the intellectual centers of Northern India, and their cultural claim as a power elite, has been institutionalized through state policies. Regarding the role of Urdu on education, Rahman writes:

In Pakistan all ruling elites have tried to counter the ethnic threat as well as the threat of class-oriented movements by appealing to Islam and Pakistani nationalism. Hence, language and literature textbooks are used in Pakistan to disseminate ideological messages to students. Such messages are mostly given through the textbooks of history, social studies and Pakistan studies. However, language textbooks also reinforce the ideological mes-

314 Beyond its radius within the business of courts, the issue of language touched political and religious interests as well. Malik points out to this relevance with regard to a decision made in 1900 according to which Urdu script should be the Nagari script. This decision provoked the resistance of the *Urdu Defense Association* and religious authorities, primarily for fear of suffering socioeconomically marginalized. See Malik, Jamal: *Islamische Gelehrtenkultur in Nordindien. Entwicklungsgeschichte und Tendenzen am Beispiel von Lucknow*. Leiden: Brill, 1997, pp. 434/435.

315 Established as the national language by the Basic Principles Committee under Liaquat Ali Khan in 1950. See Jinnah Institute: *A Question of Faith. A Report on the Status of Religious Minorities in Pakistan*. Karachi, 2011, p. 24.

316 “The government of Pakistan lays down certain objectives for the teaching of various subjects. These are often ideological. They use Islam as a marker of identity to define the boundaries of the self. The 'other' is, by definition, non-Muslim. However, this notion of Islam is so tempered with nationalism as to exclude Indian Hindus rather than non-Muslims who are friendly with Pakistan.” Cit. Rahman, Tariq: *Denizens of Alien Worlds. A Study of Education, Inequality and Polarization in Pakistan*. Karachi: Oxford Univ. Press, 2004, p. 27.

317 Cit. Malik, 2008, p. 288.

318 See Schimmel, 2000.

319 Cit. Malik, 2008, p. 283.

320 Cit. Raja, Ali: *Mansoor, we and Qibla*. In: LUBP, 14 February, 2012.

321 See data from GoP: *1961 Census: Mother Tongue*. In: *Pakistan Year Book 1969*. Karachi: National Publ. House, 1969, p. 44.

322 See data in GoP: *Population Census Organization: Population by Mother Tongue, 1998*.

sages in the other books. These ideological messages are of three kinds. First, messages on Islam; second, those on nationalism; and third, those on militarism.³²³

At least Peleg's classification of hegemonic statehood can be transferred to what Jalal observed in the case of Pakistan where, instead of accommodating non-Urdu population, language was instrumentalized as a tool of preserving hegemonic power interests.³²⁴

2.3.4.2 Ivrit

The way how Hebrew was re-brought to world-Jewry and then introduced as the official language to be used by citizens of the State of Israel, indicates similarities to the case of Urdu. But beyond the mechanisms through which the cultural meaning is channeled through the political-ideological framework and the need to provide new identity markers of belongingness and unity, Hebrew, before its use in Zionist terms, became the focus of Jewish debate for very different reasons. Gotzmann shows the transformation of the issue of an autonomous language from an issue which arose from the Western Ashkenazi German discourse of integration and assimilation into a central demand of the nationalist discourse, how it was promoted by Zionist territorialists and autonomists much later.³²⁵ The inner-Jewish discourse aimed at projecting its various positions to the (protestant) German nationalist and bourgeois reference which saw language as irreversibly linked to the concept of a united nation.³²⁶ 19th century inner Jewish debate on language was, firstly, the attempt to respond to the precarious situation and social status of the Jews as a culturally self-isolated minority in Western Europe, excluded by the majority within the framework of integration. Secondly, the debate about the acquisition of a Jewish language, in which languages and styles like *Hochdeutsch*, considered to be among the purest of languages, on the one hand, and languages like Aramaic and Yiddish, considered impure were envisioned or totally neglected, expressed also the desire for cultural autonomy.³²⁷

Yiddish, the vernacular language in 18th century Western European Jewish communities, more and more had to compete with Hebrew. The latter, being a ritual language, only accessible for few, had superseded Yiddish within the Jewish *ideological* language discourse and even more clearly within the Christian-European perception in that it provided features that, from a euro-centric view, were commonly understood as part of civilized „culture languages“. ³²⁸ Furthermore, Hebrew had been the connecting medium between Jewish communities in the world. Contrary to other achievements of political Zionism which demanded the break with traditional Judaism and the exile, it aimed at compromising between the past and the present:

The revival of Hebrew, however, created a very different dynamic, one that does not contradict the traditional definition of the Jews as a people and as a nation. On the contrary, the Hebrew revival wished to create an organic connection between the Zionist revolution and the ahistoric and nonterritorial loci of Jewish identity. The language of the Bible, the Mishnah, and Jewish liturgy, Hebrew was also for two millennia the medium of communication between Jewish communities. When the sages of Babylon wrote to those of Italy or the Rhineland,

323 Cit. Rahman, Tariq: Language-Teaching and Power in Pakistan. N. d.

324 See Jalal, 2000, p. 570ff.

325 See Gotzmann, Andreas: *Eigenheit und Einheit. Modernisierungsdiskurse des Deutschen Judentums der Emanzipationszeit.* Leiden: Brill, 2002, p. 243-289.

326 See *Ibid.*, p. 255.

327 See *Ibid.*, p. 245.

328 Marking the end of the *haskalah* period, the heterogeneous reform impulses that became more and more present since the 1830's/1840's, contributed to a defragmentation to the Hebrew's main domain – its use in Jewish liturgy. For the introduction of German prayers, see *Ibid.*, p. 252ff.

they did so in Hebrew. The language became a place, a locus, for a dispersed people, the earthly manifestation of Jewish faith. The revival of Hebrew constitutes, then, a connection both to the remains of ancient Jewish civilization and to the discourse of Diaspora Judaism.³²⁹

The revival of Hebrew had been lauded as the “manifestation of the spirit of the nation” by the poet Haim Nahman Bialik (1873-1934), the leading figure of modern Hebrew culture.³³⁰ Its modernization – for instance with the publication of the first Hebrew dictionary by Eliezer Ben-Yehudah³³¹ – and ideological adaption to both the social and political realities in Europe and the envisioned territorial project in Palestine at the end of the 19th and at the beginning of the 20th century, became what Hirschfeld sees as the “most radical event of the Zionist revolution”.³³² However, Hebrew was not an undisputed achievement and faced harsh opposition even among Zionists: Among its most prominent opponents were Theodor Herzl who had supported the introduction of German as the official new language and Ahad Ha'am with his notion of Hebrew as a religious high language, learned and understood only by few, mainly the religious scholars, which he refused for being used as a mundane everyday language by the masses.³³³

329 Cit. Hirschfeld, Ariel: Locus and Language. Hebrew Culture in Israel, 1890-1990, p. 1025. In: Biale, David (Ed.): Cultures of the Jews. A New History. New York: Schocken, 2002, p. 1010-1060.

330 Bialik headed the *Hebrew Writers Union* and became a leading force behind the establishment of the Hebrew University in Jerusalem inaugurated in 1925.

331 See Hirschfeld, p. 1032. Ben-Yehuda (1858-1922) became known as a prolific Hebrew writer and journalist. But his reputation as the “language teacher for the nation” stemmed from his presidency of the *Committee of the Hebrew Language (Va'ad HaLashon)*, today's *Academy of the Hebrew Language* at the Hebrew University.

332 Cit. Ibid., p. 1025.

333 See Ibid. pp. 1031/1032.

3 National History and Self-perception: Legitimizing Themes

As to where Pakistan was located, the inmates knew nothing. That was why both the mad and the partially mad were unable to decide whether they were now in India or in Pakistan. If they were in India, where on earth was Pakistan? And if they were in Pakistan, then how come that until the other day it was India?

Sa'adat Hasan Manto, *Toba Tek Singh*, 1955.

*The history of Zionism is, in part, a story of the search for support from the nations of the world, of knocking on the doors of states to the point of appearing neurotic in its desire for sympathy and recognition.*³³⁴

The decolonialized new nation state had to place the radical event of its creation into an appropriate framework in order to legitimize its sovereignty by building historical continuity. Through reference to the predominant or constructed religious tradition this often became a process in which historical teleology came into play, as an evolutionary concept and melting pot in which religious, political and military antagonisms were harmonized through the removal of its limitations of time, space and historical evidence.³³⁵ This enforcement of a selectively constructed historical linearity – an „amnesia consciously deciding and unconsciously overlooking events“³³⁶ – put forward an alternative interpretation of history giving birth to a historiographic genre of its own and political myths that also came to serve as justification for political outcomes.

3.1 The Role of Historiography

The ultimate goal of historiography in the service of nationalism is not only to rewrite the past in a particular way. Rather it is used to redefine the role of the state and to provide a state-centric view – together with the historical context of its creation, its philosophical or teleological meaning – in order to emphasize its stabilizing, civilizing and guardianship role in preserving the cultural heritage, and, thus, the social fabric in order to provide legitimation for the power of the ruling (post-)colonial elites. Similar to the centralization of the state, religion, in these grand narratives of Muslim or Jewish history, is presented as independent and unchallenged by its inherent sectarian history. This stream of historiography, written by what we can call the „traditionalist school“ among historians, is followed by the next generation which tends to be more on the stream of a „revisionist“ school in that it questions existing traditionalist historiography by critically re-examining the orthodox historical framing of an event. Revisionist arguments often clash with the historical reality, presented by the traditionalists and adopted and disseminated through the education system by the state. In that sense, historiography itself has become the focus of critical discourse which at times proves to be the playground for „history piracy“³³⁷ and a battleground for ideological arguments.³³⁸ It is intriguing that this critical view on national events and dominant interpretations taken for granted, in most cases comes from outside: Many scholars that

334 Cit. Biletzky, Eliyahu: *Libel: Zionism = Racism*. Tel Aviv: Amal, 1979, p. 7.

335 See Wieland, 2000, pp. 119/120.

336 Cit. Malik, 2008, p. 59.

337 See Wieland, 2000, p. 117ff.

338 Another claim is raised by „subaltern studies“ and „oral history“. As „history from below“, telling the individual account on historical events by common people and contemporary witnesses, it challenges the grand narrative told by the historical account „from above“.

produced the most cited works about Pakistan and Israel and claimed to represent a „new history“³³⁹ are foreigners or national citizens that were educated abroad and entered their academic careers in the West with a stronghold at universities in the US and England.

3.1.1 Pakistan

History writing on the sub-continent and numerous works of Western scholars that have evolved around the events of partition and independence have cultivated a biased and ideologized academic discourse, characterized by critiques and counter-critiques:³⁴⁰

Historiography on Pakistan, inclusive of themes such as the debate on Muslim identity, the struggle for independence, the relationship between the centre and the provinces, the uneven interface between state and civil society or the country's external relationships, especially with India, has tended to be Islamic-centric. Pakistani and other observers, in their own separate ways, have tried to disentangle the problematic of Islam both in the achievement and the subsequent nation-building project.³⁴¹

The partition of the Indian subcontinent and its antagonist historical grand narratives evolving from the national Indian or Pakistani view on the past, as a mega event of 20th century after World War II and „massive exercise in human misery“³⁴², plays the most central role as the most defining event in the history of both states. As far as historiography is concerned, it was an event not easy to explain which finally resulted in trends to either support the argument that Hindus and Muslims ever since were not able to live together or to highlight Muslim self-consciousness to such an extent that the Muslim demand for sovereignty became the leading argument for the creation of both countries.³⁴³

A particular controversy has been born with regard to the foundation of Pakistan and the question whether religious groups granted support to the League beyond the Pakistan Resolution of 1940.³⁴⁴ The decisive factors which finally led to the two-state solution are disputed to this day and stand in the center of heated debates between differing religious and political-ideological historic traditions. Popularized versions of 1947 identified various contemporary mindsets at that time, such as nationalist „common will“ to partition shared among the Indian Muslims or the high-level support that the British colonial administration provided to Jinnah on a personal level, as the driving forces behind partition.³⁴⁵ Other theories identified a deep mistrust and conflictual interests between Hindus and Muslims within the Indian colonial civil service or in Muslim society as a whole as the momentum which attracted the support by the '*ulamā*'.³⁴⁶

339 See Ian Talbot's introduction in Salim, Ahmad (Ed.): *Reconstructing History. Memories, Migrants and Minorities*. Islamabad: SDPI/ Heinrich Böll Foundation, 2009, p. Vii.

340 By nature, these academic and politicized struggles are highly emotional too. See Jalal, Ayesha: *Secularists, Subalterns and the Stigma of 'Communalism': Partition Historiography Revisited*. In: *Modern Asian Studies*, Vol. 30, No. 3, 1996, p. 681-737.

341 Cit. Malik, 1999, p. 98.

342 Cit. US-correspondent Margaret Bourke-White. Quoted in: Khan, 2011, p. 21.

343 Authors who pronounced the last theory are for instance Smith, W. C.: *Modern Islam in India. A Social Analysis*. London: Gollancz, 1946; Ahmad, Aziz: *An Intellectual History of Islam in India*. In: *Islamic Surveys*, Vol. 7. Edinburgh: Edinburgh Univ. Press, 1969; *ibid.* (Ed.): *Muslim Self-Statement in India and Pakistan 1857 – 1968*. Wiesbaden: Harrassowitz, 1970; Robinson, Francis: *Separatism among Indian Muslims. The Politics of the United Provinces' Muslims, 1860-1923*. Delhi (a.o.): Oxford Univ. Press, 1997. A focus more on the Muslim political and intellectual elites is given by Jalal, 1999.

344 See Ahmed, Akbar S.: *Jinnah, Pakistan and Islamic Identity. The Search for Saladin*. London, New York: Routledge, 1997; Pirzada, Sayyid A. S.: *The Politics of the Jamiat Ulema-i-Islam Pakistan*. Karachi: Oxford Univ. Press, 2000.

345 See Wilcox, Wayne A.: *Wellsprings of Pakistan*, p. 33-36. In: Ziring, Lawrence/ Braibanti, R./ Wriggings, W. Howard (Eds.): *Pakistan: The Long View*. Durham: Duke Univ. Press, 1977, p. 25-39.

Rosser pointed out to a trend beginning in the 1980s when Pakistan's education system was subjected to superimposed Islamization by the regime, in which publications from the fields of history and social sciences, as well as textbooks, 1.) highlighted immensely the Ideology of Pakistan (*Nazariya-e-Pakistan*) as the political and religious program of the Pakistan Movement and its future referential function for the self-understanding of the Pakistani state; 2.) styled Jinnah as a leader with a clear religious vision for Pakistan along the lines of orthodoxy, and, 3.) presented the 'ulamá' as the „genuine“ social agents which had supported the Pakistan Movement and the League without reservation.³⁴⁷

Scholars like K. K. Aziz have highlighted the argument that sophisticated historical scholarly work on Pakistan until the 1980s seemed to be somewhat out of time and unable to compete with the Indian production of scholarly work on the event of partition and subsequent national history in both quality and quantity. Recalling a lecture on the 1971 events, held during his scholarship at the South Asia Institute in Heidelberg (1982-1987), Aziz writes:

The talks went well, because I was in possession of a great deal of little-known but authentic information and because I spoke like a scholar and not like a Bengali-baiting, ignorant and bigoted West Pakistani of 1970-71. The trouble came during the question-answer time when several persons among the audience referred to or quoted from Indian publications and, hearing my disavowals, asked about the books putting forth the Pakistani point of view. There was absolutely nothing that I could suggest; and I did not want to incur more odium by naming the White Paper issued by the Yahya Khan regime or a few Urdu books and digests which were models of fanciful history and warped fact-finding. The assembly did not believe that the country's contemporary historians could have ignored a tragedy of this magnitude unless there were specific and clear reasons for the silence. I could not give them any reasons. Then somebody mentioned Kashmir, and that started the whole debate over again. There were about one hundred Indian books on the Kashmir problem, at least a quarter of them scholarly and documented. Could I name five Pakistani publications to match them? I could not.³⁴⁸

While Pakistani historiography has produced some remarkable works since around the late 1980s, Aziz' diagnosis of the „phenomenon of a totally inactive profession“³⁴⁹ coincides with the fact that especially the 1980s witnessed the „saffranization of history“ under Zia ul-Haq with an explosion of works that emphasized Pakistan's ideological pillars as drafted in its historicist version by the generation of Sharif al-Mujahid, Javed Iqbal, F. K. Khan Durrani and others which was paralleled by the emergence of new critical scholarship in the late 1980s and 1990s.³⁵⁰ In 1993, Aziz' work *The Murder of History in Pakistan*, despite presenting only the well-known fact that textbooks used at schools and colleges as well as Pakistan Studies as an obligatory subject, served the purpose of national mythologization and as a vehicle of political-ideological indoctrination, had much more impact on the international perception of Pakistan and its education system³⁵¹ than any other relevant study on the subject.³⁵²

3.1.1.1 Selectivity towards Muslim History on the Subcontinent

Pakistani historiographic accounts and mainly their narration in the education sector reflect a phenomenon which follows the lines of a selective chronology of events. Pakistan's father of the nation is quoted in saying:

346 See Alavi, Hamza: Ethnicity, Muslim Society, and the Pakistan Ideology. In: Weiss, Anita M.: Islamic Reassertion in Pakistan. The Application of Islamic Laws in a Modern State. Lahore: Vanguard, 1987, p. 21-47; Taylor, David: The Politics of Islam and Islamisation in Pakistan, p. 185-189. In: Piscatori, James P.: Islam in the Political Process. Cambridge: Cambridge Univ. Press, 1983, p. 181-189.

347 See Rosser, Yvette C.: Islamisation of Pakistani Social Studies Textbooks. New Delhi: Rupa, 2003, pp. 8/9; Alavi, 1987, p. 22.

348 Cit. Aziz, 2009, pp. xi/xii.

349 Cit. Ibid.

350 With representatives like Ayesha Jalal, Tariq Rahman, Ayesha Siddiqi and others.

„Pakistan was created the day the first Indian national entered the field of Islam.“ Reconsidering Jinnah's famous dictum on the origin of Pakistanihood in the light of national narrative building, it is understandable that the historical key event of 712 A.D., when Muhammad Bin Qasim sent his Arab army to the Sindh, has since occupied a special place in the national historical chronology of Pakistan.³⁵³ Notwithstanding several fruitless Arab attempts to conquer the Sindh prior to 712, Bin Qasim is widely presented as the first agent of Arabization and Islamization on the Subcontinent. According to this version, he was able to ally with the „infidels“ of the Sindh against their king, Raja Dahir, and motivated them into conversion to Islam.³⁵⁴ Rosser has shown that his role in the Pakistani narrative and his pioneering endeavor as it has been glorified in Pakistan Studies textbooks, differs fundamentally from the Indian interpretation. Here Bin Qasim's advent and Arabization – seen nowadays more critically or even as an “Arab cultural imperialism in the name of religion”³⁵⁵ – is presented as a „localized affair“ with little impact on the regional history.³⁵⁶ But it would be misleading to treat the Pakistani narrative as an unchallenged version of history: Pakistan's struggles within, between central state and provinces on a cultural, ethnic and political basis, spurred local variants of 712, such as the Sindhi sub-national counter-narrative in which ruler Raja Dahir is described as the heroic Sindhi defender against the Arab invaders who massacred and enslaved the local population after they had refused conversion.³⁵⁷ A similar importance is attributed to the Ghaznavi dynasty's efforts to conquer areas in the Pakhtun belt, today's border area between Afghanistan and Pakistan. The most prominent figure here is Mahmud Ghaznavi who between 1001 and 1025 A.D. invaded the Peshawar area with the largest cities of the Gandhara empire (1000 B.C.-1100

351 Education as a key factor required to build a strong society, strengthen national economy and competitiveness and countering trends of radicalization in Pakistan, has in fact never been seriously subjected to the long demanded reforms on both the national and provincial level. With one of the world's youngest populations, no government, with the support of international donors, has shown serious commitment to adjust this imbalance through considerable reforms as they had been outlined, for instance in 2010 by the *Pakistan Education Task Force*. In contrast to its exorbitant military budget with almost five percent of its GDP, Pakistan has devoted less than 1.5 percent to education with only 13 percent allocated for Higher Education. See The Express Tribune: Higher education budget: Of 132 countries, Pakistan stands at 125, 28 April, 2012. Former ambassador to the US Haqqani wrote: “Pakistan spends almost 5 percent of its GDP on defense and is still unable to match the conventional forces of India, which outspends Pakistan 3 to 1 while allocating less than 2.5 percent of its GDP to military spending.” Cit. Haqqani, Husain: *The Role of Islam in Pakistan's Future*, p. 86. In: *The Washington Quarterly*, Vol. 28, No. 1, 2004, p. 85-96. In comparison, India spends 4.1 percent, Bangladesh 2.4 and Sri Lanka 3 percent on education. See Khalatbari, Babak: *Atomacht mit Analphabeten*. In: *NZZ*, 11 July, 2012. Despite individual initiatives by private organizations and civil society groups or the establishment of an Innovation Fund in 2011, Pakistan – because of its inability and lack of political will to successfully implement new policies and structural reforms in the education sector – is unlikely to achieve the goal of universal primary education as set forth in the *UN Millennium Development Goals*. Given the failure of Pakistan's education reform policies (around ten reforms) since 1956, skepticism must be further countered with the visible improvement of the quality of education, management and administration through coordinated capacity and facility building. The socioeconomic divide as a result of failed attempts to bridge between the state education system and the traditional education system of the *madaris* has in fact never been properly addressed too. The transformation of both systems into a uniformed and standardized system to avert the existing division of Urdu and English medium, the disparity of religious and non-religious disciplines, degrees and the graduates' access to university education and the job market, have been targeted through initial steps such as the expansion of the *madrassa* curricula to include social and scientific disciplines, provision of stipends etc. A consensual approach in which special emphasis should be given to the involvement of religious scholars aimed at meeting the specific concerns of the *madaris* and, thus, dialogue between governmental experts, religious representatives, *madaris* umbrella organizations and international experts is strongly needed.

352 See Aziz, 1993.

353 The same is true for the ideological re-discovery of the Indus Valley civilization, also known as Haparan or Mohenjodaro civilization named after large settlements in Pakistan dating back to 2600 B. C., similar to the attempts by Hindu nationalists to style the Central Asian Indo-German tribe of the Aryans of 1500 as the genuine founders of Hindu religion and culture. See Wieland, 2000, p. 133-138. Other narratives trace the descent of the Pakhtuns back in history to the lost tribes of Israel, the *Bene Yisrael* and especially the tribe of Joseph (Yusufzai) or even to the soldiers of Alexander the Great.

354 See Rosser, 2003, pp. 11.

355 Cit. Badruddin, Asad: *A Muslim majority Indus Valley Civilization?* In: *Dawn*, 22 June, 2012.

356 See Rosser, 2003, pp. 10/11.

A.D.).³⁵⁸ The mainstream narrative presents him as a crusader in the service of Islam while in other works he is primarily known for plunder: While the national narrative sees his conquests in the higher service of religion³⁵⁹, the counter-narrative de-constructed this claim by arguing on the basis of economic and material interests.³⁶⁰ Similar to the period between Bin Qasim and Ghaznavi, subcontinental Muslim history has highlighted the Delhi Sultanates (1206-1526) until its fall and absorption by the Mughals due to their symbolic capital of a Muslim empire, in the collective memory regarded as a Sunni-determined entity.³⁶¹ The Battle of Panipat of 21 April, 1526, in which Babur defeated Ibrahim Lodi with his army being half the size of Lodi's infantry and elephants, and took ownership of Agra and Delhi, has been highlighted as a miraculous Muslim victory. However, the Second Battle of Panipat of November, 1556, fought between the Hindu ruler Samrat Hem Chandra Vikramaditya from North India and Akbar, the third Mughal ruler, in contrast, has been under-represented in the textbooks. According to Rosser, bypassing Akbar, in modern India seen as an „Indian leader“ and role model of cultural and religious assimilation and syncretism, has been systematic. International accounts see his rule as stable due to his accommodating relations with neighboring rulers and his universal policy of peace (*sulh-i kul*). Pakistani historians, instead of highlighting the Mughal period as a golden past tended to eliminate Akbar from the textbooks although he ruled much longer than any other of the Muslim Mughal emperors:

[...] in discussions of this seminal regime that firmly established the Mughal Empire on Indian soil, Pakistani textbooks, though necessarily brief in their presentation due to space limitations [...], are almost unanimously silent about Akbar. This omission is an amazing hick-up of historiography in which fifty-five very essential years are simply eliminated.³⁶²

As a counter narrative to Akbar, Shaikh Ahmad Sirhindi (1564–1624), the descendant of a notable *ašraf* family and member of the Naqshbandi order, is presented as a challenger to Akbar's religious policy and therefore seen as a defender of Islam. Aurangzeb's (1618-1707) rule in the late 17th century finds special attention due to his expansionist policies thanks to which the Moghul empire (1526–1857) reached its largest extension. Further, the sixth Mughal emperor became known for his reversal of his predecessors' accommodating religious policy towards their non-Muslim subjects and foreign adversaries. Marking events were the codification of Hanafi law under his rule and his attempts to eradicate Hindu holy sites and temples, to restrict music, arts and to introduce more puritanical and conservative court culture.

357 See Rosser, 2003, p. 12. Here again, the ethnic dominance of Punjabi and Muhajir identities is reflected in the Pakistani historiography while Bengali identity and East Pakistan have been presented, for political reasons but based on cultural arguments, as not belonging to the Subcontinent's Islamic cultural tradition due to the predominance of Buddhism, Hinduism and Jainism until the arrival of the first Muslim conquerors in the early 13th century which marked the beginning of the Sultanate period followed by Mughal rule. See Van Schindel, Willem: A History of Bangladesh. New Delhi: Cambridge Univ. Press, 2009, p. 26-32ff. Key events such as the Battle of Polashi (1757) are dealt with in Pakistani textbooks only marginal: In the battle that took place close to modern Bangladesh's borders and in which the East India Company was able to establish its rule in South Asia, according to the Bengali narrative, was only the beginning of a new foreign occupation of the Delta after the Mughals had taken control of the region in 1612: “Bangladesh historians emphasise that colonial rule did not come to an end when the British retreated in 1947: those who ruled the delta as part of the post-1947 state of Pakistan should also be considered as foreign colonialists.” Cit. Ibid., pp. 49/50.

358 Buddhist Gandhara culture in Pakistan is mainly identified with the excavations of Taxila, Peshawar and Bamiyan in Afghanistan.

359 His name has been given to Pakistan's nuclear military capabilities which include the Ghaznavi short-range missiles. Similarly, Pakistan's Babur cruise missiles were named after the Moghul ruler Zahiruddin Babur. See also Wieland, 2000, p. 141.

360 See Rosser, 2003, p. 13-18.

361 See Malik, 2008, p. 14.

362 Cit. Rosser, 2003, p. 21.

But it is the Mutiny of 1857 which again connects what had widely been dramatized by the Pakistan Movement and later Pakistani historians as the pre-stage for the struggle for independence of the 1930s and 1940s – while at the same time, the real struggle and political violence culminated in 1947 alongside communal lines of conflict and then finally with the catastrophe of forced mass migration during and after partition (*Hindustān ka Batwārā*).³⁶³ Taken together, Indian and Pakistani history writing, especially when seen through the Pakistani communal prism, highlighted a specific series of historical key events whose themes can be rendered with regard to the complexes of the Two-Nation-Theory, the Ideology of Pakistan, the Jinnah cult of leadership and personality and the Muslim League's political struggle with a pre-emphasis on Punjab from the 1930s to independence.

3.1.1.2 Foundation of State and Concepts of Collectivity

Among different theories focusing more on the political process that resulted in the creation of Pakistan, Hamza Alavi's salariat theory should be taken into account, claiming that the Pakistan Movement was not a purely religious movement, but represented a consensus of diverse Muslim ethnic groups, more in pursuit of explicit material goals, which Jinnah had to compromise. To include these “diverse Muslim ethnic groups from different regions of India, representing different social strata and interests”³⁶⁴ was a political demand to gain a stable basis of support. This backbone of Muslim nationalism was mainly constituted by those strata of Indian colonial society, that as urban professionals were supposed to be integrated in the colonial state apparatus. Before they joined Jinnah, they had experienced Indian nationalist ideas and claimed more representative self-government. Based on regional ethnic identities, especially the Punjab, Bengal and Uttar Pradesh salariat supported the Movement under the banner of a Muslim identity which lost much of its momentum when the state was founded. Most dominantly involved was the salariat of Punjab which, until today, is overrepresented in military and civil-bureaucracy in contrast to that of Bengal which had been underrepresented when the state was established, and later until East Pakistan became independent.³⁶⁵

As far as the representatives of religious groups and their stance to the movement are concerned, one has to differentiate between the groups and their inner disputes whether to join or to refuse Jinnah's party: “Practically every Muslim group and organization in the Indian subcontinent that was specifically religious – Islamic – was hostile to Jinnah and the Muslim League, and strongly opposed the Pakistan movement”³⁶⁶, is an arguable statement but is still of relevance when taking into consideration that when the state of Pakistan became reality – like almost all political parties – religious parties had to accept its civic culture. In order to uphold the legitimacy which was needed to participate in the political process, the commitment to the “ideas and ideals of Quaid-e-Azam”, who died in 1948, was obligatory.³⁶⁷ This created a serious dilemma for those factions who had opposed Jinnah during the pre-state era: Basically *Jama'at-i Islami* as a sort of “counter-League”, whose

363 On the civil war in Punjab after the resignation of Punjab's minister Khizr Tiwana in the spring of 1947, see Khan, Yasmin: *The Great Partition: The Making of India and Pakistan*. New Haven (a.o.): Yale Univ. Press, 2007, p. 81ff.

364 Cit. Alavi, 1987, p. 22.

365 See Ibid., p. 24-27.

366 Cit. Ibid, p. 21.

367 Cit. Constitution of Pakistan Muslim League. Islamabad: Central Secretariat, 1996, Preamble; See also Pakistan Peoples Party Manifesto: *Towards Peace and Prosperity in Pakistan*, 2008.

founder Maulana Maudūdī had not hidden his hostile attitude towards the idea of a territorial nationalism in contrast to the transnational concept of the *umma*, made several attempts to revise its past.³⁶⁸ Since the response of the Muslim masses to the program of the movement was, initially, very poor – in the elections of 1936/37, the *All India Muslim League* was defeated disastrously – its leadership tried to win the support of the religious groups of the different schools of thought and involved the *‘ulamā*, *masha’ikh* and *pirs* for their potential of mobilizing members of the traditional religious institutions. The result of the 1937 Punjab elections reflected the loyalties of the *muridi*, many of them being influential *biridari* who had unanimously voted for the *Unionist Party* (UP), whereas Congress and Muslim League at that time still relied on the support of the urban *‘ulamā* .

Until 1940, the political body of the land-holding Punjabi elite, the UP under Sir Sikander Hayat Khan³⁶⁹, had been the most influential party in the center and was able to predominate until the provincial elections in 1946. As the main representative body for the rural areas of Punjab which was divided on the basis of the British cultivation of agricultural communities bridging communal divides, the electoral basis in these parts of Punjab differed significantly from the urban environment where politics was still determined by communal-religious markers. Within the colonial system of power, this elite played a central role:

Their loyalty towards the British rulers was unflinching and they extended all possible cooperation to them in the war efforts on the occasions of two world wars. The British reciprocated by decorating them with medals and honours, and granting them lucrative tracts of land in canal colony districts which helped them to not only sustain rather enhance their power and prestige over the local populace. It was, hence, a mutually symbiotic relationship.³⁷⁰

Despite his attempts to relativize religion, facing electoral defeat in 1937, Jinnah stronger than before referred to religious stereotypes and evoked the scenario of Islam being threatened by the British colonial invaders and the “Hindu-Congress”. This step, for the short-term, had been successful for it guaranteed the support by the UP which had been founded in 1922 by Fazl-i-Husain and Chotu Ram. The UP was able to expand its political power in Punjab, ironically, under a Muslim-Hindu leadership, and succeeded also in occupying key posts in the Muslim League after the Sikander-Jinnah Pact of 1937.³⁷¹ Jinnah's Muslim League profited from its pro-British stances during the Second World War, in which it displayed by far more solidarity with the colonial power than with the Congress leaders. In turn, the British provided Jinnah with more political space for his mobilization efforts in Muslim majority areas of the colony where he was now able to promote the Muslim League's plea for political Muslim emancipation.³⁷² Prominent slogans of that time, like “*Muslim hai tu Muslim League mein aa*” (if you are a Muslim then join Muslim League) or “*Pakistan ka matlab kia? La illah ha ill lal-lah*”³⁷³, give an idea of how a political campaign with mundane secular strategic goals was islamized.³⁷⁴ Mass re-

368 See Nasr, Seyyed Vali Reza: *The Vanguard of the Islamic Revolution. The Jama'at-i Islami of Pakistan*. Berkeley: Univ. of California Press, 1994.

369 For the *Unionist Party* and its sociopolitical background see Kamran, Tahir: *The Unfolding Crisis in Punjab, March-August 1947: Key Turning Points and British Responses*, pp. 187/188. In: *Journal of Punjab Studies*, Vol. 14, No. 2, 2007, p. 187-210.

370 Cit. Qasmi, Ali Usman: *Who will Punjab vote for? A study in the context of Punjab's electoral history*, 14 November, 2011.

371 The pact of Lucknow allowed Muslim Unionists to function as members in the League, led by Muhammad Iqbal at that time. See Ahmad, Syed Nur: *From Marital to Martial Law. Politics in the Punjab, 1919-1958*. Boulder: Westview Press, 1985, p. 145-148.

372 See Hasan, Mushirul: *Partition Narratives*, p. 26. In: *Social Scientist*, Vol. 30, No. 7/8, 2002, p. 24-53.

373 This slogan is said to have been brought prominently into Punjab politics by the Urdu poet Prof. Asghar Sodai.

374 See Kamran, 2007, p. 189.

ligious enthusiasm, transformed into a political movement, had been described in terms of a “chiliastic movement” that, spearheaded by Jinnah's League capitalized its symbolism on Islam, thereby serving as an umbrella body for a diversity of distinct sectarian and ethnic regional groups.³⁷⁵ In a stark contrast to the electoral disaster of 1937 in which the League won only two seats, in the 1946 Punjab elections the Muslim League received a total of 75 percent of the votes and was able to secure 75 out of 86 Muslim seats.³⁷⁶

Another fundamental question for Pakistanis and Indians alike, whether the father of the nation, himself a Western-educated Shiite from the smaller Khoja or Ismaili stream under leadership of the the Aga Khan, intended to design Pakistan as a secular state or as a state with a dominant role of religion, can not satisfactorily be answered since Jinnah's intellectual legacy, mainly his speeches, leaves much room for interpretation. In contrast to most of the other religious-political figures of his time and especially non-Muslim Leaguers like Sir Khizr Hayat Khan Tiwana, Nawab Muzaffar Ali Qizilbash or Mufti Mahmud, Mian Iftikharuddin and Khan Abdul Qayyum a.o., Jinnah and personalities like Maulana Maudūdi and the leader of the Khaksar Inayatullah Khan Mashriqi recorded their political life more extensively and, thus, became much more present in the historical discourse.³⁷⁷ The political and private life of Mohammad Ali Jinnah has become a matter of considerable debate initiated by the publication of Bolitho's *Jinnah, Creator of Pakistan* in 1950. The New Zealand journalist wrote this first biography on Jinnah on request of the Government of Pakistan. In 1984, Stanley Wolpert's *Jinnah of Pakistan* was published. Unlike Bolitho, Wolpert was authorized to review Jinnah's correspondence which until then had been hold by the Quaid's sister, Fatima Jinnah. Nevertheless, the Zia regime censored the new biography because parts of the work mentioned Jinnah's „un-Islamic“ life style, and, thus, ridiculed the father of the nation.³⁷⁸ The controversies as how to place the Quaid in the historical narrative culminated again when in 2009 the expulsion of the Indian *Bharatiya Janata Party* (BJP) politician Jaswant Singh from the party followed the publication of his *Jinnah: India-Partition. Independence* in which he lauded Jinnah as a “good Indian” in contrast to the pro-partition stance of Nehru. In August, 2009, Singh's book temporarily fell victim to censorship due to a request by the authorities of Gujarat. The author who served as a minister in subsequent cabinets, was expelled from the BJP. In his narrative, Jinnah was in the forefront of those who supported the idea of a federal Indian unity while Jawaharlal Nehru insisted on a partitioned centralized state.³⁷⁹ In 2011, a book was banned in Gujarat after reviews hinted at a portray of Gandhi as having had a homosexual relationship.³⁸⁰ Like in the Pakistani case, the Indian narrative is subjected to ideological biases too. Rosser states with regard to Indian textbooks dealing with the partition: „Jinnah is seen as almost Hitleresque, a ghostly messianic figure whipping up a false nationalism and leading a paper organisation that had no clearly defined concept for the actual form of Pakistan.“³⁸¹

375 See Hardy, Peter: *The Muslims of British India*. Cambridge: Cambridge Univ. Press, 1972, p. 239.

376 See Kamran, 2007, p. 189.

377 For his very detailed list of political figures see Aziz, 2009, p. 97-125.

378 Under Benazir Bhutto's first government the ban was lifted. See Aziz, 2009, pp. 10/11.

379 See *The Times of India*: BJP expels Jaswant Singh over Jinnah remarks, 19 September, 2009.

380 See *The Guardian*: Indian state bans Gandhi book, 30 March, 2011. For the impact of this discourse on textbooks and curricula in Pakistan and India see Aziz, 1993; Rosser, 2003.

381 Cit. *Ibid.*, p. 10. See also Noorani, A. G.: *Authors' Secrets*. In: *Frontline* (The Hindu), Vol. 24, No. 9, 2007.

Inherent to the founding fathers' claim for moral authority that became part of national hagiography, is the credit for the establishment of the state to just one political movement: Similar to Israel's socialist *Mapai* has the Muslim League of Jinnah been presented as the sole political force and Muslim representative body in most Pakistani narratives.³⁸² The dogmatic legitimacy attached also to today's *Pakistan Muslim League* and its diverse subgroups for its reference to the *Quaid-i-Azam* has been analyzed in terms of a „national belief“ which stretches into all segments of Pakistani society.³⁸³ The historic reference to the father of the nation is part of Pakistan's political culture. Even political forces that might be the dominating power on the provincial level or with regard to their specific ethnic or religious electoral basis have to obey to this ritualized political dynamics in order to claim authentic national leadership.

Ritualized current political culture in Pakistan, with its recent revival of mass *jalsa* events in public, forces political parties to substantiate and underline their claim for national leadership with their displayed commitment and subordination to the Quaid's legacy. Accordingly, symbolic capital with strong connection to the state and its founding elite and the cult that “Jinnahism” offers, as expressed in shows of strength and man power³⁸⁴ at historical sites like Iqbal Park in Lahore with the *Minar-i-Pakistan* built on the site where on 23 March, 1940, Pakistan's creation was demanded by the League with the passing of the Pakistan or Lahore Resolution (*Qarardad-e-Pakistan*)³⁸⁵, and at the Jinnah Mausoleum (*Mazar-e-Quaid*)³⁸⁶, Karachi, seem to have more impact on domestic political campaigning than a well-grounded political agenda.³⁸⁷

In some cases Jinnah has been interpreted with a strong reference to Iqbal and his notion of a semi-religious spiritual nationalism as a third way model. This accounts styles both leaders as advocates for a spiritual democracy and spiritual secularism based on the mystic tradition of the East as an Indian syncretism³⁸⁸ and counter-hegemony to the Western European material hegemony as it had been thematized also by Mahatma Gandhi.³⁸⁹ In this debate, the Quaid's legacy, as enshrined in the Jinnah Papers, gives its authorship the discursive power. Much later than the official papers for the documentation of Indian nationalism, the material of the Pakistan Movement was not explored before 1966. At the end of the 1980s, the government ordered the pub-

382 Alavi has highlighted the heterogeneity within the Pakistan Movement and the role of the salariat as main agents of independence. However, he acknowledges that this class consisted “of diverse Muslim ethnic groups from different regions of India, representing different social strata and interests”. Cit. Alavi, 1987, p. 22.

383 See Aziz, 2009, p. 71.

384 It is intriguing that religious parties and their secular rightist counterparts in Pakistan utilized means of mass mobilization from the grassroots that had been introduced into the country's political culture by the left and later by the PPP.

385 The day is celebrated in Pakistan as *Yaum-e-Pakistan* (Pakistan Day) commemorating both the passing of the resolution and the adoption of Pakistan's first constitution on 23 March, 1956, and, thus, the country's transition from a dominion to a sovereign republic.

386 Lieven and others have interpreted the fact that the tombs of Muslim Leaguers like Jinnah and Liaqat Ali Khan show inscriptions in both Urdu and Hindi as the “curious last echo of Muslim League hopes for a united confederal India [...]”. Cit. Lieven, 2011, p. 57, footnote 9.

387 The *jalsa* trend in politics has arisen in 2011 when Imran Khan's PTI organized a political rally at Mazar-e-Quaid on 25 December, 2011, which is said to have been one of the biggest gatherings in Pakistan's history with approximately 300.000 people. Earlier, on 30 October, PTI's Lahore *jalsa* at the Minar-e-Pakistan had been attended by similar numbers of participants. This success brought the Sharif brothers and the PML-N under pressure which the party tried to counter with its own rally. Similarly, the DPC with its who-is-who of jihadism and the religious-political right on board was able to organize rallies which created similar echo in society.

388 The connection and mixing of either specific traditions of two distinct religions or elements within one religion. For the concept see Schumann, Olaf: Der Islam und lokale Traditionen – synkretistische Ideen und Praktiken, pp. 560/561. In: Ende/ Steinbach, 1989, p. 560-581.

389 See Rahman, S. M., 2005, p. 35.

lication of the Quaid's literary estate in the *Jinnah Papers* published by the National Archives under the guise of Prof. Z. H. Zaidi from SOAS. In the midst of the debate is Jinnah's speech made in Karachi on 11 August, 1947, at the Constituent Assembly only three days before the British *raj* on the Subcontinent ended:

[...] you are free to go to your temples, you are free to go to your mosques or to any other place of worship in this State of Pakistan. You may belong to any religion or caste or creed – that has nothing to do with the business of the state [...]. We are starting with this fundamental principle that we are all citizens and equal citizens of one state [...]. Now, I think we should keep that in front of us as our ideal and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense of the state.³⁹⁰

This speech which is Jinnah's strongest statement for giving religion only a marginal role in the state became the mantra and focal point of liberal-progressive interpreters of Jinnah's vision for a tolerant and pluralistic state and supporters of minority rights. The fact that Jinnah, in his profession as a lawyer, had been involved in one of the first blasphemy trials of colonial India seems to be ignored by his biographers and in the current debate on the blasphemy laws and the discrimination of minorities: In 1926, Ilam Din, a Muslim young man from Lahore killed a Hindu shop keeper in Urdu Bazar whom he thought to be the author of a pamphlet in which the Prophet's polygamy had been explicitly criticized.³⁹¹ Din followed the call of a scholar at the Wazir Khan Masjid who had condemned the authors, probably associated with the Hindu Arya Samaj, as blasphemers. After refusal by the court to bring the case to trial, Din acted on his own and, like many religious scholars after the murder, sanctified the killing with reference to his duty to defend the Prophet and Islam. Accordingly, he was found guilty by the Lahore High Court. Jinnah, at that time still based in Bombay, took over the position of the lawyer in appeal but lost the case and Din was executed in the Mianwali prison in 1929. Din's martyrdom had been prominently promoted and glorified by Mohammad Iqbal, who negotiated with the British authorities in order to bury Din's body in Lahore on sacred ground, which had been initially been refused by the British to avoid further unrest between Muslims and Hindus.³⁹²

In 2012 it became known that *Pakistan Broadcasting Cooperation* had destroyed existing recordings of the 11 August speech, when the government formally asked the Indian government for approval of a copy of the recordings still kept in the *All-India Radio* archives.³⁹³ Only a year after the speech, Jinnah died on 11 September, 1948, from tuberculosis and blood loss, too early to frame the state and to implement his vision. In October, 1951, Liaquat Ali Khan, Jinnah's confidant and successor and first Prime Minister³⁹⁴ was assassinated in Municipal Park (today's Liaquat Bagh), Rawalpindi, in the same park in which former Prime Minister and opposition leader Benazir Bhutto had been assassinated on 27 December, 2007, under similarly mysterious circumstances.

390 Cit. Jinnah's Presidential address to the Constituent Assembly of Pakistan, Karachi, 11 August, 1947. Quoted in Zaidi, Z. H. (Ed.): Pakistan at last 26 July - 14 August 1947. Quaid-i-Azam Mohammad Ali Jinnah Papers, Vol. 4, Islamabad: Quaid-i-Azam Papers Project, National Archives of Pakistan, 1999, pp. 537/538.

391 Prior to that, Muslim pamphlets had been distributed which depicted the Hindu goddess Sita as a prostitute. See Altaf, Waseem: Ghazi to Qadri. In: Viewpoint, Online Issue, No. 107, October, 2011.

392 Ibid.

393 See Nelson, Dean: Pakistan seeks recording of Jinnah calling for secular state. In: The Telegraph, 5 June, 2012.

394 Also referred to as *Quaid-e-Millat*, Leader of the Nation, and after his assassination as *shahīd* (martyr). In contrast to India where the Congress and the continuance of the Nehru-Gandhi dynasty established a stable political system, Pakistan's political culture and ideology were considerably destabilized after the deaths of its founding leaders and subsequent disruptive events like Zulfikar Ali Bhutto's dis-empowerment and execution in 1979, Zia ul-Haq's mysterious plane crash in 1988 and Benazir Bhutto's murder in 2007.

The premature deaths of its most important leaders created a serious dilemma for the Muslim League and especially its reform oriented elements within experienced a backlash.³⁹⁵

There has much been written on both the 'Two-Nations-Theory' and the Ideology of Pakistan reflecting an official historical narrative that is dominated by an academic old guard of Pakistani historians. Quite often, their works are still referred to as state of the art regarding the research on the formation of Pakistan. The dynamic of colonial Muslim nationalism as an integrating force that eventually ensured the political survival of a small elitist group as against other groups, after Pakistan became independent, lost much of its mobilizing power and an Islamic ideology was promoted as the amalgam between a *Weltanschauung* of a primordial Muslim nation and its religious traditions and its historical destiny:

The state [...] should create such conditions as are most conducive to translating the idea-system – that is, their cherished ideals – into social action. It should help in building a 'good society', like the Greeks – except that this society has to be based upon the Islamic value-system, the system which Pakistanis fervidly believe in. The state should thus help its people in leading the Islamic way of life.³⁹⁶

This concept of Islamic or Pakistan Ideology (*Nazariya-e-Pakistan*) is part of a legal and political debate that frequently arises on the basis of the Constitution of 1973³⁹⁷, where the notion of Pakistan Ideology in reference to Art. 2 (Islam to be state religion)³⁹⁸ and Art. 227 (Provisions relating to the Quran and Sunnah)³⁹⁹ tends to be interpreted as an affirmation of the state's pure Islamic character by some religious-political parties whereas, more on an individual basis, other parliamentarians claim to define the concrete character of this ideology.⁴⁰⁰ However, as far as the historical narrative is concerned, Pakistan's ideology, according to Javid Iqbal, prominent judge, politician and son of Muhammad Iqbal, has developed from the Pakistani-Indian antagonism after partition to a much greater framework: “The ideology is based on the two-nation theory on which raised the edifice of our nationhood. Therefore it is the source and expression of our political, economic, cultural and religious and moral values.”⁴⁰¹

Some authors have emphasized the integral dimension of the 'Two-Nations-Theory': According to this view, the right of self-determination as a fundamental right of all human beings was the idea behind the paradigm of two nations, each searching for its own path of self-determination. Partition as a consequence of the concept of 'Two-Nations' has then been interpreted as a political step necessary to exercise this right and „to help the two nations, the Hindus and the Muslims, to live in peace and harmony.“⁴⁰² Although „the Hindu majority refused to show any magnanimity or generosity by heart towards the Muslim minority“⁴⁰³ the leadership of *Tehrik-i-Pakistan* (Pakistan Movement) continued with their attempts to create a collaborative platform with the Congress leadership in order to ensure the implementation of constitutional guarantees for the Muslim

395 See also Lieven, 2011, pp. 61/62.

396 Cit. al-Mujahid, 2001, pp. 15/16.

397 See Constitution of the Islamic Republic of Pakistan, (modif. 20 April, 2010), National Assembly of Pakistan, Art. 63G – 62H.

398 Further, the article defines “the Objectives Resolution to form part of substantive provisions”. Cit. Ibid., Art. 2-2A. For the full text see Annex, Document 1.

399 For the full text see Annex, Document 2.

400 See for instance Daily Times: Bill seeking debate on ideology of Pakistan rejected, 13 September, 2006.

401 Cit. Iqbal, Javid: Ideology of Pakistan. Lahore: Sang-e-Meel, 2005, p. 8.

402 Cit. Sadiq, Khwaja Ghulam: Speech. In: The Philosophical Basis of the Ideology of Pakistan (A Symposium). Lahore, 1969, p. 10.

403 See Ibid., p. 4-10.

minority. According to this narrative, the decision for partition and the creation of Pakistan was an act of self-defense against the various attempts to create a Hindu hegemony in India.⁴⁰⁴

Pakistan's survival, as has been stated prominently by Zia ul-Haq, Javid Iqbal⁴⁰⁵ and others, depends on the maintenance of its ideological integrity: "Pakistan is like Israel, an ideological state. Take out the Judaism from Israel and it will fall like a house of cards. Take Islam out of Pakistan and make it a secular state; it would collapse."⁴⁰⁶ The ideology of Pakistan claims to be based on a principle of "peaceful co-existence" which is considered to be the pillar of Pakistani foreign policy gaining „peace – not regional or territorial peace, but international or universal peace [...] a social order which tries to realise the ideals of unity, equality, and freedom [...]“⁴⁰⁷ In contrast to this, both the Western colonial powers and international organizations such as the United Nations, it has been claimed, had kept Africa and Asia under "subjugtion", and failed to ensure peace and „proved ineffective in vacating aggression from Kashmir, Arab countries in the Middle East and Vietnam [...] due to the fact that the right of existence to the developing countries is not conceded to in spirit. It is the block interest that is dominant“⁴⁰⁸. Both Marxism and "atheistic Existentialism" neglect religion and the enforcement of a empirical spirit of colonialism, neglected individualist spiritual experiences with religion. These philosophies emphasized the dialectic of materialism and strengthened the distinction between "caste, creed and colour", thereby failed to provide an universal and inclusive order that could guarantee individualist and collectivist material well-being and spiritual needs.⁴⁰⁹ According to Lieven, the Muslim orientation towards the idea of Pakistan during the colonial 1940s had been accompanied by the vision, if not belief, that the new entity could materialize as "a sort of ideal Muslim socialist state, drawing on Islamic traditions of justice and egalitarianism as well as on Western socialist thought."⁴¹⁰

The ideological imperative which „not meant that India and Pakistan should always remain at daggers drawn“ but that they „would live as well-knit neighbours like Canada and the US“⁴¹¹, re-emphasized communalism as it had been used as a means for the implementation of colonial rule. The systematic policy of sharpening borders between the communities under colonial rule and the „ideological construction of the politics of secular nationalism“⁴¹² has been the focus of a number of studies.⁴¹³ Jalal has pinpointed that the

404 In numerous works the origins of the Pakistani nation and the genesis of the Two-Nations-Theory are traced back to the advent of Islam in the sub-continent. Representatives of the "Pakistan School" do thereby refer to differing and diffuse "historical turns" in South Asia that marked the beginning of Muslim rule. See Ali, Chaudhry Rahmat: Pakistan: The Fatherland of the Pakistan Nation. Lahore: Book Traders, 1978; al-Mujahid, Sharif: Ideology of Pakistan. Islamabad: IRI, 2001; Aziz, K. K.: The Making of Pakistan. London: Chatto and Windus, National Book Foundation, 1967. Aziz, former Head of the National Commission of Historical and Cultural Research, Islamabad, with his subsequent works became a critic of the historiographic discourse in Pakistan.

405 See Iqbal, 2005, p. 8.

406 Cit. Interview Zia ul-Haq in: The Economist, 12 December, 1981, p. 48.

407 Cit. Sadiq, 1969, p. 13.

408 Cit. Ibid., p. 11.

409 See Ibid., p. 9.

410 Cit. Lieven, 2011, p. 61.

411 Cit. Rahman, S. M., 2005, p. 34.

412 Cit. Jalal, 1996, p. 683.

413 For instance Pandey, Gyanendra: The Construction of Communalism in Colonial North India. Oxford: Oxford Univ. Press, 1992; see also Malik, 2008, p. 346-355. For the contemporary Indian context see Brass, Paul: The Production of Hindu-Muslim Violence in Contemporary India. Seattle: Univ. of Washington Press, 2003 and Six, Clemens: Hindi – Hindu – Hindustan. Politik und Religion im modernen Indien. Wien: Mandelbaum, 2006.

communalist drive primarily focused on the question of nationhood and only secondarily on the issues linked to the creation of a modern state:

The historiographical debate has focused more on the Muslim claim to 'nationhood' than on the ambiguities of the demand for 'statehood'. A product of the telos which presumes the orchestration of separate nationhood as an inevitable overture to exclusive statehood, it ignores the uncertainties which attended the Muslim League's movement for a 'Pakistan'. While the insistence on national status for Indian Muslims was absolute, the demand for a separate and sovereign state with no relationship to a Hindustan containing almost as many Muslims remained open to negotiation until the late summer of 1946. An analytical distinction between 'nation' and 'state' on the one hand, and between a partition of the provinces and India on the other, is necessary to grasp the contradictory dynamics underlying the demand for a 'Pakistan'.⁴¹⁴

Other historical orientations such as Marxist accounts from India, often labeled as the Nehruvian Socialist School, or the works of Soviet writers were keen to highlight the Muslim League in terms of a bourgeois movement, and its leaders as having pursued the plan of partition unilaterally and based on ideological goals. As a response, new critical leftist scholarship has concentrated instead on the introduction and ideologization of religion as a means of political tactics and the socioeconomic dimension of partition.

3.1.1.3 Sacralization of the State

Liberation and secular independence movements worldwide have propagated their cause to change the political reality in their societies in territorial-sacral terms with the connotation of their fatherland as a sanctified "promised land".⁴¹⁵ Early Pakistani narratives tend to emphasize a religious-millenarian interpretation of political history including the creation of Pakistan. They underline the myth of a "divine plan and intervention" or "mission" which led to the existence of both states. "Can any intelligent mind miss seeing the Hand of God, in the wondrous way the Islamic State of Pakistan was brought into being at a most sacred and auspicious time – chosen by God most munificent?" asks a recent publication by the *Nazariya-e-Pakistan Foundation* (Lahore).⁴¹⁶ Similar to the religious Zionist account on the creation of Israel as an unforeseeable miraculous event, Pakistan's ideologues discovered the religious past and aimed at bringing the Islamic Republic into a line of descent that stretches back to the statehood of Medina. In both, the religious Zionist and the "sacralized" Pakistani historical discourse, much emphasis is laid on the fact that the project of creating a sovereign state was refused by the British rulers and exposed to the harsh political opposition of its adversaries. Although Jinnah was heavily opposed by the majority of the *'ulamâ'* until the early 1930s, it is true that the majority of Barelwi scholars and factions within the *Jamiat-ul-Ulama-i-Hind* (JUH) supported the Muslim League. Jinnah was declared *Quaid-e-Azam*⁴¹⁷ by Maulana Ahmed Saeed from the JUH in a speech held at the Jamia Masjid, Muradabad, on 7 December, 1936.⁴¹⁸ Accordingly, his and Iqbal's image as messianic leaders has been fortified in the national narrative:

God brought into being Muhammad Iqbal and Mohammad Ali Jinnah and equipped them fully to activate, unite and spearhead all the diverse forces meant for meeting the two requirements. Indeed, God gave them a deeper vision that motivated them to inspire the entire Muslim Ummah and to herald the reemergence of Islamic polit-

414 Cit. Jalal, 2000, p. 400.

415 See Hechter, Michael: *Containing Nationalism*. Oxford/ New York: Oxford Univ. Press, 2000, p. 15-17.

416 Cit. Majeed, Tariq: *An Untold Story. The Divine Imprint on the Birth of Pakistan*. Lahore: Nazaria-i-Pakistan Foundation, 2006, p. 39.

417 Similarly, he was declared *Amir-ul-Momineen* by Maulana Uthmani. See Jinnah Institute, 2011, p. 22.

418 See Majeed, 2006, p. 10.

ical, economic, social and spiritual power on the world stage. These two specially gifted and divinely inspired luminaries were another clear manifestation of the divine factor in Pakistan's creation.⁴¹⁹

Despite the territorial component of Pakistani state ideology being much less central than in the Jewish-Israeli and the Zionist narrative, especially the early historical works published in the consolidating years of statehood have elaborated on the aspect of territory and land more explicitly with the connotations of Pakistan as a “fortress of Islam”, a “sacred land” and the “Land of the Pure”. The community of Medina, the Prophet's city (*Madinat un-nabi*), is an important element within these discourses and embodies the symbolism of purity, intensified through motifs like *hijra*⁴²⁰:

Madinah was the first state in the world founded in the name of Islam. The Prophet of Islam had himself established it. Thereafter, the world saw great Muslim empires and scores of Muslim kingdoms and states, governed on broad Islamic principles. However, they were all established in territories which already existed as geographical and political entities and which, in fact, retained their old names on becoming part of Muslim kingdoms. No new state was carved out of any territory in the name of Islam. Thirteen hundred and sixty-five years after the appearance of the Islamic State of Madinah on the map of the world, by which time all the existing Muslim States had lost either their Islamic spirit or altogether their independence, the divine plan for humanity brought forth Pakistan – the second state created in the name of Islam. [...] Pakistan was chosen to be a successor to the State of Madinah [...].⁴²¹

However, self-identification on the part of the millions of Muslim refugees with the Islamic obligation to pilgrimage⁴²² and the Prophetic example was not able to legitimize the massive losses of property and lives in the face of migration and massacres during partition despite the efforts by Pakistan's first generation of historians trying to introduce this sacralized narrative in the formative years.⁴²³ In this short-lived tradition, the historical recourse to the ideal type of community and statehood, a *societas mohammadi*, offers an understanding similar to the Israeli perspective on the *yishuv*, the first Jewish community in pre-state Palestine. The projection of these idealized societies, to which a reformist and pioneering spirit has been attributed, featured inner strength and cohesion linked to a strong symbolic of piety and purity, against their external environment. Both archetypical societies, according to the sacralized narrative, were not only enabled to face external threats because of their inner strength based on a firm belief, but also because of their integrative legal and social orders which allowed for the integration of non-believers and minorities and, thus, served as role models for contemporary societies.

Maulana Uthmani belonged to those ‘*ulamá*’ who supported the League's Pakistan plan by proclaiming the new state's succession to the prophetic cities: “Everyone knows that the Holy Prophet did not carry with him the shrines of Mecca when he migrated to Medina; he migrated because he wanted to transform Medina into a Pakistan.”⁴²⁴ This account supports the view on the partition as both a sacred duty and heroic „self-sacrifice“ on the part of those Muslims in the minority states and those who remained in what became India:

419 Cit. Ibid., p. 20.

420 The Prophet's journey from Mecca to Medina in 622.

421 Cit. Majeed, 2006, p. 18.

422 *Hajj* as the major pilgrimage constitutes the fifth pillar of Islam. Pilgrimage to Mecca is obligatory for those Muslims who can afford and are physically able to travel to the Al-Haram mosque and its inner district with the *ka'ba* as its holy center. As a minor pilgrimage *umra* is not obligatory and can be undertaken throughout the year.

423 Talbot writes: “[...] many of the refugees regarded their journey to Pakistan as a true *hijrat*, an opportunity for a renewal of their faith.” Cit. Talbot, Ian: Pakistan: A Modern History. New York: St. Martin's Press, 1998, p. 120.

424 Cit. Maulana Shabir Ahmad Uthmani (1946), founder of JUI. Quoted in: Arif, M.: The Resurgence of the Muslim Ummah and Pakistan Movement. Lahore: Wajidalis, 1988, p. 15.

The creation of Pakistan also illustrated a unique example of self-sacrifice in the name of religion in the modern era. This sacrifice was offered consciously and willingly by the Muslims living in the Hindu-majority areas which were bound to be excluded from the new Muslim state.⁴²⁵

This account found its political strategic equivalent among the Muslim League's leadership in the "hostage theory", according to which communal minority groups would not be discriminated by the majority since the other's population on one's own territory would be treated equally on the basis of reciprocity.⁴²⁶

Beside this pathetic construction of historical continuity there are various other tools within the divinized and romanticized conception of Pakistan. The date on which Pakistan gained dominion status, the night of August 15, 1947, as scheduled by Viceroy Mountbatten as the date of independence for India and Pakistan marked Friday, 27th of Ramadan. The religious mapping in time and space provided a deep religious meaning to the new state. Rahman highlights, very similar to the Jewish-Israeli telos of being a light unto the nations, the duty given to the country and its people:

You are a privileged people [...] in the sense that God has given you the privilege of entrusting you with a Mission that He wants you to accomplish. The Mission is two-fold: to establish a truly Islamic State to be a model for the nations in the contemporary world; and to lead the effort against the anti-God, anti-Humanity forces of Evil, which are forcing on the people the most abominable forms of immorality and perversion, besides making them more and more irreligious, impoverished and miserable.⁴²⁷

In textbooks, history books and contemporary internet fora, the idea of the state's holiness still attracts the imagination of many. In this imagery Pakistan's independence is seen as part of a linearity together with other important religious events that took place during the holy month such as the revelation of the *qurʿān* or the Battles of Badr (624 A.D.) and 'Ayn Jalut (1260 A.D.).⁴²⁸ In this context, al-Mujahid states that even secular-oriented states proved to be bound to the ideological requirement of using religious symbolism:

Even „secular“ Egypt under Anwar al Sadat found it expedient to invoke Islam and utilize Islamic symbols and slogans extensively during the „Ramadan“ War of October 1973. Code-named „Badr“, it was launched on 10 Ramadan (6 October, 1973), and its battlecry was *Allahu Akbar*. The success of the Egyptian arms, though „thwarted only by the United States' last minute intervention, was termed an „Islamic victory“. The Indian Muslims during the late nineteenth and early twentieth centuries could not do otherwise.⁴²⁹

Al-Mujahid who is a central figure among Pakistani historians⁴³⁰ with his *Ideology of Pakistan* as one of the most popular and most circulated historical works in Pakistan, sees Islam and its introduction into the League's campaigns after 1937 as the critical identity and mobilization tool for mass religious enthusiasm turning into a political force that paved the way towards hegemony in Muslim politics at the eve of partition.⁴³¹

And finally, the creation of myths in the context of Pakistan's independence can be illustrated with regard to its unique name. According to the well-established historical narrative, student Chaudhry Rehmat Ali (1897-1951) had formed the anagram PAKISTAN, in Urdu the „Land of the Pure“, at Cambridge University in

425 Cit. Ibid., p. 15.

426 A similar view can be found in Durrani, F. K. Khan: *The Meaning of Pakistan*, 2nd Ed. Lahore: Islamic Book Service, 1988, especially p. 137-147.

427 Cit. Rahman, S. M., 2005, p. 62.

428 See Majeed, 2006, p. 39. For some exemplary online debates on this issue, see for instance Paklinks, website.

429 Cit. al-Mujahid, 2001, pp. 14/15.

430 He worked in various leading positions at the University of Karachi, the International Islamic University (Pakistan and Malaysia) and the Quaid-i-Azam Academy. For his works on Jinnah since the 1950s he was awarded the Aizaz-e-Kamal and Sitara-e-Imtiaz by the government of Pakistan. For his biographic data see website Sindh Archives.

431 See also Lieven, 2011, p. 53-58.

1932/33.⁴³² He referred to the envisioned Muslim provinces presented by Muhammad Iqbal in his 1930 Allahabad speech including Punjab (P), Afghan/ North-Western Frontier Province (A), Kashmir (K), Islam or Indus (I), Sindh (S) and Balochistan (TAN).⁴³³ Another version of how the state's name came into being had been presented to the Pakistani public in 2005, based on a witness account given by Muhammad Jahangir Khan (1910-1988), a member of the All-India Cricket Team from 1932 to 1936 and uncle of Pakistan's cricket legend and PTI politician Imran Khan Niazi.⁴³⁴ On 9 February, 2005, *The Nation* published the facsimile of an affidavit made on oath in October, 1983, by Jahangir Khan in which he claimed Khwaja Abdur Rahim, an Indian Civil Service probationer and Cambridge colleague of Ali, to be the true author of the anagram and not Ali who had always claimed his authorship.⁴³⁵

Bestranged relations between West and East Pakistan and their perceptions of each other having ever been artificial, Aziz has pointed out to their inclusion into the historical discourse: While the *'ulamā'* were portrayed as „genuine“ supporters of Jinnah's movement with a geographical overbalance of Northern India and Punjab as the intellectual hubs and origins of political thought of separatism and Muslim Pakistani nationalism, the efforts by British India's Eastern Muslim elites and their support for Jinnah are, in most historical accounts produced by West Pakistanis on the political struggle for independence, neglected with only West Pakistan's Muslim League being credited for the creation of the state.⁴³⁶ 1971, the fall of Dacca, the surrender of the Pakistan Army and the loss of Pakistan's Eastern part has been subjected to attempts by historians to explain the shameful defeat and the collapse of the state – territorially and politically – in differing accounts. In the context of the sacralized view as outlined in this chapter, the question why the state which had been created as the result of a divine will had been defeated with its territory broken apart, created an ideological dilemma. Popularized explanations for the separation – “inevitable sooner or later”⁴³⁷ – saw sabotage and subversion by East Pakistani Hindus and India or an Indian-Russian conspiracy⁴³⁸ behind the crisis.⁴³⁹ Similarly, East Pakistan's leading political figure at that time, Shaikh Mujib-ur-Rehman, is described as an Indian agent on the payroll of the RAW.⁴⁴⁰ Beyond, Pakistani historiography offers a minority account which sees the disaster as a punishment for the Pakistani state elites having betrayed the founding fathers' vision for Pakistan

432 For a detailed account which basically underlines *Jama'at-i-Islam's* narrative of Chaudhry Rahmat Ali's demands see Sehmi, Anwarul-Haq: Nationalism, Islam and Pakistan. Lahore: Islamic Publ., 1983, p. 151-154.

433 See Jaffrelot, 2002, p. 12 and Aziz, Kursheed Kamal: Rahmat Ali. A Biography. In: Beiträge zur Südasienforschung, Südasien-Institut, Univ. Heidelberg, Vol. 118. Stuttgart: Steiner, 1987.

434 For biographical data see The Cricketer, online data bank.

435 See Majeed, 2006, p. 40ff. Ali, who became the founder of the Cambridge-based Pakistan National Movement that promoted a more radicalized interpretation of the Muslim League's nationalism, claimed his authorship of the Pakistan idea in his pamphlet *Now or Never. Are We to Live or Perish Forever?* (1933).

436 See Aziz, 2009, p. 40-45.

437 Cit. Lieven, 2011, p. 60.

438 As expressed in Zulfikar Ali Bhutto's infamous speech at the UN SC on 15 December, 1971, in which he rhetorically attacked the Russian delegates as collaborators of Indian aggressors and the Council as a whole. See Abbas, Sara Syeda: Deliberative Oratory in the Darkest Hour: Style Analysis of Zulfikar Ali Bhutto's Statement at the Security Council. In: *Pakistaniaat: A Journal of Pakistan Studies*, Vol. 3, No. 1, 2011.

439 "The proportionately very large and influential Hindu population in East Pakistan was a readymade effective tool in the hands of the Indian government. Combining this huge resource easily with the other Fifth Columnists, India constantly undermined Pakistan's nuclear weapons program; it could have also caused disastrous and irreparable damage to Pakistan as a whole." Cit. Rahman, S. M., 2005, p. 42.

through their incompetent and corrupted rule⁴⁴¹: “When the rulers continuously blunder and the leading sections of society remain inter, the nation as a whole has to suffer the consequences. God imposed a heavy penalty on the nation of Pakistan. The State was cut into two.”⁴⁴²

3.1.2 Israel

In Israel scientific interest in the ideology of the state and especially its formative period has increased drastically since the 1980s. Numerous publications by “new” sociologists and historians in the light of the debate that Post-Zionism provoked, illustrate this renewed interest.⁴⁴³ However, in its interpretation of history, Post-Zionism, that is the self-description of an orientation which sees Zionism in the light of an evolutionary process which reached its climax when the State of Israel was founded, does not per se neglect the continuity of the concept of the Jewish people.⁴⁴⁴ According to this view, Zionism is equalized with the practical and ideological mission to end the Jewish misery with the help of a sovereign political Jewish entity whose very existence would mark the beginning of a new era for the Jewish People that would also allow to abandon particular elements of Zionist ideology. A paper published by the *Ariel Center for Policy Research* (ACPR)⁴⁴⁵ sees post-Zionism as a new form of anti-Zionism putting into question the legitimacy of the Jewish state:

Post-Zionist writers label each and every one of the central conceptions of Zionism as 'myth' in its negative connotation. Post-Zionist writers even accuse Zionism of purposely and systematically 'commissioning' great poets, scholars, educators, writers, etc. to disseminate Zionist ideology to justify its egregiously immoral act of occupying Arab territory in Palestine/Israel. The Zionist Organization, it is asserted, made every effort to establish a 'mythical' continuity between bygone eras of Jewry and contemporary Israel. By so doing, Zionism sought to brainwash Israel-born generations of Jewish youth, that they were the true descendants of earlier generations of Jews who cherished a love of Zion since Biblical antiquity. [...] [They] were merely a random collection of immigrants, and their sabra offspring were no more than second-generation immigrants. The notion that they belong to an ancient Jewish people that has returned to claim sovereignty over its historic homeland, is, in their eyes, merely one of the myths disseminated by Zionism.⁴⁴⁶

Post-Zionism – by its opponents and critics described also as the destructive expression of “classical anti-Semitism”, “anti-Jewish nihilism” or “Jewish self-hatred, a phenomenon which is regrettably rampant in Israel's universities and colleges”⁴⁴⁷ – was an intellectual movement and ideological stream that was mainly identified with Israel-born Jewish scholars who live in or outside Israel. Similarly, the political left and Zionist leaders such as Yitzhak Rabin whose compromising position during the Oslo negotiations had been associated with post-Zionist thinking by their adversaries. Their claim of solving Zionism's central conflict, that is the

440 For instance in contemporary textbook for Pakistan Studies exams one finds the question: „Explain why the war broke out between East and West Pakistan in 1971?“. The sample solution sees a “spirit of revolt” spread among young and formerly pro-Pakistan oriented Bengalis by East Pakistan's Hindu population as the model answer. This was, according to the standardized answer sample, the beginning of the “rebellion” that followed Mujib-ur-Rehman's false promises. See Siddiqui, Erum Habib (Ed.): GCE-O-Level Pakistan Studies, 4 June, 1991, question 5c). In: GCE-O-Level Solved Papers, Pakistan Studies, O-Level, Paper I (1989-2002). Karachi: Qamar Kitab Ghar, 2003, p. 42-44.

441 See Rahman, S. M., 2005, pp. 40/41.

442 Cit. Ibid., p. 41.

443 Such as Benny Morris (1988) with his works on the Palestinian refugee complex, Avi Shlaim (1988 a.o.) on the Arab-Israeli wars, Itamar Rabinovich (1991) on early Israeli-Arab peace negotiations, and Baruch Kimmerling (1983) on Zionism and cleavages within Israeli society, to name some of these scholars.

444 See Brenner, 2006, p. 256ff.

445 The think tank ACPR, founded in 1997, is based in the settlement of Sha'arei Tikva and considered an NGO-based organ of right-wing political groups and especially *Likud*.

446 Cit. Sharan, Shlomo: Zionism, the Post-Zionists and Myth. A Critique. Sha'arei Tikva: ACPR Policy Paper, No. 134, 2001, p. 7.

447 Cit. Ibid., p. 8.

clash between a religious and a secular identity, which Peleg as a “dilemma of the essence”⁴⁴⁸, and to pave the way for a new concept of the Jewish state in favor of a heterogeneous, pluralistic and secular-democratic-oriented Israeli nation. “Israeliness” as the master draft of Israeli identity has been contrasted with the post-Zionist self-portrait of an Israeli society of settlers and immigrants, which in the following years found more acceptance in the academic and media discourses. Nevertheless, critics of post-Zionism rightly pointed out that intellectual innovation and a realignment of the official Israeli historiography and thus a development towards a new objectivity never succeeded and that in contrary Israeli historiography became more and more politicized.⁴⁴⁹ A new trend to introspective and distance to the older Jewish historiography and their grand figures such as Heinrich Graetz (1817-1891), Simon Dubnow (1860-1941) and Salo W. Baron (1895-1989) was visible only in the 1980s, and thus comparatively late. This trend had been initiated for example by Yosef Hayim Yerushalmi's *Zakhor: Jewish History and Jewish Memory* (1982).⁴⁵⁰

In contrast to Pakistani Muslim historiography, Jewish historians and later their Zionist successors struggled more vehemently with the challenge of redefining and reinterpreting history. Dealing with varying and contradictory chronological, geographic and thematic frameworks, their main dilemma was the pressing need to define and clarify whether the Jews represented a people (*Volk*) with its ethnic connotations, a religion and communal group or a community whose members were linked with each other on the basis of shared cultural values, rituals and history. Based on this intrinsic question, the question arose, how to frame the Jews historically. Nationalist historicism contributed to this challenge in that it added the imperative to “nationalize” the historic narrative – a dynamic which became more and more the main focal point of Jewish historians with the rise of Zionism and its territorial ideology: “[...] after the cultural turn, still almost unrecognized within Jewish studies, all the attempts to discover new methods of writing Jewish history necessarily have to face the dominant heritage of one fundamental historical concept, namely national history.”⁴⁵¹ The wide framework for interpretation resulted from its comparable long period and proliferation of thought throughout world Jewry receiving new impulses from different Jewish communities. Therefore, it is important to take a deeper look on the traditions of history writing in the Jewish context since the intellectual interactions between historians and their contemporary societies give insight into the significant changes within the discourses of how national history should be written and which referential systems for history writing and interpretation is being used, making the historical discourse the most dominant cultural one in modern Judaism.⁴⁵² Only through this step which concentrates on what Brenner categorized as antagonist liberal-emancipatory and diaspora-nationalistic master-narratives, it is possible to understand how Zionist historians, and later Israeli historiography, tried

448 See Peleg, Ilan: *The Peace Process and Israel's Political Kulturkampf*. In: *Ibid.* (Ed.): *The Middle East Peace Process: Interdisciplinary Perspectives*. Albany: State Univ. of New York Press, 1998, p. 237-264.

449 See Penslar, Derek J.: *Narratives of Nation Building: Major Themes in Zionist Historiography*, p. 117-123. In: Myers, David N./Ruderman David B. (Eds.): *The Jewish Past Revisited: Reflections on Modern Jewish Historians*. New Haven (a.o.): Yale Univ. Press, 1998, p. 104-127.

450 See Myers, 1998, p. 3. As compared to contemporary Jewish authors, Graetz' *History of the Jews* received disproportional attention and gained popularity. See Gotzmann, Andreas: *Historiography as Cultural Identity: Toward a Jewish History beyond National History*, p. 498. In: *Ibid.*/ Wiese, Christiane (Eds.): *Modern Judaism and Historical Consciousness. Identities, Encounters, Perspectives*. Leiden: Brill, 2007, p. 494-528.

451 Cit. Gotzmann, 2007, p. 494.

452 See *Ibid.*, p. 494ff.

both, to recur to a traditional historiographic reservoir and in many cases also to radically break with that interpretation of history.⁴⁵³

3.1.2.1 Refusal and Selectivity towards the Jewish Past

Haskalah, the self-proclaimed Jewish enlightenment, not only brought a new understanding of Jewish contemporary life in the Diaspora but also a fundamental, if not revolutionary, critical reinterpretation of history.⁴⁵⁴ Against the background of a new demand for truth finding through objectivity – to the extent of „hyper-scientism“⁴⁵⁵ – the Jewish historical discourse was opened in the same manner in which it was deleted from the narrow theological parameters and the traditional-rabbinical view of the past. In that context, Jewish historiography found a new beginning in the late 18th century: At this beginning the central figure was Moses Mendelssohn (1729-1786) and its center where a new critical spirit towards the religious-oriented interpretations of the past originated, was Jewish Germany. It should be emphasized, as Gotzmann points out, that the Jewish historiographic turn, for which the *haskalah* paved the way, beyond its challenging the religious narrative of Jewish history, was also directed against the dominance of Jewish discourse by the Christian-missionary interpretation.⁴⁵⁶ By challenging this religious monopoly, the proponents of *haskalah* not only changed the way how they narrated the Jewish story. More or less, they successfully changed the parameters within which Jewish history had been seen as a religious-oriented narrative:

[...] history was, therefore, used as a medium to explain the special status and the problems of Jewish society, blaming the Christian side for its allegedly negative situation. Re-evaluating, but also defending one's own culture in such a way was considered to be an integrative act that was supposed to include Jewish culture among the ranks of the civilized nations because now it was history, and not religion, that would define the hierarchy of cultures.⁴⁵⁷

History as “the new mode of cultural legitimization” was incrementally seen as a force that had the potential to promote unity.⁴⁵⁸ But the main problem for Jewish national history was to be established without a Jewish land or territory. Gotzmann makes a case in point when he refers to the dependency of Jewish historical thought during the mid-19th century to the notion of a national territory: In that sense, developing a stringent narrative from the German-Jewish context was a more complex endeavor than in the French case given the lack of a German central state and the German Jews' less advanced legal status in society.⁴⁵⁹

Apologetic, political misuse and neglect of inner-Jewish social factors and phenomena, stood in the main focus of a new intellectual generation within Zionism. It demanded a renegotiation and “Hebrewization” of the *Wissenschaft des Judentums* and its Eastern variant *Hobmat Yisrael*.⁴⁶⁰ Martin Buber (1878-1965) and Joseph Klausner (1874-1958) were advocates of these Hebrewized sciences (*mada ivrit*), for which they designated a political role in the Zionist struggle for a state. Their intention was to develop the cultural ground for the political nation-building.

453 For Brenner's overview see *ibid.*, 2006, p. 24/25ff.

454 See Gotzmann, 2007, p. 495.

455 See Myers/ Ruderman, 1998, Introduction, p. 2-4.

456 See Brenner, 2006, p. 25.

457 Cit. Gotzmann, 2007, p. 497.

458 See *Ibid.*, p. 503.

459 See *Ibid.*, p. 509.

460 For this term see Brenner, 2006, p. 210.

Initially, the generation of historians to which Graetz, Leopold Zunz (1794-1886), Peter Beer (1758-1838) and Isaac Marcus Jost (1793-1860)⁴⁶¹ belonged, had been strongly influenced by the European *haskalah*. Like them, Simon Dubnow's early works reflect a strong connection to these ideas, mixed with Yiddish cultural influences. With his *Weltgeschichte des jüdischen Volkes von den Uranfängen bis zur Gegenwart* he sought to present a new historical interpretation of the Jewish past. Seen by Graetz and contemporary writers as a people without a state – a „passive“ object, rather than an active subject manifested in history – especially the period of the diaspora had been subjected to a dominant trend in contemporary works in which intellectual history and the Jewish experience of suffering (*tsuris*)⁴⁶² had been highlighted through the prism of theology and spirituality. Dubnow's work, published in ten volumes in the 1920s was therefore an attempt not only to introduce a new perspective on the „most historical people in the world“ but also in terms of reforming history writing and removing the distorting theological view. Linked to the notion of historical exceptionalism of the Jewish *Volk*, was the demand of limiting the gift and competence of scientific interpretation only to Jewish authors.⁴⁶³ Immanent in the spirit which is displayed in Dubnow's and the works by others, is the acceptance of destruction, exile and diaspora. But beyond that, there is the belief that an ancient nation, its state and sovereignty brought to fall by the Roman occupiers and its people spread over the world, could be resurrected as the case of Greece and its struggle for autonomy against the Ottoman Empire in the 1820s had proved.⁴⁶⁴ According to Dubnow, this was possible only due to the Jews' special role in history in which they stand as the incarnation of a spiritual nation. This includes the idea that Jews represent a people that – because of its covenant with God or because of external influences – is trapped in the “tyranny of space” in which had been forced by the nationalist ideology of territory and land.⁴⁶⁵

The search for mystical roots and folklore elements that could provide the myth, necessary for the modernist renewal of Judaism and its implementation into Zionist ideology, was a task in which many of the most prominent Jewish historians were involved. Gershom Scholem (1897-1982) and Martin Buber (1878-1965) both broke with the traditional common view on Judaism as a de-mythified religion and put forward a new account which placed kabbalistic and hassidic influences on the same level as the orthodox rabbinical thought.⁴⁶⁶

461 His main contribution was the voluminous *Geschichte der Israeliten seit der Zeit der Makkabäer bis auf unsere Tage*, written between 1820 and 1829.

462 Yiddish term for heartache and *Leid*.

463 This demand came from, among others, Petez Smolenskin, editor of the Hebrew journal *HaShabar* (The Dawn), see Brenner, 2006, pp. 210/211.

464 The Hellenistic element in Jewish historiography and later the adaption of partial aspects in Zionist narratives, is well elaborated by Leoussi and Aberbach. See Leoussi, Athena S./ Aberbach, David: Hellenism and Jewish nationalism: Ambivalence and its ancient roots. In: *Ethnic and Racial Studies*, Vol. 25, No. 5, 2002 p. 755–777. Another prominent proponent of Jewish-Hellenistic parity was Friedrich Nietzsche (1844-1900) who emphasized the cultural significance of the Old Testament as an intellectual and moral equivalent to the values of ancient Hellenism. See Pfahl-Traugher, Armin: Friedrich Nietzsche – ein anti-antisemitischer Freund der Juden oder ein geistiger Wegbereiter des Holocaust? Die Einstellung des Philosophen zum Antisemitismus, zur jüdischen Religion und zu den Juden, n. d. Similarly, Islamic thought and literature were not free of the ancient philosophy and especially its political thought: "Muslim philosophers were concerned to realter the philosophic doctrines which they had inherited from antiquity with the religious teachings of Islam. In confronting these dilemmas, they produced a new and original philosophical literature, often containing fresh insights into some of the major problems of politics. In doing so, they forged a new political vocabulary, devising Arabic equivalents for Greek political terms and blending it with the other and more original language which had grown up to express the religio-political traditions of Islam." Cit. Lewis, 2004, p. 26. However, Lewis points out to its only limited impact. See *ibid.*, pp. 6/7, 26. See also Schubert, Kurt: *Jüdische Geschichte*. München: C. H. Beck, 3rd Ed., 1999, p. 21-29.

465 See Dieckhoff, 2003, p. 143 and especially footnote 32.

466 See Ohana, David: Zarathustra in Jerusalem: Nietzsche and the "New Hebrews". In: *Israel Affairs*, Vol. 1, No. 3, 1995.

Following Klausner, their re-invention of Jewish mysticism included a harsh critique directed against the German-Jewish historians who, like Gaertz, had neglected Jewish Eastern Europe when they followed Moses Mendelsohn's idealized era of light. Klausner had been a member of a group called the *Jüdisch-Historisch-Ethnographische Gesellschaft* based in St. Petersburg (1908) that followed Simon Dubnow's call for an emancipation of Jewish historiography and cultural life. The group's members, including Israel's future president Chaim Weizmann, criticized what they perceived as “*Entjudung*”. Accordingly, they promoted the cultural emancipation of Jews but demanded also a historians' revolt against Jewish scholarship of the 19th century.⁴⁶⁷ While their rationalized interpretation of Jewish life mentioned the East only as the region in the shadow, a periphery of enlightenment, Zionist historians encountered the mystical heritage of Eastern Europe and thereby reversed the hegemonic emphasis on the West.⁴⁶⁸ This stance is illustrated in the writings of Buber with reference to *Hassidism*.⁴⁶⁹

A general contemporary derogatory view on Eastern Judaism by the German congregations has found its continuity after World War II in Germany where Jewish life had been dominated by about 30.000 Jews when in 1950 the *Central Council of Jews (Zentralrat der Juden)* was founded. In 1990, this hegemony ended and was replaced with a Russian-Jewish culture when more than 150.000 Jews from the former Soviet Union migrated to Germany.⁴⁷⁰ Buber and Sholem broke with the tradition by understanding and promoting myth as an innovative and vital factor that belongs to traditional Judaism. This was against the assumption that saw Judaism as an anti-mystical religion that even tried to eliminate its inner myths. Both assigned a central role in the process of a re-evaluation of myth to Nietzsche whose works subsequently entered the Zionist Hebrew cultural discourse.⁴⁷¹ Another strong link between their reform-oriented work was their active membership in *Brit Shalom* (Peace Alliance)⁴⁷², a circle of Jewish intellectuals and established in 1925 in the *yishuv* as an initiative to bring the idea of early Jewish-Arab cooperation into public.⁴⁷³

The negation of partial components of history points out to a central problem within Zionist ideology and its orientation towards time. The aim of any ideology in the world, as the profound research on nationalism shows, is to create historical continuity for a people and the nation for motives of legitimation or sanctification of policies of the present. While most of the various Zionist streams instrumentalized the Jewish past until the expulsion from the holy land and the beginning of the exile in a glorifying manner, not all ideological accounts uni-vocally accepted the era of exile.⁴⁷⁴

[...] those who totally negated the Diaspora adopted a selective vision of Jewish history that pointed toward their ideal future. Thus, they viewed the emergence of the ancient kingdom of Israel and its restoration in the

467 See Brenner, 2006, pp. 216/217.

468 See Brenner, 2006, p. 216-219. This critique originated also in the marginalization of the Eastern European *haskalah* as it had been prominently promoted by Isaac Ba'er Levinsohn (1788-1860) who soon gained the reputation of a "Russian Mendelssohn".

469 See Buber, Martin: *Die Legende des Baalschem*. Frankfurt a. M.: Rütten & Loening, 1908, p. 5.

470 See *Jewish Voice from Germany: New German Jewry – Made by Russians*, No. 2, April 2012.

471 Sholem, Mircea Eliade and Carl Gustav Jung, participated in the *Eranos Circle* which stressed the centrality of myth in understanding religious and cultural phenomena. See Ohana, 1995, p. 38-60.

472 *Tabāḥif as-Salām* in Arabic.

473 The organization was working together with the *Ihud* (Union), a small political party which was mainly represented by Buber and Ernst Simon until independence. Ahad Ha'am who had been associated with a de-ideologized spiritual Zionism, was a member of *Brit Shalom* too. See website *Brit Shalom*.

474 See Horowitz, Dan / Lissak, Moshe (Eds.): *Trouble in Utopia. The Overburdened Polity of Israel*. Albany: Suny Press, 1989.

period of the Second Temple as their sources of inspiration. These currents tended to link these periods with the modern return and restoration [...] ⁴⁷⁵

Minority positions and groups such as the Canaanite intellectuals totally neglected the idea of a Jewish exile. ⁴⁷⁶ Accordingly, some authors referred to the Canaanites as a „lost generation“ of native Hebrew pre-state Palestinians whose demand for a universalization of Judaism as a pan-Semitism finally failed. ⁴⁷⁷ The search for authenticity as the fundamental legitimate basis for the creation of a new Hebrewism and the selectivity towards events or even bypassing of history, included the demand for the establishment of a Hebrew nation with the *yishuv* as the most developed entity of Jewish presence in the Middle East, and, thus, as its cultural and political epicenter. Canaanite ideology saw the region of the fertile crescent, the „Land of Kedem“ as the cradle of a historical Hebrew civilization, culturally coherent because of its inhabitants' use of the old Hebrew. It did not influence the political discourse within *yishuv* society in large but had a strong impact on developments in contemporary poetry, music and literature. Like other marginal streams of Zionism and groups that stood in strict opposition to the Zionist endeavor, the Canaanites with leading figures like the poet Yonatan Ratosh (1908-1981), Binyamin Tammuz and Yitzhak Danziger, both sculptors, participated in the War of Independence but were ousted by the dominant ideological stream of Ben-Gurion's secular socialist Zionism. As an off-shot of Jabotinsky's revisionist Zionism, from which it adopted key features such the emphasis on military power and politics ⁴⁷⁸, Canaanism developed a cultural-political program that in many ways became much more radical and extremist in its demands than Jabotinsky's revisionist Zionism because of its central claim – similar to early secular Zionist streams – to split from traditional Judaism. The Canaanites redefined the forming nation as a new Hebrew rather than a Jewish nation which had its roots in the glorious days of the Biblical era. They claimed that in ancient times, Hebrew culture (*tarbut ivrit*), in large parts of the Middle East, which they named Kedem ("East/ antiquity") ⁴⁷⁹, constituted a Hebrew-speaking, pagan civilization or *Kulturnation*. ⁴⁸⁰ Hence, the project of a Hebrew renaissance as articulated in the Canaanist interpretation, should aspire to rebuild a nation based on the same geographical area. Further, it should embrace the whole local population by liberating them from their religion through a soft cultural repression of pan-Islamic and pan-Arab tendencies, that were seen as medieval forces, hostile to Jewish enlightened modernism. Having its early roots in European extreme right-wing movements, notably Italian fascism, it exhibited an ambiguous emphasis on militarism and power politics towards the Arabs as an organized community on the one hand, and acceptance of them as individuals to be redeemed from pre-modern slavery on the other. This inclusive approach which automatically involved the issue of citizenship ought to diminish the traditional boundary between Jews – the “nation of

475 Cit. Ibid., p. 100.

476 See Ibid., pp. 100/101.

477 See for instance Shavit, Jacob: *The New Hebrew Nation: A Study in Israeli Heresy and Fantasy*. London: Frank Cass, 1987, p. 150-156. The group's name referred to the biblical name of the land inhabited by Hebrews and Philistines.

478 For the central ideological components of (neo-)revisionism or “Jabotinskysm” see Peleg, 1987, and Kaplan, Eran: *The Jewish Radical Right. Revisionist Zionism and its Ideological Legacy*. Madison (a. o.): Univ. of Wisconsin Press, 2005.

479 Hirschfeld points out to an interesting link between the notion of *kedem* as the land in the East, *kedem* in its alternative Hebrew meaning “to proceed forward” and the term's primordial notion (*Urzeit*) which implies a movement backwards in time to the primordial era, which gives the concept a threefold meaning epitomized also in the text of *HaTikva*, Israel's national anthem. See Hirschfeld, 2002, p. 1011.

480 See Shavit, 1987, p. 107.

priests” – and gentiles.⁴⁸¹ As for the arts, the school's most dominant sphere of influence since the late 1940s, found its orientation in the mystical and archaic East, “though not the actual East – be it Jewish or Arab – but the one that preceded the monotheistic religions [...] in the soil itself – in its sand and stones, in the bowels of the earth, the deepest archaeological strata of Israeli space.”⁴⁸² As a symbol of Canaanite thought and source of reference to its self-declared ancestry, served the statue of *Nimrod*, king, hero and passionate hunter, “[...] the first man of might on the earth”⁴⁸³, presented in 1939 by sculptor Yitzhal Danziger. Most of the Canaanites served in the Jewish underground armies, such as the *Irgun* before and during the war of 1948. Other groups like the underground military organization *Lohamei Herut Yisrael* (Fighters for the freedom of Israel)⁴⁸⁴ – *Lebi* or “Stern gang” – shared Canaanite ideological elements too.⁴⁸⁵ However, in contrast to the Canaanites, they embraced religion and made Jewish messianism part of their political agenda of nationalist liberation.⁴⁸⁶

3.1.2.2 Foundation of State and Concepts of Collectivity

Israel's sociologists, in their attempts to identify the core elements of Israeli national culture and its canon, generated the term „Israeliness“.⁴⁸⁷ As an umbrella category it includes varying cultural streams that all together must be seen as the constitutes of modern Israeli culture: To mention a few of them, there is, firstly, a strong notion of Hebrew culture or „Hebrewism“ (*ivriuth*). Sponsored by the state and its institutions from the 1950s to the 1970s, *ivriuth* and, as a central component of it, the generation born in pre-state Palestine, the *sabra* Israeli represented the most dominant identity linked to Israeli national culture. Secondly, the influx of oriental Jews born in Islamic countries, especially from the Maghreb, the Fertile Crescent and Iran, brought a new cultural and ethnic impact (*mizrahbiuth*).⁴⁸⁸ Thirdly, religious-nationalist Zionism aimed at compromise between the secular ideology and the neglected religious tradition of Judaism as will be discussed in the next

481 See Beit-Hallahmi, 1992, pp. 115/116.

482 Cit. Hirschfeld, 2002, p. 1041.

483 Cit. First Book of Mose, Genesis 10:8. With reference to Nimrod's interpretation in the context of the *sabra* identity model, Hirschfeld writes: “[...] made of Nubian sandstone, which imparts a weighty symbolism: this is the desert stone representing the pure expanse, natural and untamed; it was taken from the red rock of Petra, a mysterious oracle of the ancient past. The statue is a curious, uncanny combination of a raised, pseudo-archaic head and a thin, sensual, and very realistic boyish body. [...] The statue has been the subject of many interpretations and is one of the most famous subjects in the discourse of Israeli identity. Some see in it a rare, primordial beauty, others ravaging power, and others, in the 1990s, exilic weakness and sensual femininity. “Nimrod” remains an enigmatic emblem, tied to the feel of the local space, to the sandstone, to a primordial reality, and to the East; it is a work whose differing interpretations reveal the internal contradictions beneath the idealized facade of the Sabra.” Cit. Hirschfeld, 2002, p. 1041.

484 Efforts by this group to win the public support by prominent personalities often failed because of their militarized agenda. For instance Albert Einstein's disrespect has been expressed quite clearly in a written response to the group: “When a real and final catastrophe should befall us in Palestine the first responsible for it would be the British and the second responsible for it the terrorist organizations build up from our own ranks. I am not willing to see anybody associated with these misled and criminal people.” Cit. Einstein, Albert: Letter to Shepard Rifkin, Director American Friends of the Fighters for the Freedom of Israel, 10 April, 1948.

485 Founded in 1940 under Avraham “Yair” Stern. Yair refers to Elazar Ben-Yair, the commander of Masada's last Sicarii defenders. See Ben-Yehuda, 1995.

486 See Shavit, 1987, p. 53-55.

487 Israeliness, as Regev claims, has to be seen as a highly contested field, as “a space of struggle” over the definition of different cultural variants in Israeli society and their attempt to be recognized as part of national culture. See Regev, Motti: To have a culture of our own: On Israeliness and its variants, pp. 242/243. In: Ethnic and Racial Studies, Vol. 23, No. 2, 2000, p. 223-247.

488 Certainly, all national cultural models are increasingly influenced by the worldwide globalization of culture that gives birth to new alternative models, sub-cultures and the adaptation of distinct influences. Especially in the Israeli case, notwithstanding state policies of immigration and absorption, the new Israelis' lives are to a high degree influenced by the culture of their native regions.

chapters. And, fourthly, Palestinian-Arab Israeliness describes the cultural variant of those Arab-Israeli citizens who are politically distinctive from the Israeli state and the Palestinian National Authority. Culturally “their constant and continuous contact with Israeliness as a Jewish national culture [...] and their relative disconnectedness from the rest of the Palestinian people” resulted in the formation of a specific variant.⁴⁸⁹ Although it lacks the sensitive political component which arises from the question of citizenship, within the cultural framework of identity formation, it is important to reconsider also the legions of guest workers from the Philippines, Romania, Thailand, Colombia, Ghana and other African countries, not to forget refugees from Eritrea or Sudan who end up in Israel where they have become a significant labor force and motor of an underground black market economy.⁴⁹⁰

As Regev states, the emergence of new cultural grouping as a byproduct of cultural diversification does not necessarily, like in conflict societies, undermine or challenge “the belief in and commitment to the idea of ‘one nation – one culture’” per se. What is more, additional variants expand the formative dominant national culture.⁴⁹¹ The proclamation of the new ancient Israelite as a member of the “generation in the land” (*dor ba-aretz*) has to be seen within the wider historical dimension of how the revolutionary movement of Zionism located itself in Jewish history.⁴⁹² The Zionist conception of history stressed three major distinct periods within Jewish history. The first lasted from ancient times to the concrete event of the breakdown of the last rebellion against the Roman occupation in 135 A.D. This long period is largely linked to the element of activism and Jewish self-determination.⁴⁹³ The defeat of Shimon Bar Kochba's troops not only brought an end to the Second Revolt (132-135 A.D.), but also abandoned Jewish hope for liberation and freedom of Israel.⁴⁹⁴ What followed was a second period, „1745 years largely erased from the collective memory“⁴⁹⁵, that was determined by a the passivity of the exile (*galut*) and the victimization of the Jews. It did not end before the 1880s, when Zionist settlement in Palestine by the first Zionist organizations – the *Hovevei Zion* or *Hibbat Zion* (The Lovers of Zion) – began.⁴⁹⁶ Mass immigration became the most important expression of Zionist political activism. Hence, *aliyah*, immigration of Jews to pre-state Palestine and later to the State of Israel, in this context, can be

489 Cit. Regev, 2000, p. 240.

490 Tel Avivian southern areas, especially the Neve Sha'anani neighborhood with the Central Bus Station and the Levinsky Park as the hubs of migrants' life, show that the number of African legal and illegal immigrants has risen in recent years. According to the official numbers, provided by the Interior Ministry and the Tel Aviv municipality, there were about 72.540 legal, 117.848 illegal migrant workers and ca. 40.000 asylum seekers living in Tel Aviv in total in 2010. When dealing with the massive influx of migrants and refugees, the Israeli state's policy has always been ambivalent. In 1996, prime minister Netanyahu, during his first term increased the number of foreign worker permits as a substitute for the drop out of Palestinian working force in the low-paying sectors after the First Intifada. During his second term as premier, Netanyahu and *Likud* ministers have shown to be more committed to counter this “concrete threat to the Jewish and democratic character of the country.” Quote Netanyahu in: Pack, Ethan: In the Tel Aviv Bus Station, Underground Economy Flourishes, Legal and Not. In: The Jewish Daily Forward, 28 July, 2010. Numbers quoted in: Morag, Gilad: African infiltrators taking over south Tel-Aviv. In: Live Leak, 12 April, 2011.

491 See Regev, 2000, p. 224.

492 See *Ibid.*, p. 228.

493 See Beit-Hallahmi, Benjamin: The secular Israeli (Jewish) identity: An impossible dream?, p. 163. In: Kosmin, Barry A./ Keysar, Ariela (eds.): *Secularism and Secularity: Contemporary International Perspectives*. Hartford: ISSCC, 2007, p. 157-165.

494 For the Bar Kochba revolt and its role in the construction of Israeli myths see Zerubavel, 1995; and Brenner, 2005. The personality of Bar Kochba and his role within Jewish history embodies two distinct interpretation which reflect the clashes between the Zionist secular glorifying narrative and the religious approach by rabbinical authorities in the Diaspora: “Rabbinical Judaism regarded Bar-Kochba as a false messiah who caused a holocaust. His memory was never resurrected in the Diaspora and children were never named after him. Secular Zionism was ready to embrace him without hesitation, and in Israeli kindergartens every child sings about his valour, facing Roman soldiers and lions.” Cit. Beit-Hallahmi, 1992, p. 117.

495 Cit. Interview with Dr. Yaacov Yadgar, Bar Ilan-University, Ramat Gan, Tel Aviv, 9 December, 2009.

seen as an attempt or the direct response to the problem of the *galut*.⁴⁹⁷ This trend of periodization of national history continued and had a strong impact on Israeli history with the notion of the *yishuv* times, the first Israeli Republic and “the Second Israel” (*Yisrael Hashnua*) since Menachem Begin's ballot box revolution in 1977.

The Sabras⁴⁹⁸, also known as the “first Israelis”⁴⁹⁹ or as “the generation of 1948”⁵⁰⁰, composed the first generation of citizens that was born in the 1930s and 1940s and grew up in the Zionist settlement in Palestine. Socialized and educated in the ethos of the Zionist labor movement, the youth movements, and the communal ideals of the *kibbutzim* and *moshavim*, they were the generation who translated the vision of their pioneer parental generation into the concrete political, social and economic reality of the State of Israel. While these “bearers of Israeli ideology”⁵⁰¹ made up only a small minority of the new state's population, their cultural influence on the state-driven project of building a uniting national and citizen identity should not be underestimated. While initially after independence and the subsequent war, on the institutional level, state and government were still struggling to define their relationship with the world and the regional Arab belt surrounding the new state, this process of identity formation was paralleled in the society. Due to the ethos of a melting pot society which was aimed at integrating all ethnic and religious strata of society, the *sabra* became the archetype and the hegemonic model of identity with its denomination of a secular European-Ashkenazi setup. The new cultural influx with the *sabra* as „a new Hebrew ancient superman. The Zionist answer to the ghetto mentality, a new healthy Jew”⁵⁰² merged with the Israeli memory mainly based on personal romanticized experiences from the Zionist youth movements in the *yishuv*, hence, the idealized notion of eternal youth became a subliminal feature of the new Israeli.⁵⁰³

3.1.2.3 Sacralization of the State

Historiography, like in so many other cultural and historical diverse societies, served as a central factor in connecting the legacy of an ancient Israel to the modern state. In rejecting rabbinical Judaism, Zionist interpretation and self-location in history could not succeed without the “biblicalization” of Jewish history and identity. Biblical Hebrew and Biblical mythology became the pillars of the new Jewish-Israeli self-conception. Contrary to his reputation as a secular-minded personality – if not even hostile to religion – , it was David Ben-Gurion himself who pointed out to the reciprocal relationship and interdependence between the Jewish

496 See Beit-Hallahmi, 2007, p. 163. For the Hovevei Zion see Sachar, Howard M.: A History of Israel. From the Rise of Zionism to Our Time. 3rd rev. and upd. Ed., New York: Random House, 2007, pp. 16/17. Although Sachar makes no secret of his own leftist and pro-labor orientation, he presents one of the tightest Zionist accounts.

497 See Peleg, Ilan: Begin's Foreign Policy, 1977-1983. Israel's Move to the Right. New York (a.o.): Greenwood Press, 1987, p. 55.

498 The term evolved from the name of the cactus Tzabar symbolizing robustness, the ability to survive in a meager environment, the ability to defend itself and roughness and masculinity. See Oz, Almog: The Creation of the New Jew: The Sabra. Berkeley (a.o.): Univ. of California Pres, 2000, pp. 4/5.

499 Segev labeled this term in his work. See Segev, Tom: Die ersten Israelis. Die Anfänge des jüdischen Staates. München: Siedler, 2008.

500 See Hirschfeld, 2002, p. 1040.

501 Cit. Ibid., p. 1042.

502 Cit. Nahshon, Gad: The Myth of the Israeli Sabra. In: Jewish Post, n.d.

503 See Hirschfeld, 2002, p. 1042. Hirschfeld notes that especially against the backdrop of the *Sboa*, the way the *sabra* was highlighted in its exceptional appearance, evoked “to a small degree the psychological markings of the 'hostage syndrome', in which the captive begins to identify with his captors. Here, the Jew adopts the form of his tormentor.” Cit. Ibid. This is with reference to the presentation and visualization of the *sabra* in arts and literature where his Nordic physiognomy, coinciding with the Aryan stereotype of man, the “blonde beast”, has been highlighted.

people, the land and the book. The Bible and especially the Torah, whose language was superimposed by the founding ideologues to the new state's education system as the official language, documents the primordial Jewish nationhood and, as Buber wrote, the fact that “just as the Jewish people need the land to live a full life, the land needs the Jewish people to be complete” elevated the Bible to the main intellectual focus and historical source of reference of the state during the initial years of its existence.⁵⁰⁴ Despite the Jewish *haskalah*'s claim of establishing a secular determined Jewish self in the diaspora and to bring about a cultural and political emancipation for the Jewish communities, the rediscovery of the Hebrew past, its language, history and culture, could not bypass the religious tradition:

The leap over the history of 2000 years of rabbinical tradition and Diaspora experience, aimed at landing in a past of glorious national sovereignty, to be overshadowed only by future grandeur. Reinterpretation of the Hebrew Bible initially began with nineteenth century Hebrew literature and the *haskalah* movement, which discovered new heroes and new ideas in the ancient text. Those who wanted to revive Hebrew found the Bible to be a source of classical Hebrew style, and a repository of great literature. Today's interpretation of the Bible, as it is studied in all Israeli schools, is a direct continuation of the 19th-century approach.⁵⁰⁵

The Zionist historical narrative and especially its transformation into public school and text books, for decades neglected the important developments that came from within the communities in exile, such as the *haskalah*, which initially gained momentum in Western Europe in the 18th century and *Hassidism* from Eastern Europe, Bundism as a competing form of early Zionism promoting a revolutionary socialist change in Europe, and later in Israel, with new cultural and later political impulses from Sephardi immigrants. This trend, which alternatively can be categorized into four periods – the biblical exodus, exile, holocaust and State of Israel – until today, did not bring about a change to the existing curricula.⁵⁰⁶ A guideline for the teaching of “Jewish Civilization” at university level might serve as an example: National history of Zionism and Israel, as “a significant component of the materials taught by the traditional disciplines in the humanities and the social sciences”⁵⁰⁷, the guide recommends a periodization in which the era of the *ge'onim* – the post-Talmudic time from the 7th to the 11th century A.D. in which Jewish thought was significantly influenced by the impulses that came from the decrees of the heads of the academies in Babylonic Sura and Pumbedita (*ge'onim*) and their responsa – should be taught in a unit, directly followed by the early 19th century history and the “modern age”.⁵⁰⁸ In 2010, *Ha'aretz* found that history curricula on high school level, based on the recommendation by the directorate of history at the education ministry, displayed the trend to „map out reality“ by excluding important events in Israel's history like the Oslo Accords or the first Lebanon War, „arguing that it takes 20 to 30 years to arrive at a historical perspective suitable for teaching young people.“⁵⁰⁹ Nevertheless, it would be inadequate to interpret the ministry's policy as a generally refusal of teaching sensitive events from recent history, since events like the peace agreements with Egypt and Jordan are included in textbooks. Another visible feature of today's history

504 Quotation Buber from Shapira, Anita: The Bible and Israeli Identity, p. 11. In: Association for Jewish Studies Review, Vol. 28, No. 1, 2004, p. 11-42.

505 Cit. Beit-Hallahmi, 2007, p. 164.

506 The demand for reforms in the history curricula exists for a long time and under both labor and right-wing-led education ministries. However, the trend of narrowed periodization of Jewish history persists. Conversation with Dr. Yaacov Yadgar, Dept. of Political Studies, Bar-Ilan University, Tel Aviv, 9 December, 2009.

507 Cit. Zionist Academic Council: Guide for the University Teaching of Zionism and Israel. New York, 1982, Introduction.

508 See Ibid., p. 2-6. Thereby, the guide does not give any recommendation towards the 700 years between the Gaonic period and the rise of the Zionist movement in the 19th century.

509 Cit. Kashti, Or: First Lebanon war, Oslo Accords missing from Israeli textbooks. In: Ha'aretz, 25 June, 2010.

teaching to which the “generation of the state” (*Dor HaMedina*) is subjected at public schools, is a dominant historicized biblical account on national history, which, for instance, in elementary schools sees passages from the Old Testament such as the Genesis or the Exodus „as the starting point of national history“.⁵¹⁰ These phenomena follow conceptualizations and attempts to revitalize the Jewish heritage stemming from the 19th century as the logical implication of the imperative to both create an authentic image and to justify the territorial demand as put on secular Zionism.⁵¹¹

A Jewish time-line and especially the theology of the *galut* seems to clash with the historicized narrative of the expulsion of the Jewish people from their land. The dichotomy between the insufficient historical sources and the powerful narrative of the exile, as a fundamental part of the national historical identity, has been questioned. One of the most recent and prominent positions in this debate comes from the Israeli historian Shlomo Sand, whose *Invention of the Jewish People*⁵¹² created much furore in Israel and abroad.⁵¹³ Zionist-Israeli „mytho-history“ traditionally promotes the view that the whole of the Jewish people, a term which Sand claims to be itself a political invention by Zionist nationalism or the predecessor concept of the Israeli nation, were exiled by the Romans and forced into Exile. According to Sand, this version tends to neglect the fact that about two million Jews continued to live in Palestine during Roman reign. Beyond the negation of historical facts, Judaism of the present, Sand argues further, could not be seen anymore as a unity nor understood as a nation in the modern sense. Sand's appeal for a liberal democratic model for the State of Israel with which he agrees with Oren Yiftachel's ethnocracy model⁵¹⁴, includes the demand for a normalization and thereby renegotiation of Israel's claim of its right to exist by reference to its historical right. Furthermore, Sand highlights the theological-idealist elevation of Israel's exile by the Christian interpretation. Accordingly, after Christianity became state religion, Jewish scholars included Christian teachings into their account from which the theology of the *galut* – an exile narrated more radical than the Babylonian one – arose to prominence.

In the historiography of Israel published since 1948, there are countless myths and exemplary examples of selective Zionist historical narrative-building. On the basis of a history of salvation of the Jews the new state was constructed in history books with which the first generation of Israelis had been taught, on the basis of a rich historical heritage, and in spite of their secular claim, linked to a religiously-messianic legitimized exceptionalism. One recurring topic of Zionist historiography is that of heroic Jewish resistance against a superior enemy. The myth of Masada, the Jewish fortress located at the mountainous West Bank of the Dead Sea that became the arena of the last standing between the Roman troops and Jews fighting under the command of

510 Cit. Beit-Hallahmi, 2007, p. 164.

511 “[...] secular Israelis often claim that they represent a new, and still authentic, kind of Judaism, by trying to defend their historically recent conception. Orthodox Jews have no such problem. They don't have to apologize because no one will ever doubt their Jewishness and their Judaism, which are historically authentic. If you claim to be Jewish you cannot gainsay these representatives of Jewish history and historical Judaism. Thus, in any debate about Jewish identity [...], the secular side trends to be apologetic and apologizing while the Orthodox side is confident and secure.” Cit. Ibid.

512 I am referring to the German edition, see Sand, Shlomo: Die Erfindung des jüdischen Volkes. Israels Gründungsmythos auf dem Prüfstand. Berlin: Propyläen, 2010. See also Sand, Shlomo (Ed.)/ Renan, Ernest: On the Nation and the 'Jewish People'. London (a.o.): Verso, 2010.

513 See Strenger, Carlo: Shlomo Sand's 'The Invention of the Jewish People' is a success for Israel. In: Ha'aretz, 27 November, 2009 and Widmann, Arno: Es gibt kein jüdisches Volk. In: Frankfurter Rundschau, 13 April, 2010.

514 See for instance Yiftachel, Oren: Ethnocracy: Land and Identity Politics in Israel/Palestine. Philadelphia: Pennpress, 2006. The Israeli scholars who coined the term in combination with the theories of Israel as a settler state and the policy of settlements as a colonial project, a group known as „critical geographers“, included also Alexandre Kedar,

Eleazar Ben Yair in the Jewish-Roman War (66-73 A.D.)⁵¹⁵, has attracted legions of scholars, politicians, clergy and archeologists alike. Today the cult and myth of Masada has been institutionalized in Israeli society and adopted as a national symbol by political parties, youth organizations and entered the textbooks of schools and universities.⁵¹⁶ The importance of this last refuge of Jewish freedom struggle, that ended with the collective suicide of the Zealot defenders and their families, and the work of Josephus Flavius, has been revitalized in the 20th century.

Even before the Battle of Al-Alamein and the military supremacy in North Africa had been decided in 1942 in favor of the Allies, the British Government, in the face of the threat of the Germans invasion into the Holy Land, began to prepare evacuation plans for British nationals living in the Mandatory of Palestine. Disillusioned and acknowledging that they had to defend Palestine on their own in case of a German invasion, the Jewish underground armies propagated a last Jewish standing and “new Masada” in which Jewish defense rings would encounter the invaders nowhere else than in the Old City of Jerusalem and the Carmel Mountains. Similar collective imaginations of uphill yet heroic struggle were produced during the War of Independence in 1948/49 in which Israel faced attacks from all Arab fronts. A confidential CIA report of November, 1947, predicted that Israel would collapse until 1950 latest due to the military superiority of its enemies and because of social disintegration and its weak “third-world-economy” which was based solely on the export of Jaffa Oranges.⁵¹⁷ Masada also entered the Yom Kippur War when initial offensives by the Arab armies went deep into Israeli territory together with heavy Israeli losses provoked panic and hysteria among the population.⁵¹⁸ Since the late 1950s, the army cultivated swear-in ceremonies for new recruits at the old fortress of Masada.⁵¹⁹ However, much earlier, in 1927, Israel's symbol of fortification, patriotism and sacrifice had been introduced among the Zionist Jews of Palestine by Ukrainian columnist Yitzhak Lamdan in his poem *Masada* in which the prominent slogan „Never again shall Masada fall!“ was raised.⁵²⁰ However Masada, according to the settlers' understanding, stood metaphorically for the painful return of the Jewish people to Zion and thus expressed their collective desire for ending the Exile which separated God and his chosen people. In the *Yishuv* and among European Zionists Lamdan's poem was euphorically celebrated and in 1955, he was awarded posthumously the Israel Prize. Time and again, Israeli historians have linked Masada with the uprising in the Warsaw ghetto in April/ Mai, 1943, and highlighted the speech given by poet Abba Kovner in the Ghetto of Vilnius earlier in 1942, in which he called for armed resistance against the Nazis with the words “Let us not go like lambs to the slaughter!”.⁵²¹ The analogy between both events which was largely made by the immigrants of the

515 See Ben-Yehuda, Nachman: *The Masada Myth: Collective Memory and Mythology in Israel*. Madison: Univ. of Wisconsin Press, 1995, p. 8-16, 27-49.

516 See *Ibid.*, p. 163ff. Ben-Yehuda highlights in his study the ideologization of archeology for political goals. Since 1967, the Temple Mount of Jerusalem has been in the center of a struggle between the Israeli authorities and the Palestinian *Waqf* administration. Violent clashes between Jewish ultra-orthodox and Arab protesters have been the most visible outcome of „politics of archaeology“ brought forward by both sides. See also Silberman, Neil A.: *If I forget thee, O Jerusalem: Archaeology, religious Commemoration and Nationalism in a disputed City, 1801-2001*. In: *Nations and Nationalism*, No. 7, Vol. 4, 2001, p. 487-504.

517 See Adelman, 2008, p. 5.

518 For her personal account on the 1973 war see Meir, Golda: *My Life*. London: Futura Publ., 1976, p. 353-381.

519 See Ben-Yehuda, 1995, p. 147-162.

520 For Lamdan's *Masada* see Zerubavel, Yael: *Recovered Roots: Collective Memory and the Making of Israeli National Tradition*. Chicago (a.o.): Univ. of Chicago Press, 1995, p. 116-119.

521 See *Ibid.*, p. 74.

Yishuv and their perception of the riots. After independence Masada was included also to a large extent into secular Hebrew culture as a counter-metapher to the Holocaust.⁵²²

The Masada sacrifice implied both the total annihilation after heroic self-sacrifice and the promise of return and redemption. Such alternative narratives concentrated on the way how the war in which the Jews were deemed to fall, was fought, rather than on the outcome. With a strong impact on revisionist Zionism, these elements became characteristic for the anti-bourgeois Hebrew revolt represented by writers like Ya'akov Cahan's (1881-1960) who in his poem *HaBiryonim* (1903) wrote:

We arose, returned, we the *biryonim!*
We came to redeem our oppressed land –
With a strong hand, we demand our right!
In blood and fire did Judea fall.
In blood and fire shall Judea rise.
[...] Proud and courageous, generation of masters,
Generation of fire and desire, fanatic and vengeful,
Generation of freedom and victory.⁵²³

Vladimir Jabotinsky and his followers who aimed to present themselves as the young generation of radical reformers, represented this new and militarized definition of Hebrew man in similar terms:

From a cave of rot and dirt
In blood and sweat
A new race shall rise
Proud, generous, and cruel.⁵²⁴

The strong notion or oath on the restoration of Judea became linked with the martyrs of Tel-Hai: On 1 March, 1920, Arab troops cleared the settlement of Tel-Hai in the Northern Galilee searching for French soldiers. For unknown reasons, fighting between Arabs and Jewish military under the command of Joseph Trumpeldor resulted in the death of Jewish and Arab fighters.⁵²⁵ The element of collective death, martyrdom and sacrifice, contributed by the Tel-Hai massacre to the cultural canon of Hebrewism, gave shape to the contours of the new Hebrew Jew, and added to the cultural notion of the Nietzschean *Übermensch* the features of militarism, masculinity and power, gratefully adopted by revisionist Zionist ideology. Referring to the “War of Liberation” against the British, David Raziell (1910-1941), commander of the *Irgun*, had declared that “there can be no struggle for national liberation without sacrifices and repression, death in battle and the execution of martyrs. And nothing on earth can withstand the power of self-sacrifice.”⁵²⁶

522 See Ibid., p. 118.

523 Cit. Ya'akov Cahan: *HaBiryonim* (The Hooligans). Quoted in: Shapira, Anita: *Land and Power. The Zionist Resort to Force, 1881-1948*. New York (a.o.): Oxford Univ. Press, 1992, p. 32/33.

524 Cit. Jabotinsky, Vladimir, n.d. Quoted in: Beit-Hallahmi, 1992, p. 98.

525 For her analysis of the massacre see Zerubavel, Yael: *The Politics of Interpretation: Tel Hai in Israel's Collective Memory*. In: *Association for Jewish Studies Review*, Vol. 16, Issue 1-2, 1991, p. 133-160. Trumpeldor, the one-armed Jewish-Russian officer, for his patriotic willingness to sacrifice his and his men's lives, became a hero of Hebrewism and Zionism in general.

526 Quotation from memorial, Jabotinsky Institute, Tel Aviv. Like Raziell, his comrade Ya'akov Meridor who had been sent together with him to Iraq by the British Army in 1941, became a heroic personality in revisionist Zionist memory.

The influence of Friedrich Nietzsche's work on nationalist movements, political ideologies and even religious thought that embraced nationalism, is well known.⁵²⁷ Leading Zionists such as rabbi and philosopher David Neumark (1866-1924) introduced Nietzsche's *Übermensch* into the concept of the Hebrew *adam ehyon* (higher man), and thereby linked the Hebrew secular new superman to Nietzsche's notion of death of religion and the radical-revolutionary break with the past or even its total annihilation. Another feature highlighted by Neumark was the indigenous, physical and intellectual giantism considered to be characteristic of the new race.⁵²⁸ The young Hebrew nationalism and its interpretation which some claimed to be part of Nietzschean thought, although Nietzsche himself in his various writings had condemned nationalism and militarism⁵²⁹ interpretation, referred also to the works of Micah Joseph Berditchewski (1865-1921). This essayist had highlighted the personalities of King Herodes and Joshua as exemplary ancient “*Übermenschen*” who could have regenerated Israel if he had not been thwarted by the dwarfed religious scruples of the rabbis of his time.⁵³⁰ Joshua, presented by Berditchewski as the tribal leader of the Israelites has the primordial instincts of a warrior thanks to which he is able to conquest the Land of Canaan. Contrary to the rabbinical interpretation in which Joshua is described as a man of peace and wisdom, Joshua the warrior is favored by God because of his exceptional skills as a warlord. The miracle manifests with his election as the successor of Moses and his victory at the end of an expansionist but sacred war against King Amalek. In the hassidic tradition and increasingly in revisionist rightist and religious Zionism, the tribe of the Amalekites who “dwelt in the land of the south”⁵³¹ has been styled as an archetypical eternal enemy to the Jewish People and antisemitism per se returning throughout history and, hence, had been associated with the Nazis⁵³², the Palestinians⁵³³ and also with the inner struggle of a Jewish moral person to decide between good and evil.⁵³⁴

The notion of martyrdom as part of the cult to which the New Hebrew is linked, on the part of the Nietzschean Zionists, ignored Nietzsche's total refusal of self-sacrifice in the name of God as an instrument of power or as disciplinary measure and indoctrination in the service of religion, with main reference to the

527 His concept of the new man, because of the vagueness of its symbolism and aphorisms that provide at most impulses rather than a complete and comprehensive body, served a broad spectrum of ideological schools. Accordingly, Nietzsche's ambiguity towards the issues of antisemitism, nationalism and traditional Judaism provoked misuse.

528 See Ohana, 1995.

529 In fact, Nietzsche called for “breaking the sword” and for an exposure of the military's power and legacy (“*Armeen der Nothwehr*”, armies of self-defense) which he saw as an self-sustaining instrument of an expansionist orientation and basis for wars of aggression. See Colli, G./ Montinari, M. (Eds.): Nietzsche-Werke. Kritische Gesamtausgabe. Berlin (a.o.): de Gruyter, 1967ff., Vol. IV, No. 3, p. 316ff, 460.

530 See Sachar, 2007, p. 74.

531 Cit. Numbers 13:29.

532 In the context of the Eichmann trial of 1961.

533 The Baroch Goldstein massacre of 1994, Hebron, had been sanctified on the basis of the three commandments referring to the just annihilation of the Amalekites. Goldstein killed 29 Palestinians on 25 February, the day of Purim. Purim rituals include the symbolic blotting out of the names of the Jews' archenemies Amalek and Haman, the adviser of Persian King Xerxes, as demanded in Deuteronomy 25:19.

534 See for instance Rabbi Arthur Waskow: Amalek Today: To Remember, To Blot Out, Shalom Center, 9 August, 2001.

Christian church.⁵³⁵ The traditional Jewish notion of martyrdom (*kiddush hashem*)⁵³⁶ and rabbinical restrictions on which the concept was grounded, had been commonly associated with passivity. But as Feldman underlines, the sacrifice as a religious demand, can also be applied to the sacrifice demanded by a national ideology that itself, within the framework of a civil religion, can be linked to religious meaning.⁵³⁷ Instead of creating a secularized nationalist ethos and justification for the self-sacrifice, the Biblical metaphor of Isaac's binding was integrated into a secular framework. In other words, the religious reference, albeit disclaimed by the secular commands of Jewish nationalist claims and Zionist ideology, was converted into secular meaning and therefore politicized. The universal validity of the secular metaphor has become particularly apparent with regard to its adoption into Israel's war discourses. Their thematizing of military sacrifice, together with the exceptional attitude the State of Israel has shown towards issues such as death or captivity of its military servicemen since its inception, became undisputed components of the Israeli ethos.⁵³⁸

The leitmotif of sacrifice (*akedah*) connected to the *sabra* generation did not only refer to cases of exemplary heroism in the pre-state period: Israel's War of Independence of 1948 and the generation of soldiers who fought and fell in this war, posthumously “were depicted as sacrificial lambs on the altar of the nation and of the homeland”. The symbolism of their fight includes the metaphoric linkage to the Biblical story of Abraham and Isaac, each representing a distinctive generation of Jews: While Abraham, according to the mythologized ethos is identified as the *balutz*, a settler stemming from the first generation of immigrants to Palestine, not born in the Land, and expression of early pioneering Zionism⁵³⁹, Isaac represents the *sabra*, born in the land for which he is willing to sacrifice his life in battle. This interpretation of the binding of Isaac and its embodied justification of sacrifice had largely been glorified by Zionist Israeli writers until the Sinai Campaign in 1956.⁵⁴⁰ The perception of sacrificing soldiers and civilians alike in order to guarantee the survival of

535 According to Nietzsche, “blood is the worst witness of truth”. Regarding the true motivation of a martyr to die as a result of fighting with the enemy, Nietzsche testified the martyr in fact cowardice and fear. See Colli/ Montinari, 1967, Vol. 6, No. 3, p. 233; Vol. 7, No. 1, p. 408. Similarly, the hysteria and collectivism of nationalism and especially its German Wilhemian variant, as a mass movement, and its exaltation (*Deuschtümelei*) paving the way into stultification and slavishness of the masses had been defamed and condemned by Nietzsche. See Ibid., Vol. 5, No. 1, p. 730.

536 Here it is differentiated between a holy person and martyr (*zekher kadosh livrakha* or ZK"L) of rabbinical descent, and an ordinary Jew (*Hashem yikom damo*, HY"D) who, similar to the fate of a ZK"L was killed by his persecutors (e.g. during pogroms, holocaust),

537 See Feldman, Yael S.: *Glory and Agony: Isaac's Sacrifice and National Narrative*. Stanford: Stanford Univ. Press, 2010, p. 232.

538 The association of captured or missing soldiers with the concept of the “living dead” (*osher akedah*) became more and more apparent with increasing cases of abductions of Israeli soldiers by *Hamas* and *Hizbollah*. For Israel's policy of prisoner deals and especially the latest Gilad Shalit case of 2011 see Gaier, Malte: *Israel's Missing Soldiers: A Sacred Principle and Implications for the Conflict*. In: *Eurasia Review, News & Analysis*, 18 October, 2011.

539 *Hibbat Zion* and the *bilu'im* (Pioneers in Palestine) belong to this group who came to Palestine with the first *aliyah* (1882-1884 and 1890/1891). They built the first settlements such as Rishon LeZion and served as an orientation for the *kibbutzniks*. The *bilu'im*, who had their roots in Kharkov, Ukraine, saw themselves forced to leave Tzarist Russia due to the violent pogroms after the assassination of Tzar Alexander II in 1881 for which the empire's Jews were blamed. After initial cooperation with Hibbat they splitted, and, like other Zionist groups found in Baron Edmond James de Rothshild (1845-1934) “the well-known benefactor” (*HaNadiv HaYadua*) as a patron and sponsor for their activities. See Sachar, 2007, p. 30-32. Penslar's account on the *bilu'im* is interesting for its notion of their socialist orientation which made them the only pioneering-socialist politicized group within the first aliyah which “consisted of bourgeois, observant Jews with little passion for political organization.” According to Penslar, this is the main reason why the first *aliyah* was somewhat neglected by Israeli first generation historians until the end of the 1970s, when the labor era ended, succeeded by the rightist political camp. Among those historians, there is the trend to focus instead “on the Second and Third Aliyah, or more accurately, on the members of these *aliyot* who affected a proletarian and secular Zionist identity, indulged in ideological system-building, and devoted themselves to political organization, thereby founding the Israeli labor movement.” Cit. Penslar, 1998, p. 108.

540 For a more recent analysis see Feldman, 2010, p. 131-182.

the *nation*, gradually changed from the dominant motif of “willing sacrifice” to that of “unwilling” but necessary sacrifice for the sake of the *state's* survival. Similarly, the shifting from the glory, or the “gift” of *akedah*, to the notion of victimization, was also a byproduct of the 1960s, a decade that Israelis entered with the illusion of peace after the 1956 Suez Crisis but which was interrupted by the return of the Holocaust into the public memory after its horrors had been exposed during the Eichmann trial in 1961.⁵⁴¹

Contemporary cultural contributions like Samuel Moaz' movie *Lebanon* (2009) re-brought the historical trauma and is also exemplary for the conflict between the generations of the fathers and the sons. In the movie, a tank crew of young Israelis in their twenties is ordered to a Lebanese village. Their officer, a veteran of several wars, harshly introduces them into the conduct of war, which in the Lebanon case quickly became a total war. The commander shocks the inexperienced crew with his reference to their tank's phosphorus ammunition – its use restricted according to the *Third Protocol of the Geneva Convention on Conventional Weapons* as incendiary weapons⁵⁴² – and his nonchalantly downplays of their reservations with the euphemism “Israel doesn't use phosphorus grenades. We call it yellow smoke.”⁵⁴³ Experiencing the nightmare of war from the inside of their tank, the crew is composed of *kibbutzniks*, religious orthodox and secular Tel Avivians who stand for the cultural heterogeneity of the Israeli *sabra* generation. Their *Merkava* tank (“God's chariot”) as the ultimate symbol of Israeli military might and superiority bears the iconic motto “Man is steel, the tank is only iron”.⁵⁴⁴ Following the 1960s and the social transformation and diversification of Israeli society and the shifting from collectivity to individual self-expression, the revolt of the new writers⁵⁴⁵ is not a complete turning away from the Hebrewized concept of Israeliness. Rather, the

[...] ideology of native-ness interprets the adoption of cultural materials previously perceived as 'foreign' and 'not fitting' local culture, as an accomplishment of the 'normalization' theme of Zionist ideology. That is, making Israeli-Jewish culture stand in one line with the 'enlightened' national cultures of the world.⁵⁴⁶

However, Hebrew mythology was not accepted by all intellectuals without criticism. Resistance against and a more differentiating view on Zionist myths came, as Brenner observes, long before the generation of “new critical” Israeli historians during the 1980s gained momentum. Yosef Haim Brenner, Russian-born writer and

541 Another radical interruption was of course the 1967 war. This trend continued after 1967 and the Yom Kippur War of 1973 despite Israel's victories. Feldman, in this context, speaks of the 1967 generation of Israelis as the modern “Isaacs”: “Soon enough the epithet Dor Yitzhak (the Isaac Generation, applied to the 'first children' of the State), stood for the post-1967 generation's difference from their parents, the founding Abrahams (the 1948 Native Generation, Dor ba'aretz). Ostensibly passive and dependent followers, the members of the Isaac Generation were allegedly marked by a sense of victimhood, aimlessness, and loss of purpose.” Cit. Ibid., pp. 217/218. Also in subsequent wars, the Isaac Generation has identified victimization with its war experiences from the 1973 near-death-experience to the disastrous Lebanon war in 1982 in which the IDF invaded Lebanon following an assassination attempt against Israel's ambassador to Britain by a militant Palestinian group. The war which was politically aimed at fighting the PLO presence in Lebanon and in which the army occupied Southern Lebanon and massively bombed Beirut, became the mass grave for estimated 675 Israelis and 17.825 Lebanese, mainly civilians. After lengthy U.N.-brokered negotiations, the Israeli army retreated later that year.

542 Israel and the United States are not signatories to the Third Protocol.

543 Still refused by large parts of the Israeli public and the country's military community, reports by international NGOs published in the aftermath of the 2008/2009 Gaza invasion accused the IDF of having used white phosphorus grenades against military and civilian targets.

544 Recent contributions in film and literature by Claude Lanzmann (*Tshabal*, 1994), Avi Mograbi (*Z32*, 2008), Ari Folman (*Waltz with Bashir*, 2008) provide a genre of its own in which the specific Israeli war context, culminating in the traumas of the Sabra and Shatila massacres, military life and operations in the West Bank and at Israel's Northern border with Lebanon, is highlighted in a throughout pessimistic manner. The same applies to the writers Ron Leshem and David Grossmann, and their novels *Beaufort* (2005) and *To the End of the Land* (2008) in which the Isaac motif recurs.

545 This revolt of the *sabra* against the *halutz* generation is exemplary illustrated by Amos Oz' critique against Nathan Alterman.

546 Cit. Regev, 2000, p. 231.

teacher at the prestigious Herzliya Gymnasium Tel Aviv – the country's first institution where Hebrew as major language was introduced in 1909/10 – , and his friend A'aron David Gordon, co-founder of a socialist Zionist wing called *Hapoel Hatzair* (The Young Worker), belonged to those who denounced particular elements within the grand narrative.⁵⁴⁷ Mainly the relationship to the Arabs, connoted as an abnormal relationship based on mistrust and conflict, was interpreted in a much different way by Brenner and Gordon. The view on Arabs involved the view on the Jews and their relationship to their land. For instance, Gordon's emphasis of agricultural work and life in nature – a semi-religious pillar of the *kibbutzim* movement – claimed that the Jews' renewed encounter with the historic land would trigger a change of mindset that would accelerate the return to their roots. Life *with* the land and its inhabitants, and the limitation of the use of force, according to Gordon who considered the sword a primitive feature of a modern nation and the institution of the army as “un-Jewish”, would pave the way for acceptance and a peaceful coexistence with the Arabs too.⁵⁴⁸ By creating “a Hebrew rural culture deriving nourishment from close contact with the soil, by converting its settlements into strongholds on the front lines of the Yishuv's defences”⁵⁴⁹, *kibbutzim* and *moshavim*, were important agencies for the practical implementation of the ideological demands, forcefully aggregated in pioneering Zionism. Jews who settled the land and lived in the kibbutz communities, the *kibbutzniks*, aimed, together with their involvement in agricultural work, to create an egalitarian society, better than those which the Jews had left in Europe.

Others, like Ahad Ha'am saw education as the key challenge for the settlement of Palestine. Ha'am, who split from the Zionist establishment – he had been member of Leon Pinsker's (1821-1891) *Hovevei Zion* – tried to introduce what became later known as “culture Zionism” into the Zionist mainstream.⁵⁵⁰ Pinsker, who emerged as a leader in Kattowitz in 1884, had summoned a national conference for the various circles, clubs and groups that belonged to the *Hovevei Zion* stream.⁵⁵¹ Initially a proponent of a peaceful reconciliation between the Jews and their adversaries, he changed his position after the pogroms in Tsarist Russia as expressed in his pamphlet *Autoemancipation* of January, 1882. The need for emancipation, as Ahad Ha'am noted in his foreword to Pinsker's pamphlet, allows an insight into the “inner problem” of Jewry which is mainly based on humiliation by others but which generated a Jewish attitude which concentrated on assimilation as the one and only way to counter antisemitism.⁵⁵² The will to assimilate at any cost, according to Pinsker, had provoked the disrespect of the European environment against the Jewish communities. In other words, Jewish “pride” and the desire to restore “national honor” were features of Jewish mentality which Jews had forgotten under the influence of assimilation and enlightenment. Therefore, Pinsker's call for emancipation has to be in-

547 For the political-ideological mapping of pre-state Zionism, see Brenner, 2005, p. 76-80.

548 See Brenner, 2005, p. 73-75.

549 Cit. Fishman, Aryei (Ed.): *The Religious Kibbutz Movement. The Revival of the Jewish Religious Community*. Jerusalem: Jewish Agency/ Jerusalem Post Pr., 1957, p. 9.

550 For instance with his circle of followers who called themselves the “Sons of Mose” (*Bnei Moshe*).

551 See Sachar, 2007, p. 16. Sachar writes further: “Indeed, before his death in 1891, he [Pinsker] managed to provide the Chovevei Zion with a coherent ideology and an organizational framework, to strengthen the foundations of Palestine colonization, and to achieve a quasi-legalization for the movement in Russia.” Cit. *Ibid.*, pp. 16/17. After Pinsker's death, the organization became an international advocate for the Palestine project, with branches in Eastern and Western Europe, the USA.

552 See Ha'am, Achad: *Ein Stolzer Jude (A proud Jew)*. In: Pinsker, Leon: “Autoemancipation!": Mahnruf an seine Stammesgenossen von einem russischen Juden (1882). Mit einer Vorbemerkung von Achad Ha'am. Berlin: Jüdischer Verl., 1917, pp. 6/7.

terpreted as the call for the creation of a Jewish nationality based on a sovereign state. Only the creation of a Jewish state or home would allow the Jews to normalize their perception in the world.⁵⁵³ Anti-Semitism, in this argument, was only a reaction to the abnormality of the Jews.⁵⁵⁴

The idea of physical fitness forcefully manifested in 1898 at the Second Zionist Congress when Max Nordau (1849-1923), Theodor Herzl's medical doctor and co-founder of the *Zionist World Organization*, spoke about the need to develop a new "Muscle Jew". This stereotype had also been introduced by leading planners of the settlement project in Palestine. Arthur Ruppin (1876-1943), who since his first visit to the *yishuv* had become a leading figure in the WZO responsible for the settlement project in Palestine⁵⁵⁵, elaborated on this matter in a speech in which he advocated the "physical selection of immigrants":

Another question may be touched on here which is not without importance: that is, whether it is possible to work for the keeping pure of the Jewish racial stock. Since it is our desire to develop in Palestine our Jewish side, it would naturally be desirable to have only 'race' Jews come to Palestine. But a direct influence on the process, via the selection of such immigrants as most closely approach the racial type, is not practically possible. On the whole, however it is likely that the general type in Palestine will be more strongly Jewish than the general type in Europe, for it is to be expected that the more strongly Jewish types will be the ones which are most generally discriminated against in Europe, and it is they who will feel themselves most strongly drawn toward a Jewish community in Palestine.⁵⁵⁶

The leitmotif of Jewish physical "regeneration" from a state of stasis or even backward biological "degeneration" and its introduction in the European context in which assimilated Jews, as an integral part of the bourgeois strata, were confronted with the antisemitic narrative, found its expression also in the establishment of various sport clubs. These institutions of Jewish physical activism, sports and fitness abounded at the beginning of the 20th century despite various obstacles stemming from the Halachic religious corpus of rules. Similar to the nationalist idea of displaying physical might with the membership in gymnastics associations and student associations (*Burschenschaft*)⁵⁵⁷, activities in Jewish associations like the *Bar Kochba Berlin* (1898) and most famously the *Sport Club HaKoab Wien* (1909)⁵⁵⁸, were repugnant to anti-Semites in Austria and Germany. A day after Austria was annexed into the Third Reich on 12 March, 1938, *HaKoab* as a Jewish association and the sport club with most subscribed members worldwide, was shut off, its scores were

553 Pinsker's demand for a territory as the most important prerequisite of a state, coincided with the Zionist orientation at that time: "Therefore, the selection of a permanent, national land, meeting all requirements, must be made with every precaution and confided to one single body, through a committee of experts selected from our directorate. Only such a supreme tribunal will be able, after thorough and comprehensive investigation, to give an opinion and decide upon which of the two continents and upon which territory in them our final choice should fall. Only then, and not before, should the directorate, together with an associated body of capitalists, as founders of a stock company later to be organized, acquire a tract of land sufficient for the settlement, in the course of time, of several million Jews. This tract might form a small territory in North America, or a sovereign Pashalik in Asiatic Turkey recognized by the Porte and the other Powers as neutral. It would certainly be an important duty of the directorate to secure the assent of the Porte, and probably of the other European cabinets to this plan." Cit. Pinsker, 1917, pp. 32/33.

554 "The world saw in this people the uncanny form of one of the dead walking among the living. The ghostlike apparition of a living corpse, of a people without unity or organization, without land or other bonds of unity, no longer alive, and yet walking among the living – this spectral form without precedence in history, unlike anything that preceded or followed it, could but strangely affect the imagination of the nations. And if the fear of ghosts is something inborn, and has a certain justification in the psychic life of mankind, why be surprised at the effect produced by this dead but still living nation? A fear of the Jewish ghost has passed down the generations and the centuries. First a breeder of prejudice, later in conjunction with other forces we are about to discuss, it culminated in Judeophobia." Cit. Ibid., p. 12.

555 Ruppin later in 1933 became the director of the Jewish Agency and is largely identified with pioneering Zionism of the settlements. Like Buber a member of the *Brit Shalom*, he abandoned the claim for a bi-national Jewish-Arab entity in Palestine after the massacre of Hebron on 24 August, 1929, in which 67 Jews were killed by Arabs and which, in the eyes of many in the *yishuv*, was the culmination of years of Arab-Jewish rioting which the British troops were not able to counter.

556 Cit. Ruppin, Arthur: *The Selection of the Fittest*. In: *Der Jude*, 1919. Quoted in: Ruppin, Arthur: *Three Decades of Palestine. Speeches and Papers on the Upbuilding of the Jewish National Home*. Jerusalem: Ha'arets Pr., 1936, pp. 78/79.

annulled and most of its team members arrested and killed in the camps. Those players who were able to flee Europe and to immigrate to Palestine founded *HaKoah Tel Aviv* in Ramat Gan, equipped and supported by their former adversary, the club *Austria Wien*.⁵⁵⁹

557 Based on the teachings of Friedrich Ludwig Jahn (1778-1852) who made the *Turnverein* an integral element of German ethnic nationalism. Jahn introduced the idea of *Volkstbum* in 1813. In his cultural approach he emphasized the nucleus of *Volk*, nation and fatherland which is created through the amalgam of a national collective memory which at the same time ensures the “purity” of the national community by providing the connection to a shared past. See also Kaschuba, Wolfgang: Nationalismus und Ethnozentrismus. Zur kulturellen Ausgrenzung ethnischer Gruppen in (deutscher) Geschichte und Gegenwart, p. 239-241. In: Jeismann, Michael/ Ritter, Henning (Eds.): Grenzfälle. Über neuen und alten Nationalismus. Leipzig: Reclam, 1993, p. 239-273.

558 Known for its victories in the Austrian football prime league, its Austrian mastership in 1925 and the fact that it was one of the first teams from continental Europe to defeat an English club in England (1923). For the *HaKoah* see Bunzl, John: Hoppauf Hakoah: Jüdischer Sport in Österreich von den Anfängen bis in die Gegenwart. Wien: Junius, 1987. In addition, see Schwaiger, Simon: Sportklub Hakoah Wien – Ikone jüdischen Selbstbewußtseins. Unpubl. Master-Thesis, History Dept., University of Vienna, 2008.

559 *HaKoah's* legacy is present in Austrian football culture until today. In fact, the *HaKoah*, much more known and successful in the broad public than any other Zionist organization at that time, became the figurehead of the Zionist movement in Europe.

**Part II: FRAGMENTATION, CLEAVAGES AND THE IDEOLOGICAL
DILEMMA**

4 Constitutional and Legal Framework: The Issues of Religion and Citizenship

Hijz Kifayat Husain, the Shia divine, held out as his ideal the form of government during the Holy Prophet's time, Maulana Daud Ghaznavi also included in his precedent the days of the Islamic Republic of Umar bin Abdul Aziz, Salabuddin Ayubi of Damascus, Sultan Mahmud of Ghazni, Muhammad Tughlaq and Aurangzeb and the present regime in Saudi Arabia. Most of them, however, relied on the form of government during the Islamic Republic from 632 to 661 AD, a period of less than 30 years, though some of them also added the very short period of Umar bin Abdul Aziz. Maulana Abdul Haamid Badayuni stated that the details of the ideal state would be worked out by the ulema.

Final Report of the Munir-Kayani Court of Inquiry after recording the views of all schools of thought, 1954.⁵⁶⁰

Imagine someone in the process of naturalization, on being told to swear allegiance to Israel as a Jewish and democratic state, asking the Interior Ministry official handling his case what a "Jewish state" means. What would the reply be? After all, Israeli law does not define this term in any way - and that is a good thing.

Shlomo Avineri, Hebrew University, on the amendment of the Law of Citizenship, 8 October, 2010.⁵⁶¹

It would be insufficient to define the political culture of a nation by omitting the diverse subcultures that contribute to both consensus and conflict in diverse societies of partitioned states. As argued in the previous chapter, the constitutional debate in Pakistan and Israel remains a strained and confrontational issue in societal discourses irrespectively of political changes. This normative conflict within both societies is inherited from alternative or parallel normative orders, particularly religious normative orders, that exist alongside common law. As they oblige obedience from the believer they may get into conflict with the common law. Through the existence of a secular constitutional law next to religious law, there are two parallel normative systems that have to be harmonized and bridged in order to prevent further conflicts within society.⁵⁶² In this context, courts are important agencies of rule and power and have an interactive relationship with a society's political culture. They are crucial in shaping the political culture in the process of turning social issues into legal categories in states and societies.⁵⁶³ In general, regimes often constitute legal orders that facilitate the perpetuation of power structures and reduce the necessity of direct intervention to maintain the system, in order to freeze initial agreements on power and resource-sharing. Elites of dominant ethnic, economic or political groups strive to institutionalize a hegemony that justifies their power. Thus, the rule of law and its enforcement occupy a special place in this process of institutionalization and legitimization of initial structures.⁵⁶⁴

When analyzing the manifestations of religion in state law, I will limit the scope to those legal fields that constitute tensions due to an overlapping of religious and civil law in the light of the limited reference provided by constitutional fragments. These sources are therefore of conditional nature and manifest the very

560 Quoted in Idris, Kunwar: The constitutional dilemma. In: Dawn, 15 March, 2009.

561 Cit. Avineri, Shlomo: It's enough to recognize Israel's legitimacy. In: Haaretz, 8 October, 2010.

562 The analysis of judiciary and legal frameworks in this chapter might seem to be asymmetric when focusing on Pakistan's penal code and religious determinants in Israel's law on matters of personal status within the same institutional framework of analysis: The former is designed at applying to an individual's actions against legal regulations as formulated by the state, while the latter refers to law regulating everyday life. However, it is the aim of this comparative argument that Pakistan's religious laws relate more to citizens' status than to their conduct and therefore, similar to the Israeli case of personal and family status, contribute to fragmentation and discrimination within a society.

563 See Kedar, Alexandre: On the Legal Geography of Ethnographic Settler States: Notes Towards a Research Agenda, p. 412-420. In: Holder, Jane/ Harrison, Carolyn (Eds.): Law and Geography. Oxford: Oxford Univ. Press, p. 401-439.

564 See Ibid., p. 412-414ff.

idea and the self-conception of the respective state and the initial status quo or consensus agreed on by the secular Founding Fathers and the religious authorities that accompanied the transitional process of the pre-state arrangement into the modern state. As constitutional obligations, the *Objectives Resolution* (adopted on March 12, 1949 by the Constituent Assembly), made a substantial part of Pakistan's constitution under article 2-A. The *Declaration of the Establishment of the State of Israel*, approved by the Jewish People's Council on May 14, 1948, offers a framework of reference for proponents of a religious interpretation and therefore the application of religious law on a particular issue which can also be subjected to civil law.⁵⁶⁵ In a legal sense the commitment to the principles of equality and freedom of religion regarding race, gender, religion and class that one can find as integral parts in both documents cannot control or influence the substantive provision that finally is ruled by the courts on this issue.

4.1 Legal Traditions and Basic Institutional Determinants

When discussing the jurisdiction of Pakistan and Israel, one has to take into consideration the different streams of legal traditions and schools of law that developed into two parallel legal systems with a loosely coordinated set of court systems that lack an integrated unitary entity. In Pakistan these multiple judicial systems are represented through governmental civil, military and anti-Terrorism courts and tribunals, religious courts and a cooperation between non-governmental local courts (*jirgas*) and political agents, representing the national government. In Israel law is administered by civil courts (basic jurisdiction in criminal and civil matters), religious courts of the fourteen recognized religious communities⁵⁶⁶ with exclusive jurisdiction over members of their communities on personal matters (marriage, divorce) and military courts.

The process of transition from the colonial vis-à-vis mandatory era to independence was accompanied by the decision of introducing and implementing codifications of a yet existing continental European or Anglo-Saxon legal framework on the one hand or a traditional religious system of law on the other hand. Voting for the alternative of legal continuity, Pakistan and Israel maintained a synopsis of local and common law.⁵⁶⁷ Therefore, essential law and legal culture is stemming from the legislation of the colonial/ Mandate period. The case of Israel's *Absentee Property Act* of 1950 might well-illustrate this dimension⁵⁶⁸: Like Pakistan and India after partition of the subcontinent, Israel, after the 1948 war, had to find a legal solution for the administration of land and property left behind by Palestinian residents in what was now within the political-territorial bor-

565 For the full text see Annex, Document 3.

566 The recognized religious communities are Muslims, Bahai and Druzes. According to the *Palestine Order in Council* (1922-1947) the following Christian communities are recognized too: Greek Orthodox, Roman Catholic, Gregorian Armenian, Maronite, Armenian Catholic, Syrian Catholic, Chaldaean, Greek Catholic and Syrian Orthodox communities, as well as adherents of the Evangelical Episcopal Church. Judaism as the majoritarian religion is only recognized in the form of Orthodox Judaism whereas Conservative, Reform and Liberal Judaism is refused by the Israeli State and the Orthodox establishment though outside Israel the two former groups are powerful and growing. See Wasum, Susanne: *Israelisches Recht*. In: *Zeitschrift für vergleichende Rechtswissenschaft*, Vol. 83, 1984, p. 308.

567 The Anglo-Saxon tradition of law that was applied to both states as the main legal body differs from the continental European tradition since the former emphasizes case law and is therefore law developed by judges through precedent decisions of courts rather than through legislative statutes or executive branch action. See Harris, Ron (a.o.): *Israelische Rechtsgeschichte: Vergangenheit und Gegenwart*. In: *Zeitschrift für Neuere Rechtsgeschichte*, No. 172, 2003, p. 70-94.

568 I am grateful to Dr. Alexandre Kedar who brought up this case on which he worked in a more detailed manner. Unfortunately, at the time of writing, no legal literature is available on the topic.

ders of Israel.⁵⁶⁹ In 1950, the Knesset passed the *Absentees' Property Law* which, together with its amendments⁵⁷⁰, provides one of the most complex legal documents in Israel's legal corpus.⁵⁷¹

The fact that both countries lack a permanent and finalized territorial border, from both a geopolitical and social perspective, cannot be ignored given its transformation into a national specific legal setup. This manifested in an exceptional arrangement of law that, according to Kimmerling, institutionally and culturally characterizes the "frontier society" that must consolidate itself within a given territory while its external frontiers are simultaneously contested and threatened by external forces.⁵⁷² Pakistan and Israel came into existence under pressing circumstances and, immediately after independence, they were not only politically and economically confronted with the outcomes of war and forced migration but were also pushed into a legal state of emergency. This generated an imperative of subordinating legal issues under the primacy of national security with all its legal consequences and outcomes. The demand for a specific arrangement of borders provoked a constant policy of non-acceptance by their neighbor states and hindered in the long run the ability to normalize bilateral diplomatic relations within the framework of regional and international conventions.⁵⁷³ In addition, the administrative, economic and constitutional composition of heterogeneous areas within the organizational entity of a nation state created a fragile patch work situation: In Pakistan this fragmentation of state law exists due to the semi-autonomous status of some areas including the Federally Administered Tribal Areas (FATA) and Islamabad Capital Territory, Gilgit-Baltistan and Azad Jammu and Kashmir (AJK) that together with the four provinces form the territorial entity of the Pakistani state but are subject to a different legislation. Territories that are administrated and controlled under differing legislation by Israel include the State of Israel territory, Jerusalem and the occupied, annexed or disputed areas of East Jerusalem, Golan Heights, Judea and Samaria (West Bank), Gaza Strip (until 2005), Sinai Peninsula (until 1982) and Southern Lebanon (until 2000).

And finally, the Supreme Courts within the legal and political system became themselves important players. It is symptomatic for the Pakistani constitutional judiciary that the courts never exceeded their competences and hardly made sufficient use of their powers. Challenged by repressive interventions of the military and political forces, Pakistan's courts have reluctantly intervened in cases when it would have been necessary. Pakistan's Supreme Court, through the doctrine of state necessity, sanctioned and legalized the dismissal of civilian governments and the take-over by the army for the sake of political stability. For the first time, in

569 According to the official UN investigations about 711.000 Palestinians, that is about 90 percent of the Palestinian population, left the territory after the war or were forced into leaving by the IDF. See UN Conciliation Commission for Palestine: General Progress Report and Supplementary Report. Covering the Period from 11 December 1949 to 23 October 1950, and Official Records of the General Assembly, Fifth Session, Supplement No. 18 (A/1367/Rev. 1). New York, 1951.

570 Amended in 1956, 1958, 1965 and 1967.

571 See *Absentees' Property Law*, passed by the Knesset on 14 March, 1950. Israeli and Pakistani local versions of British legislation are no single cases. Jordan (*Custodian of Enemy Property*) established property acts that were in principle very similar, in order to reallocate land and property of Jewish residents of the West Bank that had lived there prior to the 1948 war in which parts of the area became military ruled divisions. India established a similar Custodian after to IndoPak War of 1965 for the administration of Pakistani property. Bangladesh followed with the *Enemy Property Act* after independence in 1971.

572 For the concepts of boundary and frontier see Kimmerling, Baruch: *Zionism and territory: The socio-territorial dimensions of Zionist politics*. Berkeley: Univ. of California, Institute of International Studies, 1983; Kimmerling, Baruch: *Jurisdiction in an Immigrant-Settler Society: The "Jewish and Democratic State"*. In: *Comparative Political Studies*, Vol. 35, No. 10, 2002, p. 1122ff.

573 Disputed territories and border areas of Afghanistan, Pakistan, India and China include the Durrand Line, Azad Kashmir, Gilgit-Baltistan (due to the Gilgit-Baltistan Empowerment and Self-Governance Order of 28 August, 2009), Jammu and Kashmir, Trans-Karakoram Tract and Aksai Chin. Areas claimed by Israel, Lebanon, PA and Syria: West Bank/ Judea and Samaria, Gaza Sea Zone, the Golan Heights, the Shaaba Farms and the village of Ghajar.

1953/54, the Federal Court justified the extra-constitutional dismissal of the first Constituent Assembly.⁵⁷⁴ On the basis of this precedent decision, the Supreme Court validated General Mohammed Ayub Khan's declaration of martial law in 1958 and all subsequent take-overs. However, during the last two decades the public debate on the rule of law shifted. This crystallized in a nationwide movement spearheaded by the Lawyers Movement that had emerged after Chief Justice Iftikhar Muhammad Chaudhry refused to resign from his post as demanded by the then president in post General Musharraf in March, 2007. The protest of civil society calling for an independent judiciary and the restoration of a democratic political culture was also carried by the media as well as several political parties.⁵⁷⁵

In Israel, the Supreme Court is widely known for its liberal decisions, but until recently, maintained a more rigid approach regarding all matters involving security.⁵⁷⁶ Israel's court system and especially the Supreme Court has attempted to liberalize society and to make it more inclusive with special regard to the problematic majority-minority relations. This reflects a change during the 1990s that was substantially initiated by former President of the Supreme Court Aharon Barak (1995-2006). Barak under whose legislature the court's responsibilities had been noticeably expanded (“Constitutional Revolution”) was succeeded by Dorit Beinisch who perpetuated Barak's “philosophy of unlimited justiciability”⁵⁷⁷. The extended informal influence of the Supreme Court on other spheres became obvious when members of the court co-designed tactical orders together with the army staff in the forefront of the Gaza War in 2008/09.⁵⁷⁸ This was basically grounded on a pre-emptive measure by the government and the IDF command that aimed at minimizing beforehand the risk of another “breakdown of the civilian home front”. The scenario of mass protests, disobedience and insubordination, political (international) pressure and accusations against high-level politicians and generals had been traumatically experienced during the First Lebanon War following the massacres in the refugee camps of Sabra and Shatila (Beirut, 16-18 September, 1982) by Phalangist militias against Palestinian civilians under the direct and indirect responsibility of the IDF.⁵⁷⁹ This reflects a development in which the traditional political elite, at least morally, has been weakened by an increasingly negative image of its class whose top-representatives – among them presidents and prime ministers – find themselves frequently involved in cases of misuse of power, corruption, sexual harassment etc.⁵⁸⁰ Further, splits and fragmentation within the party landscape contribute to this feeling of alienation and to a deepening of existing state-society chasms. Therefore and because of their, at least formal non-political position, judges offer an alternative to the public.⁵⁸¹

574 The Supreme Court, chaired by Justice Munir, upheld the dismissal of the assembly by Governor General Malik Ghulam Muhammad, that in a first decision had been declared unconstitutional by the Sindh High Court. See Newberg, Paula: *Judging the State: Courts and Constitutional Politics in Pakistan*. Cambridge: Cambridge Univ. Press, 1995.

575 However, in 2011/12, Pakistan's Supreme Court has, it seems, enormously re-politicized its agenda with several controversial rulings that were directed against the PPP-led government and are said to be influenced by the Chief Justice's loyalties towards the army.

576 This manifested in the expulsion of hundreds of *Hamas* activists without prior hearing by the military tribunals, the approval of house demolitions in Palestinian neighborhoods and the appliance of highly criticized practices of “moderate physical force” in interrogations of suspected individuals within the framework of counter-terrorism.

577 Cit. Zenith: *An den Grenzen der Legitimität*, Interview with Ehud Brosh, 2010.

578 See *Ibid*.

579 Interview with Moshe Arens (*Likud*), Minister of Defense (1983/84, 1990-92, 1999); Minister of Foreign Affairs (1988-90), Tel Aviv, 17 January, 2010. For a detailed analysis of the Sabra and Shatila events see Sachar, 2007, p. 913-916.

4.1.1 Pakistan

4.1.1.1 Constitutional Genesis

In Pakistan, the process of constitution making lasted until 1973. Until independence, the majority of the *'ulama'* had supported Jinnah's League. The stumbling block in the discourse on how Pakistan came into existence is the two-fold legacy that was based, firstly, on the belief that the preservation and development of Muslim culture and economy would not be achieved in a Hindu-dominated post-colonial India, expressed in the Two-Nations-Theory, and, secondly, on a semi-religious philosophy that, pioneered by Muhammad Iqbal and Jinnah, offered the ground for what Aziz calls "a national belief"⁵⁸². Though religiously inspired or at least mobilizing Islamic symbols, ideas and slogans excessively while searching for historical continuity of the Muslims on the sub-continent, neither the advocates of the Pakistan Movement nor their opponents offered an inclusive concept of Islam in the state, hence, the question of "who is to determine a nation's Islamic path – the head of state, bureaucrats, the 'ulema, intellectuals?" remained open.⁵⁸³

On their first political platform, the *All India Sunni Conference* (1925), Bareilwi *'ulama'* voted for the support of Jinnah's platform, campaigned for the League and issued *fatāwā* in favor of the League candidates.⁵⁸⁴ In contrast, the majority of the political body of the Deobandis, *Jam'iyat al 'Ulama'-e Hind* (JUH), joined the Congress in 1940 and supported the idea of a "Composite Nationalism" (*Muttahida Qawmiyyat*), that promoted a collective position of Hindus, Muslims and minorities towards the British, gaining a united India.⁵⁸⁵ This was a reaction to the League's Lahore Resolution (1940) that demanded a constitutional rearrangement, arguing Indian Muslims constituted a nation rather than a minority. "Muslim nationalism" was, initially, supported only by a small faction of *'ulama'* that had split off from JUH.⁵⁸⁶

The strained relationship between the representatives of the JUH of Delhi under 'Allamah 'Inayat-u'llah Mashriqi of whom some cooperated with the Congress and other pro-Jinnah Deobandi scholars proved that the question of either supporting the League or opposing its struggle for power was closely linked to the de-

580 Mayor of Jerusalem Teddy Kollek wrote about the Israeli mentality towards the authorities: "Da allzu viele von unseren Führern auch in der Folgezeit nicht imstande waren, zwischen dem Überlisten einer Kolonialmacht und dem Betrug der eigenen Regierung zu unterscheiden, leidet Israel heute unter einer lokalen Abart levantinischer Korruption. Es geht nicht um gelegentliche Bestechungen, sondern vielmehr um einen allgemeinen Verfall von öffentlicher oder bürgerlicher Moral. Man nehme zum Beispiel die Lohnverträge. Um Lohnsteigerungen ohne entsprechende Steuererhöhungen zu ermöglichen, gewährte man von der Steuer absetzbare Kilometergelder für Autos, die gar nicht existierten. [...] Aber diese 'krummen' Praktiken reflektierten die Mentalität Osteuropas, wo man die Regierung als Feind betrachtete." Cit. Kollek, Teddy/ Kollek, Amos: Ein Leben für Jerusalem, 3rd Ed. Frankfurt a. M.: Fischer, 1992, pp. 247/248.

581 For the relationship between judiciary and political culture see Kundi, Mansoor Akbar: Politics in Pakistan. Bending the Rules. Karachi: Maktaba-e-Faridi, 2005, p. 21-51; see also ICG Asia Report, No. 86: Building Judicial Independence in Pakistan. Islamabad/ Brussels, 2004; ICG Asia Report, No. 160: Reforming the Judiciary in Pakistan. Islamabad/ Brussels, 2008; Arian, Asher: The Second Republic. Politics in Israel. Chatham: Chatham House, 1998, p. 237-278.

582 See Aziz, 2009, p. 71.

583 Cit. Esposito, John L.: Foreword. In: Weiss, 1987.

584 For the political involvement of the Bareilwis see Ahmad, Mujeeb: Jam'iyat 'Ulama-i-Pakistan 1948-1979. In: Historical Studies (Pakistan) Series, Vol. 12. Islamabad: NIHCR, 1993, Introduction; see also Sanyal, Usha: Devotional Islam and Politics in British India: Ahmad Riza Khan Bareilvi and His Movement, 1870-1920. New Delhi: Oxford Univ. Press, 1996.

585 According to Faruqi, in 1919, JUH had been founded as a political-ideological alliance of all *'ulama'* irrespective of their school of thought and political alignment, including the modernists and supporters of the Aligarh stream. This account in which the JUH is presented as a platform on which significant differences among the scholars were integrated and harmonized, however, ignores the grave tensions and hostilities among the *'ulama'* and parallel efforts to unite among the Bareilwis. See Faruqi, Ziya-ul-Hasan: The Deoband School and the Demand for Pakistan. Mumbai: Asia Publ. House, 1963, p. 67.

586 See Pirzada, 2000, p. 2ff.

cision for or against a division of the subcontinent. Hence, the groups discussed the risks of a division and establishment of two sovereign states for each Hindus and Muslims in their political circles and among the ‘*ulama*’: Apparently each step towards partition would have meant not only the challenge of transferring millions of people from one state into the other, but the idea of territorial separation included also the risk of loosing important symbols of Islamic cultural and religious heritage on the Subcontinent with centers such as Lucknow and Delhi being included into the future Hindu state.⁵⁸⁷ The issue of transferring a people to another country would have meant to be forced to leave behind a considerable number of Muslims including their property in what would be India. Hence, this problem resulted in such thought plays such as the “hostage theory”.⁵⁸⁸

After the passing of the Nehru Plan in 1928 which determined the status of a dominion India post independence, apostates of full sovereignty like the scholar of JUH, declared the end of their cooperation with the Congress. Only after 1930, when the Nehru Committee failed to formulate an action plan and Congress began to campaign for the independence of the colony, the cooperation was revived.⁵⁸⁹ Maulana Madni's public commitment to the idea of “composite nationalism” had strong repercussions to the unity of the JUH and provoked splits by leading ‘*ulama*’. The reaction followed immediately when the eminent mystic and former principal of Deoband, Maulana Ashraf Ali Thanwi (1864-1943), issued a *fatwa* declaring the support for the Muslim League mandatory according to the *shari‘a*.⁵⁹⁰ With the upcoming elections of 1946, the Delhi-based faction of the JUH and the Khaksar under the leadership of Allama 'Inayat-u'llah Mashriqi (1888-1963) merged with the Muslim league in an electoral alliance.⁵⁹¹ The support by the Khaksar can be seen as the initial point at which three acrimonious competitors for the sake of Muslim sovereignty came together under a nationalist banner.⁵⁹² The success in political alliance building was paralleled by the League's efforts to win the support of the religious scholars: The League had learned its painful lessons during the 1930s when it had ignored the strong influence and potential of mobilization of e.g. the Bengali Muslim elites and clergy. In the mid-1940s the League began to organize countrywide independent (*azad*) conferences to which the ‘*ulama*’ were invited, e.g. to a four-day conference in Calcutta on 26 October, 1945.⁵⁹³ Despite enormous resistance

587 See also Al-Jam'iyyat Press. Delhi, n. d., p. 25. Quoted in Faruqi, 1963, pp. 71/72.

588 Similar arguments can be found in the discourses on other partitioned states as well, e.g. Ireland, Israel/Palestine, Sudan etc.

589 See Faruqi, 1963, and its counter argument in Aziz, K. K.: Pakistan: Studies in History and Politics, p. 330-332. See also Constitution of JUH in Annex, Document 4.

590 Other prominent supporters for the cause of the Muslim League were Allama Shabbir Ahmad Uthmani, Maulana Zafar Ahmad Uthmani and the Grand-Mufti of Deoband, Mufti Muhammad Shafi. See Pirzada, 2000, p. 5-9.

591 For the Khaksar see the brief overview in Malik, 2008, pp. 367/368.

592 See Qureshi, Ishtiaq Husain: Ulema in Politics. N. p., 1972, p. 324-327. The Khaksar hat shown their street power during protests on 19 March, 1949 in Lahore, when several workers died in violent clashes. Their oppositional role and their hostile attitude towards the League was based on their fears that Jinnah's call for a Muslim territory would split Hindus and Muslims in a faith-based conflict. Khaksar members were allegedly involved in a failed attempt to assassinate Jinnah in 1942. Much later, in August, 1944, the personal hostilities between Mashriqi and Jinnah whose correspondence hat been published in the English print news, came to an end. See telegram correspondence Mashriqi-Jinnah, 28 April, 1942 – 1 August, 1944. In: Pirzada, Syed Sharifuddin (Ed.): Quaid-e-Azam Jinnah's Correspondence, 3rd Ed. New Delhi: Metropolitan Book, 1981, p. 220-224.

593 Allama Uthmani's address in absentia expressed his support for the League by sanctifying the Two-Nation theory. Further, he defended Jinnah and spoke against those who had labeled him as *kafir-i-azam*. See Pirzada, 2000, pp. 9/10.

within the JUH Maulana Uthmani hailed Jinnah as the sole and legitimized representative of all Indian Muslims and continued with his support for the League in the 1946 elections.⁵⁹⁴

According to their provisional constitutional law, the two dominions of India and Pakistan were subjected to the *Government of India Act* of 1935 which was modified at the time of independence.⁵⁹⁵ With the aim of preserving the religious character of the new state, especially those scholars who had been forced to migrate from India to Pakistan at the time of partition promoted an immediate date for the enactment of a constitutional text which would reconsider Islamic credentials in a proper way. Leading Deobandis from the JUI like Maulana Uthmani had signaled their willingness for greater cooperation during the negotiations in which Jinnah and his circle was the ultimate authority. Much less willing to subject to the Muslim League's lead was Maudūdī's *Jama'at-i-Islami* that had continued to campaign against Jinnah.⁵⁹⁶ Although he demanded the unity of the Indian Muslim nation to be preserved, since 1937, he had authored several articles in which he agitated against Jinnah and the Congress elite for their un-Islamic power politics.⁵⁹⁷

With regard to Pakistan's constitutional history two conflicting narratives can be identified: The development of a constitution, like in the cases of other countries too, had originated from the basis of a symbolic framework for interpretation for which the Objectives Resolution of March, 1949, initially served. However, in the following years the secular political elite had to struggle with the demands of the religious groups who underlined their claim with lobby work, protests and blackmailing campaigns against advocates of secular interpretation. The case of Pakistan, similar to the Israeli experience, illustrates that the religious claim became the hegemonic discourse in which the political leadership had to compromise and, thus, was not able to substantiate its secular vision in which Islam would be given a defined but only marginal role. On the other hand, from the perspective of the religious parties, their right to co-formulate a religious legal corpus as had been assured to them by the League before independence, seemed to be forgotten by the new state's leadership. Hence, after independence, the question of the role of religion in Pakistan was not yet answered during the decisive constitution-making years from 1947 to 1956. The Constituent Assembly drafted the Objective Resolution, according to which democratic principles should be followed according to Islamic values and principles. A 22-points Islamic program, agreed on by 31 *'ulama'* of different factions was presented to the political leadership but it remained unclear how to translate these points into a legal constitutional text.⁵⁹⁸ The discussions and the work of the Basic Principles Committee, that was preparing its interim report after India had promulgated its constitution in 1950, reflect a state of stasis and indicates the conflict between secular and religious constitu-

594 His campaigns were a success for the League especially in NWFP during a referendum in which the Red Shirts were defeated, and in the East of the country, e.g. in Sylhet. See *Ibid.*, p. 11.

595 See *Pakistan Provisional Constitution Order*.

596 See Zaidi, 1990, p. 368. He wrote: "[...] this massive crowd which was known as Muslim nation was in such a wretched state that 999 persons out of one thousand did not have any knowledge of Islam. Neither could they differentiate between good and evil. Even their moral and mental attitudes had not changed according to Islam. They were Muslims by birth and name only." See Maududi, 1937-1939, p. 105. Quoted in Zaidi, 1990, p. 384.

597 "As a Muslim I do not believe in 'the government of the people' [...]. For me the most important question is whether in your Pakistan the system of government will be based on the sovereignty of God or on popular sovereignty based on Western democratic theories. In the case of the former, it will certainly be Pakistan, otherwise it will be as 'na-Pakistan' as the other areas where, according to your scheme, non-Muslims will rule. But in the eyes of God it will be much more reprehensible and unholy than even that. Muslim nationalism is as reprehensible in the Shari'a of God as Indian nationalism". Cit. Maududi, Sayyid Abul 'Ala: *Musalman aur Maujudah Siyasi Kashmakash* (Muslims and the present political struggle), Vol. 3. Pathankot: Maktab-i-Jama'at-i-Islami, 1937-1939, pp. 86/87. Quoted in Ahmed, 1994, p. 675.

tional models. For instance the proposals of its Committee on Fundamental Rights of Citizens and Matters relating to Minorities, established to ensure the participation of minorities in the drafting process⁵⁹⁹, were neglected in the Objectives Resolution whose drafting had in fact been a step enforced by Liaquat Ali Khan unilaterally.⁶⁰⁰ Minority members of both committees had uni-vocally voted against the resolution.⁶⁰¹ The authors of the Jinnah Institute write: “The Resolution appeared to be an attempt by Liaquat Ali Khan to appease Muslim clerics, while at the same time setting in place an idea of the Pakistani state based on religion.”⁶⁰²

In 1956, Field Marshall Ayub Khan passed the first constitution of the Islamic Republic of Pakistan. Its adoption of the Objectives Resolution had been opposed by the minority parliamentarians which were represented with nine reserved seats out of which seven were from East Pakistan.⁶⁰³ The constitution of 1956, like the following constitution under Ayub in 1962 which ensured his authoritarian military rule, further excluded non-Muslim candidates from the highest posts – president and prime minister – in the state. Only six years later, the power of the religious opposition became obvious, when Ayub withdrew the title “Islamic” in order to design a secular international image of the country in the light of the Cold War, where both ideological blocs tried to win allies in the Third World and among the non-aligned states. Facing strong resistance in his country in which the religious parties were able to underline their demands with mass mobilizations on the street against his modernization policies, the military ruler had to reinstate the Islam label in 1963.⁶⁰⁴ However, the religious forces received a blow when in 1961, the regime unilaterally promulgated new Muslim Family Laws (MFLO) with reforms regarding registration of marriages and polygamy⁶⁰⁵, and, thus, formulated its vision of personal status law in too much secular and non-traditional terms as the ‘*ulamā*’ were willing to accept:

The promulgation of Family Laws in 1961 offer the most important example whereby the power elite bypassed the authority of the Ulema and appropriated, albeit briefly, the right to legislate in matters of private law – hence encroaching upon the domain which had been held by the Ulema. After 1971, especially during General Zia-ul-Haq’s era, the situation was reversed and the Ulema regained their position in dictating the terms of Islam-specific laws. This trend has since continued [...].⁶⁰⁶

598 Mainly through the efforts by *Jama'at-i-Islami* and members of the Sub-Committee on Constitutions and Powers (*Ta'limat-i-Islamiyya*), one of the three organs of the Basic Principles Committee, the convention was held in Karachi from 21 to 25 January, 1951. Primarily created for the purpose of finding a mutual response to the interim report of the Basic Principles Committee and to demonstrate a shared position towards an Islamic constitution, Shi'a and Wahhabi representatives joined the convention under the chairmanship of Maulana Sayyid Sulaiman Nadvi, an Indian authority on Muslim law and history. After examination by the *Ta'limat-i-Islamiyya* 15 of the original recommendations finally were considered. See Zaman, 2004, p. 93; Ahmad, Sayed Riaz: Maulana Maududi and the Islamic State. Lahore: People's Publ. House, 1976, p. 60-62.

599 See Jinnah Institute, 2011, p. 22.

600 See Ibid., p. 23.

601 See Ibid.

602 Cit. Ibid.

603 See Ibid., p. 24.

604 The protests under the formula “stop innovation” were the response to the attempts by Ayub to modernize and secularize the academic institutions and to introduce an Islamic system of birth control, the *Muslim Family Law Ordinance*, MFLO, of 15 July, 1961. See Jaffrelot, Christophe (Ed.): *Le Pakistan*. Paris: Fayard, 2000, p. 127.

605 According to the Ordinance, the institutions of councils have to be involved for the registration of a divorce (*talāq*). A Muslim marriage can be divorced only by the husband due to Islamic law. The MFLO aimed at strengthening the way of reconciliation between both partners. Further, divorce comes in effect only after 90 days from the day on which it had been registered by the union council. The MFLO was, thus, a modest attempt of gender empowerment after the colonial Muslim Marriages Act of 1939 which granted women the right to divorce without their husbands' consent. However, with regard to its limited de facto validity, especially in areas where tribal law is still determining personal status law, it did not change the situation of women significantly. This is especially true with regard to the Zinā Ordinance of 1985, which opened the door for abuse giving much room for charging women of adultery. Polygamy had been legalized under the framework of the Muslim Marriage Act in 1965.

606 Cit. Qasmi, 2010, p. 1229.

Their resistance to the Ordinance lasts until today. Despite rulings by the Supreme Court, and recommendations by the CII to modify laws allowing polygamy, there are still petitions opposing the provisions of the Ordinance like the requirement to register *nikah* (marriage under Islamic law) and divorce at a union council.

During the presidency of Zulfikar Ali Bhutto the “Islamic” Constitution was passed (1973) as an attempt to appease the religious parties with the inclusion of the special clauses whereby all laws had to be in conformity with the injunctions of Islam. Bhutto's attempt to harmonize his populist program with Islam, with reference to other models of political compromises in Pakistan's history, promoted the idea of state religion, with which the PPP aimed at providing identification with the religious tradition, the economic needs of the country and the contemporary socialist rhetoric of the 1970s: “Having raised the slogan, 'Islam is our faith, democracy is our politics, and socialism is our economy', the PPP attempted to reconcile key contradictions in Pakistani society and state culture, by propounding a 'state religion' [...].”⁶⁰⁷

The Council of Islamic Ideology (CII) became the advisory body to work out recommendations on religious matters to the government.⁶⁰⁸ The Council is composed of eight to 20 “persons having knowledge of the principles and philosophy of Islam as enunciated in the Holy Quran and Sunnah, or understanding of the economic, political, legal or administrative problems of Pakistan”⁶⁰⁹ and are elected by the president. The demand to establish such a body with reference to a similar clause of 1906 in pre-revolutionary Iran's constitution⁶¹⁰, had been brought to Pakistan's first Constituent Assembly in which ‘*ulama*’ and East Pakistanis were in a clear minority. The establishment of the CII was the result of years of experiments during which subsequent governments tried to build and control an Islamic institution which could support the process of implementing Islamic elements into the state's institutional and constitutional framework.⁶¹¹ The self-perception of the Council and its role as an ideological defender of the state idea had been emphasized by its chairman Iqbal Ahmed Khan (1994-97):

It is my earnest belief that our ideology of *Lā ilāha illā ʾllāh, Muḥammadun rasūlu ʾllāh* was a solemn pledge which we made with Almighty Allah and for which people of South Asian Sub-continent had rendered unprecedented sacrifices. Fulfillment of this pledge is our sacred obligation. If we fail in establishing a system based on the injunctions of the Holy Qur'an and Sunnah of the Prophet then the justification of fighting for an independent homeland would be nullified and the sacrifices made by millions of people would be utterly wasted. Therefore, examination of existing laws and submission of the final report was of paramount importance and was to receive priority over everything else.⁶¹²

607 Cit. Jinnah Institute, 2011, p. 25.

608 See Islamic Provisions in the Constitution in Annex, Document 5.

609 Cit. GoP: Constitution of the Islamic Republic of Pakistan, (modif. 20 April, 2010), National Assembly of Pakistan, Art. 228, (2).

610 See Zaman, 2004, pp. 88/89.

611 Malik offers the most detailed account on the development of the CII. The first institution was the Board of *Ta'limat-e-Islamiyyah* set up in 1953. Affiliated with the Basic Principles Committee, its recommendations were not included into the drafting of the first constitution and its ‘*ulama*’ members were keen to bypass the hegemonic role played by the political League elite by founding an autonomous platform. Generally, the Council and its predecessor organizations – the Islamic Advisory Council and its supporting Institute for Islamic Research, both set up in 1962 under the regime of Ayub Khan – had been subjected to the efforts by subsequent regimes to well-balance between secular and religious members of the body. However, paralleling the rise of sectarian struggles, the composition of the Council is now sensible affair primarily because of sectarian imbalances. See Malik, 1996, p. 33-38. From its office in Lahore, the CII shifted to Islamabad in 1977. See CII website.

612 Cit. CII: Final Report on Examination of Laws (Up to the 14th August, 1973). Islamabad, December, 1996, iii.

Changes in the composition of the Council's members, as Malik has shown⁶¹³, indicate the degree to which the state aimed at winning control over the CII, and, in the light of Zia's Islamization since 1977, it also shows a marginalization of Barelwi and Shi'a participation while "Earlier, the hegemony of one school of thought over the others was not visible."⁶¹⁴ Until the Zardari-Gilani government in 2009 and before the chairmanship was handed over from Masud to Shirani, this trend had been stopped and reversed with Deobandi members being in the minority.⁶¹⁵ The current composition of members shows a decrease with only eight members⁶¹⁶, among them the former Chief Justice of the Lahore High Court, Mian Nazir Akhtar, who in the past had been one of the most prominent defenders of the Blasphemy Law and who served as the appellate defense lawyer for Mumtaz Qadri, the killer of Salman Taseer.⁶¹⁷ Qari Muhammad Hanif Jalandhary who had claimed the Ahmadis to be traitors to Islam and Pakistan is another new member of the Council; he attacked Nawaz Sharif for calling Ahmadis an asset for Pakistan.⁶¹⁸ The relationship between government and CII was – and still is – determined by inter-dependencies with the government accommodating some scholars for their influential role in politics and as guarantors for the mobilization of support on the streets and among their traditional support bases (*madaris*, mosques, endowments, political parties etc.).

In 1974, Bhutto responded to the pressure by the religious sector when he declared the community of the *Ahmadiyya* non-Muslims and began to promote his reform agenda of "Islamic Socialism" with nationalization of companies and, at least rhetorically, promising land reforms. The new design of Islam alienated not only friends and partners in the US-administration but strengthened domestic opposition among the military, the feudal land elites and the business and trading families. These groups, with the support of the army and intelligence, set up a joint opposition under the name *Pakistan National Alliance* (PNA) against the "un-islamic" Bhutto regime in January, 1977.⁶¹⁹ The social composition of this alliance and especially the important role played by both the industrial elites of Punjab and the commercial upper lower classes made the PNA unique when compared to subsequent alliances that were architected against the PPP.⁶²⁰ Facing countrywide protests due to the political deadlock between the PNA and PPP after the March elections in which Bhutto won a majority of votes with 155 parliamentary seats (PNA: 35), Gen. Zia ul-Haq, the army's new COAS who had been

613 See Malik, 1996, p. 39-46.

614 Cit. Ibid., p. 42. In contrast, the number of Deobandi, *Jama'at-i-Islami* and *Ahl-i-Hadith* scholars as well as bureaucrats that stepped into higher administration or government posts after resignation from the CII, has been increased.

615 From 2004 to June, 2009, six members were Deobandi or JUI-F members, six belonged to the Barelwi JUP and its affiliated organizations and four were Shiites. Conversation Mujeeb Ahmad, IIUI, Islamabad; CII website; Interview Dr. M. Khalid Masud, former Chair CII, Islamabad, 31 July, 2009.

616 Nominated by President Zardari in June, 2011.

617 Together with the ex-Chief Justice of the Lahore Hight Court, Khawaja Mohammad Sharif, who is said to be a loyal supporter of the Sharif family and PML-N.

618 This affair is mentioned in Daily Times: Letters to the Editor, 20 June, 2010.

619 Hence, the political narrative of this movement was primarily that of anti-Bhuttoism and "anti-secularism". Cit. Conversation with Abdullah M. Adnan, International Institute of Strategic Studies & Research (IISSR), Islamabad, 23 July, 2009.

620 An interesting parallel is the organization of the urban Bazaris in Iran at the eve of the Islamic Revolution at the end of the 1970s. As for Pakistan, Malik has categorized the commercial traders as the representatives of the mixed or intermediary sectors, which is not cohesive and located between the traditional and the colonial sectors. Their representation in the PNA, together with the traditionalist and integrationalist religious agents, conservative political and economic elites, indicates their central role in the mobilization of political support in the urban areas. See Malik, 1996, p. 17-24, and especially footnotes p. 30.

hand-selected by Bhutto over veteran generals, seized the opportunity and intervened on 5 July, 1977, and, after the president had been arrested, declared martial rule, thus, paving the way for a new military regime.

Generally, the policy of Islamization throughout the Islamic world has been generated and implemented with different models. Similar in many ways to Zia's Pakistan are the cases of Saudi-Arabia and Umar al-Bashir's Sudan. It is in all these cases important to note that the endeavor of Islamization itself provided a setup – politically and economically – on a national level and “a justification of the integration of Western values and norms and thus of the colonial structures and not the dissemination of Islam in hitherto virgin un-Islamic regions.”⁶²¹ The state's attempt to establish a legitimizing system of integration and control is, thus, a two-way strategy since it simultaneously aims at traditionalizing post-colonial structures on the one hand, and at reinterpreting, thus, modernizing, traditional structures on the other. Here, it has been stated that Islamization, as compared to other processes in rural society had a comparable low impact which did not change the social fabric fundamentally.⁶²² Following the announcement of the order of the Prophet Muhammad (*nizām-i mustafā*) in 1977 and its presentation to the public on 10 February, 1979, – the prophet's birthday (*mīlād al-Nabi*) – Zia's top-down superimposition of religious uniformity and unilateralism in Pakistan⁶²³ reached its climax when the president Islamized the Pakistan Penal Code (PPC), enacting the Hudood Ordinances. Article 227, a part of the Third Constitutional Amendment Order of 1980, stipulated that “All existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Holy Quran and Sunnah, in this Part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions.”⁶²⁴ In 1980, the Federal Shariat Court (FSC) was established to ensure that all legislation conformed to Islamic injunctions as interpreted from the *sharī'a* and to exercise appellate power in *hudūd*⁶²⁵, *qisās* (retribution) and *diyya* (bloody money) cases. The lack of a narrow legal interpretation and the antagonism between the (non-religious) courts' de jure subordination under the FSC's decisions and their de facto limited validity in contrast to secular Anglo-Saxon civil law⁶²⁶, has since been subjected to many debates among the FSC's members. In 1983, a FSC commission stated:

The expression “Injunctions of Islam” is a comprehensive one which will include all injunctions of Islam of every school of thought and sect etc; but Article 203-D of the Constitution has restricted its meaning and application and confined it to only two sources for which no Muslim can have any valid objection. These sources [...] are (A) The Holy Quran and (B) The Sunnah of the Holy Prophet.⁶²⁷

Zia ordered the establishment of a *majlis-i-šūrā* in 1985, a step aimed at softening the outlook of his

621 Cit. Malik, 1996, p. 17.

622 See Kurin, Richard: Islamization: A View from the Countryside. In: Weiss, 1987, p. 115-128.

623 “Although each of Pakistan's indigenous constitutions has defined Pakistan as an Islamic state, determining what this means in practice has usually been left open to individual preference. General Zia-ul-Haq elevated the tempo of the debate over the role of Islam in Pakistani society by directly involving the authoritarian state with religion. The Zia period witnessed the Islamization of laws, public policy, and popular culture, producing a unique case of systematic propagation of Islamism from above.” Cit. Hashmi, Arshi Saleem: Use of Religion in Violent Conflicts by Authoritarian Regimes: Pakistan and Malaysia in Comparative Perspective, p. 31. In: Journal of South Asian and Middle Eastern Studies, Vol. 30, No. 4, 2007, p. 22-49

624 “Although Article 227 also stipulated that 'the personal laws of non-Muslim citizens or their status as citizens' shall not be affected, the military government's Islamisation drive effectively sanctioned discrimination against religious and sectarian minorities.” Cit. ICG, 2008, p. 3.

625 Punishment for misbehavior like adultery, consumption of alcohol, gambling, apostasy etc.

626 See ICG, 2004, p. 2-5.

627 Cit. Hazoor Bakhsh vs. Federation of Pakistan, PLD, FSC 255, 330, 1983. Cit. in: Federal Shariat Court Annual Report. Islamabad, 2007, p. 48.

authoritarian military rule which had been further consolidated after political organizations had been banned. Another constitutional amendment was the introduction of separated electorates⁶²⁸ after they had been abolished in 1956.⁶²⁹ The regime's Islamization clashed with partial resistance by the traditional sectors but their opposition had only limited impact since funding and loans for the religious institutions had been centralized under the responsibility of the Ministry of Religious Affairs which in turn was subjected to the government's policies.⁶³⁰

4.1.1.2 Legal Religious Identities and Citizenship

Primarily constitutional and ideological insistence on Sunni Islam, resulted in the institutionalization of religion as the basic determinant of national culture and ideology and gave rise to a process of Sunnization of the legislation which contributed significantly to the marginalization of minorities.⁶³¹

The Creation of a truncated Pakistan was itself an advertisement of the problem of conferring equal citizenship rights on those excluded from the narratives of the Muslim nation [...] the long-standing demand for the exclusion of the Ahmadis from the community of Islam was to utterly confound the nexus between community and nation with devastating consequences for not just the logic of equal rights of citizenship but also the very notion of Muslim identity.⁶³²

The construction of an “in-group” as opposed to an “out-group”, as Rahman states, is a variation of Orientalism in which the hegemonic perception and interpretation of one group is institutionalized at the cost of another group, that has to be “civilized” or “educated” on the basis of the values represented by the dominant group.⁶³³ As one of the most prominent determinants in the perceptions of religious minorities, especially internationally, Pakistan's blasphemy laws gained prominence.

The offense of blasphemy reflects a fundamental tension within the criminal legislation of Pakistan, in which, from 1979 through the Zia ul-Haq's Islamization, elements of the Islamic Shariat law successively entered British colonial criminal law.⁶³⁴ The latter's roots go back to 1860, when a commission under the auspices of the poet, writer and politician Lord Macaulay completed the legal body which, almost unchanged, forms the modern Pakistan Penal Code (PPC). Despite its popularized use, the act of blasphemy is determined only by Article 295c of the PPC:

628 See Zaidi, 1990, pp. 384/385. The separate electorates had been dissolved on 27 February, 2002, by Musharraf on the basis of Section 7 of the General Elections Order 2002. However, on 17 June, Sections 7B and C were amended. For Ahmadis the separated electorate and legal „Status of Ahmadis etc. to remain unchanged.“ „[It] shall remain the same as provided in the Constitution of the Islamic Republic of Pakistan.” Cit. General Elections Order 2002, Second Amendment, Section 7B, quoted in Rehman, I. A.: Joint electorate? Not quite. In: Dawn, 17 September, 2002.

629 See Ahmed, Ishtiaq: Religious Minorities in the European Union and Pakistan: Historical Comparisons, p. 8. In: Cheema, 2008, p. 1-13.

630 See Zingel, 2003, p. 291.

631 “Pakistan became the setting for sectarian struggle because it is the most important Sunni country in the world, with a large population at home and abroad, a skilled workforce, industrial capacity and a sophisticated elite, all of which made it into a significant site of Islamic ideological production.” Cit. Devji, Faisal: Politics of the Borderland, p. 17. In: IWMpost, No. 101, 2009, p. 17.

632 Cit. Jalal, 2000, p. 567.

633 See Rahman, Tariq: Denizens of Alien Worlds. A Study of Education, Inequality and Polarization in Pakistan. Karachi: Oxford Univ. Press, 2004, p. 26/27.

634 For the blasphemy discourse see preliminary work by the writer in Gaier, Malte: Pakistans kontroverses Blasphemie-Gesetz. Interview mit Sayyed Hamid Saeed Kazmi, Minister für Religiöse Angelegenheiten und Hajj. In: SüdasiensInfo, Pakistan, Interviews Politik u. Recht, 2010.

Whoever by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine.⁶³⁵

Articles 295a-b are applied to the desecration of Qur'an and disrespect of religious feelings for which they set penalties of several years or lifetime imprisonment.⁶³⁶ But Article 295c in particular has been widely criticized due to its frequent abuse and its harsh penalties for insult or defamation of the Prophet.⁶³⁷ The Article had been passed by the parliament on presidential orders in 1984 as part of the legal implementation of Islamization. However, even after the end of Zia's rule the FSC maintained its strict interpretation of 295c and decided in favor of death penalty in 1990. An appeal submitted by the bishops and human rights activists Dani Tasleem and John Joseph against the FSC's decision in 1991 was rejected after 18 years of pending by the civil Supreme Court in 2009. The court's decision was based on the fact that both applicants at this time were already dead. Especially Bishop Joseph's suicide, who was also the main initiator of a campaign for the abolition of the blasphemy law, exposed the government of Benazir Bhutto to significant international pressure in 1998 which it tried to counter by passing two constitutional amendments against the abuse of Article 295.⁶³⁸ The next attempt to decrease tension and international criticism came from Gen. Pervez Musharraf and set the beginning for the new regime's first serious political confrontation with the religious parties. After the government proposed an amendment in April, 2000, the religious front which united later under the banner of the religious alliance *Muttahida Majlis-i-Amal* (MMA) launched massive protests countrywide supported by Islamist officers in the army and the political opposition under the conservative Punjab-based PML-N until Musharraf withdraw the bill.⁶³⁹

Regular abuses in the context with accusations of blasphemy have target mainly Muslims as well as members of religious minorities. The suspicion is often tantamount to prejudice which in several cases has been accompanied by arbitrary mob violence and failure by the authorities to protect the accused. Particularly affected were in the last few years Christians and Ahmadis. The latter, also called Qadianis or Lahori Group, had been declared non-Muslims in 1974 by decree of the Prime Minister Zulfikar Ali Bhutto. For Ahmadis a special „Qadiani-Act“ (Art. 298b-c) had been introduced into the PPC.

The number of incidents and attacks on minorities has increased dramatically since 2009/2010. Among this development's culmination points were the incidents of Toba Tek Singh, Punjab, in July and August, 2009, when Christian villages were attacked by a more than thousand rioters with its residents having been burned alive. Rumors according to which pages of the Qur'an had been defiled by Christian children on the occasion of a wedding ceremony, were spread throughout the days before the attacks by local clergy via the local

635 Cit. Pakistan Penal Code (Act XLV of 1860, amended up to 2006), Art. 295c.

636 See Ibid., Art. 295a-b.

637 See National Assembly of Pakistan: The Constitution of the Islamic Republic of Pakistan, 5th Ed., Eighteenth Amendment, Preamble. For the responses by Pakistani NROs see statement by the National Commission for Justice and Peace (NCJP) on constitutional reforms against the "misuse of religion". See Press Statement NCJP: Government urged to address abuse of religion through Constitutional and Legal Reforms, 13 January, 2010.

638 See Pakistan News: Pak SC rejects petition-challenging death as the only punishment for blasphemy, 22 April, 2009; Ahmed, Akbar S.: Pakistan's Blasphemy Law: Words Fail Me. In: Washington Post, 19 May, 2002.

639 See Hussain, Zahid: Frontline Pakistan. The Struggle with Militant Islam. Lahore: Vanguard, 2007, pp. 8/9; Blom, Amélie: The 2006 Anti-'Danish Cartoons' Riot in Lahore: Outrage and the Emotional Landscape of Pakistani Politics. In: South Asia Multidisciplinary Academic Journal, Special Issue, No. 2, 'Outraged Communities': Comparative Perspectives on the Politicization of Emotions in South Asia, 2008.

mosques loud speakers. The riots of Gojra and Korian which were led by activists of *Sipah-i Sahaba* (SSP) took place under the eyes of the district police. While the public, politicians and Islamic scholars condemned the attacks uni-vocally, it soon appeared that those accused had been released from jail despite the incriminating findings of the report of the investigation commission whose establishment had been ordered by the Shabaz Sharif.⁶⁴⁰ Again at the end of 2010 the blasphemy law became the center of international criticism against Pakistan when it became public that the Christian Asia Bibi, as the first woman involved in a blasphemy case, had been found guilty by a court. The affair provoked a storm of protest and solidarity with Asia on the international level and impacted Pakistan's image negatively. When president Zardari showed willingness to pardon her, the government's coalition partner JUI-F of Maulana Fazlur Rahman opposed this step and the announcement to critically reevaluate the blasphemy law threatening to leave the coalition. Prominent politicians such as Sherry Rahman and Salman Taseer took party for the accused. However, the government stepped back from its offer and also agreed to another demand made as early as 2008/2009 by the JUI-F when the PPP-led government coalition had been formed: The appointment of Senator Maulana Muhammad Khan Shirani (JUI-F) from Balochistan as the successor of Khalid Masud on the post of the Chair of the CII further alienated Pakistan's government from its international supporters for Shirani's hardline image.⁶⁴¹

The assassination of Governor of Punjab Salman Taseer in January, 2011, shocked many in Pakistan and abroad: The killing of one of the most prominent and radical activists for an annulment of Article 295c was responded by protests in which most of the religious parties including the Barelwis and the lawyers' movement displayed their solidarity with the murderer openly.⁶⁴² PPP leader Sherry Rehman, founding director of the Jinnah Institute as well as leading figure in several initiatives for the rights of women and journalists which is currently serving as ambassador to the US, had also raised her voice quite prominently against the blasphemy laws.⁶⁴³ Her appointment as ambassador abroad had been also in reaction to death threats by Sunni radical groups in Pakistan. The assassination of Minister for Minorities, Shahbaz Bhatti, in March, 2011, for his opposition to the blasphemy law exposed the support for a maintenance of the law by some religious parties such as the JUI.⁶⁴⁴ As a result of the federal reform package as part of the 18th constitutional amendment, passed by the parliament which incorporated the ministry into the provincial responsibilities, the Ministry for Minorities (2002) was renamed as Ministry of National Harmony with Akram Masih Gill as its Catholic head

640 In a similar way insufficient were the investigations in the following cases legal abuse and sectarian unrest like in that of two Christian brothers in Faisalabad who in July, 2010, under the suspicion of blasphemy had been killed when in police custody. The incident provoked violent clashes between Christians and Muslims.

641 Among the prominent advocates for the release of Bibi was Pope Benedict XVI. For the protests against the nomination of Shirani see The Express Tribune: (Open Letter by Women's Action Forum) Appointment to Council of Islamic Ideology, 15 June, 2010. Another reason for the delay of Shirani's final appointment were fears on the part of other members of the CII that the JUI-F would gain a majority in the council since six non-Deobandi members from other factions were about to complete their terms in office at that time. See Alvi, Mumtaz: Government in a fix over Sherani's appointment as CII head. In: The News, 22. August, 2010. International opposition to Pakistan's blasphemy laws had been countered domestically by its supporters who referred to similar debates in the West. In the European context, the reference to God in the proposed European Union Constitution might be a case in point. Similarly, some European countries reintroduced blasphemy only recently. For instance Ireland, in 2009, criminalized blasphemy constitutionally with maximum fines up to 25.000 Euro. See Volkery, Carsten: Ungläubiges Staunen über Gesetz gegen Gotteslästerung. In: Spiegel Online, 16 July, 2009.

642 See Ahmed, Fahih: Mourning a Martyr. In: Newsweek Pakistan, 17 January, 2011.

643 See Wasim, Amir: How Sherry Rehman got the key diplomatic position. In: Dawn, 24 November, 2011.

and Paul Bhatti, the brother of killed Shahbaz, as a Special Adviser for Religious Minorities.⁶⁴⁵ Although the new ministry promotes interfaith dialogue and the improvement of relations between the Muslim majority and non-Muslim minorities, it focuses predominantly on the situation of Pakistan's Christian minority. Like its preceding ministry, the establishment of the new ministry is primarily a bureaucratic response to the harsh international criticism against the government.

In the light of these developments Pakistan has acquired an international image that, through the Western prism, in many ways resembles that of an “epicenter of religious intolerance and religious violence” with “institutionalized discrimination” against minorities as an immanent feature.⁶⁴⁶ However, most of those affected by the involvement in misuses of the law belong either to the Sunni or Shiite communities. In many cases it appeared that denunciation was motivated not so much by religious sensibilities but rather by conflicts on land and property, e.g. in rural Punjab between landlords and other rivaling local power groups or even within families and among neighbors. Despite the fact that as of now death sentences have not been executed, the trials are often pending for years until a final decision is made by the court.⁶⁴⁷ Beyond this socioeconomic view on the blasphemy complex, incidents and especially violence against local minorities by extremist groups is often religiously or ideologically motivated under the umbrella of stereotypes and simple propaganda against *Hunud-o-Yahud-o-Nasara* (Hindus, Jews and Christians).⁶⁴⁸ While the national and international debate on blasphemy often concentrates exclusively on Christians, public attention often shifts away from increasing cases of violence against other non-Muslim minorities such as the Hindus and Sikhs in KPK and Punjab.⁶⁴⁹

In the meanwhile, the blasphemy discourse has entered also new public spheres such as the digital media and social networks, internet fora, chat rooms and blogs. In a recent case, the state's *Pakistan Telecommunications Authority* cracked down more than 800 web pages in May, 2010. In an official statement the authorities legitimized their action by declaring the censored online contents on Youtube, Twitter and Facebook as being “heretic”.⁶⁵⁰ Facing similar cases more frequently in recent years, considerable opposition and resistance to the government's and other official watch dogs' actions has been formed and articulated in the digital sphere. Especially Pakistan's young middle and upper-classes have not only responded to conservatism on the web with international public campaigns and online petitions but also by more openly questioning the role of Islam in state and society.⁶⁵¹

644 Although JUI-F's leader Fazlur Rahman displayed increased willingness to remove from his hardline position not to discuss any amendments to the law and to discuss the blasphemy issue at all, JUI-F and some other religious parties had terminated a *Ta-bajuz Namus-i-Risalat* campaign that was launched in 2010. After the assassination of Taseer and Batthi in 2011, he claimed that the JUI was willing to make the protection of non-Muslim minorities a priority on its agenda. However, this was mainly due to political maneuvering and was not referring to the Blasphemy Law explicitly. In the past, Fazlur who saw “a lobby opposed to religious circles” threatening national integration with its attempts to annul the Blasphemy articles, had refused any amendments to the laws. Cit. Asghar, Raja: Fazl says misuse of blasphemy law can be discussed. In: Dawn, 5 March, 2011.

645 See Pentin, Edward: Pakistani 'Harmony' Minister Optimistic About Equality. In: Zenit, 25 November, 2011.

646 Cit. Religious Liberty Partnership: Virginia Statement zur Islamischen Republik Pakistan, April, 2011, p. 2.

647 See Amnesty International: Jahresbericht 2010, Pakistan.

648 Shaikh, correctly, points out to the centrality of these „imagined complexes“. See Shaikh, Hina: Status of Minorities in Pakistan in 2009. South Asian Human Rights (SAHR), Annual Report, 2009, Introduction.

649 See Interview with Archbishop Lawrence John Saldanha, Lahore, 7 April, 2011.

650 See Dawn: Pakistan blocks 800 web pages over 'blasphemy', 22 May, 2010.

651 This “silent protest” has not been articulated politically, with the exception of small platforms like the Christian dominated *All Pakistan Minorities Alliance*.

Internationally, the perception of Pakistan's domestic religious unrest is important too and has been subjected to some remarkable changes in recent years. From 31 August to 7 September, 2001, under UN auspices, delegates met for the *UN World Conference against Racism (WCAR)* in Durban, South Africa. For Pakistan, the participation at the conference was crucial due to its leading role in the OIC and the planned tabling of its resolution "Against the Defamation of Religion". But the planned foray by Pakistan and other Muslim countries to bring the campaign which had been adopted in 1999 by the OIC into the spotlight of the conference and international media failed. Speaking after Iran's president Ahmadinejad, only marginal attention was given to the Pakistani delegate. Ahmadinejad had addressed a speech to the delegates in which he demanded the expulsion of Israel from the UN for what, in turn, the Israeli delegation in response, together with several other states withdrew from the plenum. In the Muslim world, Pakistan plays a leading international role in several campaigns against the defamation of Islam.⁶⁵² On the initiative of Pakistan, the OIC presented the first resolution at the UN Human Rights Commission⁶⁵³ in 1999, that was intended as a response to worldwide felt anti-Islamic "racism" but it was responded by Western countries with criticism:

[...] the narrow focus on Islam, the protection of a religion (essentially an ideology) instead of an individual, the conflation of race and religion, the erosion of freedom of expression as a fundamental freedom, overbroad and unclear language, including in the use of the term "defamation."⁶⁵⁴

The perception of anti-Muslim discourses or "Islamophobia" became stronger following the events of post-9/11.⁶⁵⁵ Under pressure from an opposition within the UNHCR in 1999, a revised resolution, has since then annually been adopted by the UNHRC, usually without voting.⁶⁵⁶

The call by some member states to boycott the Durban Conference because of anti-Semitic aggressions was indirectly also applied to the OIC campaign.⁶⁵⁷ The official end of the campaign in spring 2011 was, however, seen as a serious backlash for Pakistan's diplomacy:

Pakistan drew back from its defamation of religion campaign because it could not muster enough support in the UN Human Rights Council. As you well know, religion is no longer a potent force in the West. Issues like blasphemy and desecration of holy books do not arouse the intense anger they continue to do in the Islamic countries who revere the 27 prophets and their deeds mentioned in the Quran. Muslims not only in Pakistan but elsewhere are deeply offended by disrespect to the Prophet Muhammad or other prophets. The public burning of the Quran in the US is a case in point. I think Western countries must show greater sensitivity to Muslim sensibilities and not offer the justification, which may be valid in their societies, that freedom of expression permits such actions even if they are reprehensible.⁶⁵⁸

However, the withdrawal from one of its most central demands at international fora came along with the transformation of the discourse on Islam in Pakistan, where after 9/11 increasing religious violence by the Taliban and extremist groups, might have strengthened moderate forces to some limited extent:

652 The strongest supporters were Egypt, Iran, and Yemen before it withdrew its support.

653 Renamed in UNHRC in 2006.

654 Cit. Becket Fund for Religious Liberty: Issues Brief. "Defamation of Religions", 2008, p. 2.

655 Important international events included the murder of Dutch filmmaker Theo van Gogh in 2004 by the Islamist *Hofstad Group*, the publication of cartoons showing the Prophet Muhammad by the Danish *Jylandsposten* and the following protests in the Muslim world in 2005/06, and the release of European films (e.g. Geert Wilder's *Fitna*) and theater plays which were interpreted as an insult to Islam and the Muslims.

656 Despite the claim of being an interfaith declaration, only Islam, "frequently and wrongly associated with human rights violations and with terrorism", is mentioned by name. Cit. UN Office of the High Commissioner for Human Rights: Defamation of religions. Commission on Human Rights resolution 2000/84, 26 April, 2000, p. 1.

657 See Becket Fund, 2008, pp. 4/5.

658 Cit. Email Amb. Azmat Hassan, 30 March, 2011.

Hurting each others feelings and sensibilities is neither wise nor condonable. If we are to live companionably in our globalized world, we have to respect each others world views and not expect a different world view to conform to ours. Just as one can be an observant Jew or Christian and secular at the same time, so can an observant Muslim. This is borne out vividly by the Turkish, Indonesian and Malaysian leaderships. Many of these leaders are observant Muslims and at the same time wedded to secular principles in state governance. I believe the same applies to Pakistani leaders.⁶⁵⁹

Another positive trend is the commitment of political leaders to interfaith dialogues and, in the framework of domestic electoral campaigns, the attempt to accommodate the minorities. Institutionally, the Ministry of Religious Affairs, together with the CII tried to play a pioneering role. However, the claim of these institutions to act as a vehicle for the state's doctrine of Enlightened Moderation, for instance with the establishment of the *World Council of Religions* or '*ulama*' conventions, can not be substantiated with concrete positive outcomes beyond its symbolism.⁶⁶⁰ Another important momentum was the change in US politics after the election of Barack Obama as the new president in 2009. The CII, still under the chairmanship of Khalid Masud, was keen to respond to the promising speeches and statements made by the new president shortly after his election before and after Cairo.⁶⁶¹

The *Ahmadiya* emerged in the late 19th century in colonial British India under Mirzam Ghulam Ahmad (1836-1908) as a counter movement to the Hindu nationalist *Arya Samaj* and Christian missionary movements.⁶⁶² Accusations of heresy became louder in 1891 in a *fatwa* issued by conservative '*ulama*' that saw their religious authority at risk because of the claim of the founder's grandson Mirza Nasir Ahmad to be the leader of all Muslims.⁶⁶³ Resentments against Ahmadis culminated in 1953 in the imposition of the state of emergency by the government in response to nationwide unrest. Until 1974, the IJT's campaigns had revived allegations against the community from colonial times, which aimed at targeting Zulfiqar Ali Bhutto's "Islamic socialism" which had been promoted by the government as a third way model between capitalist and communist ideology. Finally, when on 19. September 1974 the National Assembly voted for a bill law that brand marked the Ahmadis as non-Muslims since they refused to acknowledge the finality of the Prophet due to their own belief, the religious parties such as the JI were able to demonstrate their potential to pressure the political institutions. Bhutto's easing had also been a result of the strong influence of Saudi Arabia on Pakistani inner politics: For a long time, organizations such as the Muslim World League had stressed the incompatibility of Ahmadi thought with Sunni and Wahhabi interpretation of Islam, and in the same year as Pakistan's assembly, announced its ban on the Ahmadis. As a result, Ahmadis were excluded from *hajj* to Mecca and their possession

659 Cit. Ibid.

660 This intentional ambiguity is reflected in a speech given by Vakil A. Khan, a former high ranking secretary at the Ministry for Religious Affairs, at an international conference in which he hailed the establishment of the Council by the Musharraf government as a significant contribution to integration and religious harmony between all religious groups while at the same time he candidly admitted that Ahmadis were not allowed to participate. See Khan, Vakil Ahmad: Conflict Prevention and Peace Building in inter religious and intra religious communities, pp. 67/68. In: Cheema, 2008, p. 65-70.

661 Cit. CII: CII launches report on 'Future Agenda of Change', Press statement, February, 2009: "[...] there is a strong need to promote better relationship of the Muslim world with the West as was indicated by the newly elected president of the United States Barack Hussain Obama."

662 See Jaffrelot, 2000, p. 386. See also Ross Valentine, Simon: Islam and the Ahmadiyya Jama'at. History, belief, practice. London: Hurst & Company, 2008.

663 "The main point objected to was the claim to be a prophet, since according to standard Sunnite doctrine Muhammad is the last of the prophets; but more worldly considerations were probably also involved. Ghulam Ahmad certainly claimed to be a prophet, but not in the sense of establishing a new religion with a new scripture, only as reinterpreting the Qur'an." Zit. Watt, William Montgomery: Islamic Fundamentalism and Modernity. London, New York: Routledge, 1988, S. 59.

of a *qurʿān* or the use of Islamic termini in newspapers such as *Al-Fazl*⁶⁶⁴ being subjected to punishment and censorship.⁶⁶⁵ Hostilities against the Ahmadis, often declared outlawed as *wajib-ul-qatl*⁶⁶⁶, are part of today's inner-religious tensions which are increasingly articulated in violent terms.⁶⁶⁷ In May, 2010, more than 194 died in attacks on Ahmadi centers in Lahore and through mob violence. Contrary to blasphemy cases and violence against Christians, international media in the emotional debate on the religious laws of Pakistan, seem to have turned a blind eye on the “Qadiani Acts”.

4.1.2 Israel

4.1.2.1 Constitutional Genesis

In the Israeli case the legislation of Mandate Palestine relied on Ottoman law. After the end of Turkish rule and the (Muslim) millet system in Palestine, the rule of the British Mandatory power lasted until the independence of Israel on May 14, 1948. British administration had maintained the traditional (Ottoman) legal order to the extent that English common law was to be applied only where the local law was found to be inadequate and as a reaction to local circumstances.⁶⁶⁸ After independence, the first Provisional Government of Israel, facing a lack of qualified lawyers and know-how, according to the principle of Continuity of Positive Law transformed the law of the the Mandate period into the new state.⁶⁶⁹ The co-existence of the de facto and de jure three forms of fundamentally different traditions of law created a challenge for the establishment of an Israeli legal sector⁶⁷⁰:

Most of Israel's Arab neighbours have changed over to modern legal systems by accepting European civil codes or European inspired codifications, and thus have moved far from tradition. By contrast, some Ottoman laws have remained in force in Israel, and portions of Ottoman civil procedure and admiralty law are still the law of the land. Some sections of the Mejlle were abolished only recently.⁶⁷¹

Exclusive jurisdiction over all matters of personal status of Jews was narrowed under the Mandate to the central issues of marriage, divorce, alimony and the confirmation of wills. In modern Israel, this arrangement was further narrowed to the extent that only marriage, divorce and *halizah*⁶⁷² underlie the Rabbinical jurisdiction.⁶⁷³ The *Foundation of Law* enactment (1980) repelled the binding force of English law as the primary and subsidiary source of law whereas remnants of Ottoman law were not affected. In other words, the enactment de-

664 This included the renaming of the Ahmadi town of Rabwah into Chenabnagar where more than 60.000 Ahmadis live. See MacDonald, Myra: In Ahmadis's desert city, Pakistan closes in. In: Reuters, 15 July, 2011.

665 See Ahmed, 1994, p. 684.

666 Non-Muslim allowed to be killed.

667 See Iqbal, Mohammad: Islam and Ahmadism. Islamabad: Dawah Academy, International Islamic University, 1990.

668 Some fields were modified, for instance criminal law, bankruptcy law, company law and the law of bills of exchange. In contrast to this, private law, special obligations law and the real property law remained in force due to Ottoman legislation. In addition, local non-governmental courts such as the *Hebrew Courts of Peace (Mishpat HaShalom Ha-Ivrit)* were introduced by Jewish immigrants to Mandatory Palestine. See Bin-Nun, Ariel: The Law of the State of Israel. An Introduction. 2nd Ed. Jerusalem: Rubin Mass, 1992, p. 5; Harris, 2003, pp. 76/77.

669 See Provisional Government of Israel: *Law and Administration Ordinance*, enacted on 19 May, 1948.

670 This is especially reflected in the case of the Ottoman codification Mejlle (1869-1876), whose implementation in the new Israeli laws was challenging since the original text was in Turkish and different translations created confusion but was not disposed and remained formally in force until 1984. As a result, in legal practice, courts and judges from the founding period did favor the more familiar British law. See Bin-Nun, 1992, pp. 5/6; *Repeal of Mejlle Law*, passed by the Knesset on 13 June, 1984.

671 Cit. Bin-Nun, 1992, pp. 6/7.

672 Rabbinical order to release a Jewish man from the *halachic* obligation to marry his deceased brother's widow if that couple had no children.

673 See *Rabbinical Courts Jurisdiction (Marriage and Divorce) Law*, passed by the Knesset on 26 August, 1953.

clared the maturity and independence of genuine Israeli law making. It also stipulated that “where the court, faced with a legal question requiring decision, finds no answer to it in statute law nor in case law nor by analogy, it shall make the decision in accordance with the principles of freedom, justice, equity, and peace of Israel's heritage.”⁶⁷⁴ Until today, Israeli legal scholars find it hard and disagree on as how to define the term “Israel's heritage” as a reference for interpretative purposes to the Jewish law of *halacha* or to the nationalist-secular Jewish heritage. This debate is especially controversial given the attitudes of Herzl and his followers displaying deep disrespect to rabbinical authority and religion in general.⁶⁷⁵

The role of religion in Judaism and manifestations of religious life in Israel are bound to the fundamental theological preoccupation that the religious and the profane belong together as one inseparable sphere.⁶⁷⁶ A term for religion in the sense of its Arabic counter-part (*din*), is in fact missing in Hebrew. *Dat*, literally “law” or “order”, refers to the observance of religious halachic law and determines the differences in life-style and religious orientation between orthodoxy and secular public, with the latter being seen as part of the community of “citizens with Jewish belief” because of secular Israelis were born as Jews according to their matrilineal descend or have converted.⁶⁷⁷

In analyzing the role of Israel's judiciary, it is important to reconsider the lack of a written constitution as an organizing and binding structure for decisions and orders by the Israeli courts (*batei mishpat*). Ben Gurion's decision not to enact a constitution in 1949 resulted in three far-reaching developments: Firstly, without constitutional restrictions, the generation of the Founding Fathers was enabled to establish the state according to ideological lines narrowly defined by a statist approach and pioneering socialist-Zionist values. Though declared in the proclamation of independence⁶⁷⁸, the absence of an equality clause in the constitutional framework favored the maintenance of military rule and control in areas inhabited by Arabs from 1948 to 1966 and allowed to successfully initiate large-scale expropriation of Arab lands. Israel's long-term policy of the occupation, politically translated into the concept of civil administration, is basically determined by the Government of Israel and implemented by the Ministry of Defense. Military courts, as an exponent of the Israeli system of control in the occupied areas of the West Bank and military law apply basically to Palestinians and non-Israeli citizens in the West Bank accused of acts harmful to the security of the state. The structure of military courts exists simultaneously to the legal structure in the West Bank prior to the Israeli occupation in 1967, whose (Arab) trial and appeal courts continue to apply the law of the former ruling power Jordan (1948–1967).⁶⁷⁹

Secondly, without a constitution, the political leadership and especially David Ben-Gurion were enabled to establish the status quo agreement regarding the role of religion in the State of Israel. Thirdly, the ethnic hegemonic and exclusive setup of Israeli society as it was formulated and implemented by Ben-Gurion and his *Mapai* party established a Jewish republic with a clear Jewish majority. While the state has developed a democratic institutional setup that is, however, committed to its Jewish character, a legal barrier not only to the con-

674 Cit. *Foundations of Law*, passed by the Knesset on 23 July, 1980, section one; see also *The Palestine Yearbook of International Law*, Vol. 10, 1998-1999. The Hague: Kluwer Law International, 2000, pp. 123/124.

675 See Herzl, 1896, p. 75.

676 See Stemberger, 2006, p. 7-10.

677 *Ibid.*, p. 7.

678 See *Declaration of the Establishment of the State of Israel*, approved by the Jewish People's Council on May 14, 1948.

trol of the relationship between majority and minority does constitutionally not exist. Rather, the intra-majority relations – the social reality of legally full-privileged Jewish-Israeli citizens that constitute the effective political community with substantial participation in state and society – is subjected to legal diversification through the laws of civil status such as marriage and citizenship. Israel's Basic Laws serve as a surrogate of a written constitution and manifest the spirit of the Status Quo at the time of the state's creation. However, the legal corpus has been seen as expressing the temporary nature of the constitutional setup and not a permanent variant.

4.1.2.2 Legal Religious Identities and Citizenship

In the legal tradition of the Ottoman Empire, adopted by the British Mandate and then implemented into the Israeli system of law through the *Law and Administration Ordinance* (1948)⁶⁸⁰, many matters of personal status and ritual matters such as *kashrut* and *shabbat* underlie the jurisdiction of the Jewish religious courts (*batei din*). Jews living in Israel are like Muslims, Druze, Christians and Bahai, mandatory subject to the jurisdiction of their respective communitarian courts. Although Israel does not have a state religion – among the Middle Eastern states only Israel and Lebanon lack the constitutional fixation of a state religion – “Orthodox Judaism functions in the Israeli polity as if it were the official state religion.”⁶⁸¹ Perceiving a way of separating the public and private spheres, fundamental to the liberal and modern Western conception of society, is foreign to traditional rabbinic thinking and the rabbinical court system. Therefore, from the perspective of liberal political theory the rabbinical courts represent “one of the most problematic parts of the evolving political culture of Israel”⁶⁸² and do substantially reinforce Israel's character as an ethnic democracy that recognizes and protects rights of individuals while permitting group identities to affect citizen status.

Generally, halachic interpretation is subjected to the Rabbis of whom, over the centuries, single rabbis reached the status of halachic leaders. Leadership is reflected in the ability of a rabbi to creatively apply religious norms, provided by the resources of *halacha*, to the guidance of Jewish lifestyle in a manner that is conducive to the vitalization of Jewish life in its current contexts.⁶⁸³ Among modern rabbis and especially among the Sephardi scholarly authorities, Maimonides⁶⁸⁴, respected by rabbinical authorities regardless of their tradi-

679 When this policy evolved in the aftermath of the 1967 war it was basically designed to separate Israel's internal democratic practices and legal procedures from the new practices of the occupation. According to Edelman, “this 'compartmentalization' has been corroded by the expansionist policies of some of the governing parties in Israel, by the length of the occupation, and by the decision to treat the Jewish settlers in the territories within the regular structures of the Israeli Government, including the courts.” Cit. Edelman, Martin: *Courts, Politics, and Culture in Israel*. Charlottesville (a.o.): Univ. Press of Virginia, 1994, p. 101. Due to the perpetuated, seemingly indefinite and consistent occupation this parallel system changed and areas of jurisdiction were broadened in favor of military law, that applies in today's West Bank reality even to cases involving traffic violations etc. The establishment of military courts in an occupied territory by the occupational power is approved by international law. Unprecedented in international law and de jure incompatible with Israel's legislation is the practice of granting inhabitants of the occupied territory access to the Israeli Supreme Court.

680 See *Law and Administration Ordinance*, 1948, §17.

681 Cit. Edelman, 1994, p. 51.

682 Cit. Edelman, Martin: *The Rabbinical Courts in the Evolving Political Culture of Israel*, p. 145. In: *Middle Eastern Studies*, Vol. 16, No. 3, 1980, p. 145-166.

683 See Zohar, Zvi: *Maimonides as Inspiration and Guide for Sephardic Halakhic Leadership in Modern Times (With Special Reference to the Case of Giyyur)*, p. 102ff. In: *The Journal for the Study of Sephardic and Mizrahi Jewry*, Winter 2007, p. 102-115.

684 Rabbi Moshe Ben Maimon (1135/38-1204).

tion or school of thought, is considered as one of the greatest halachic leaders.⁶⁸⁵ In the context of conversion to Judaism, it can be observed that though decrees on other matters of Jewish life might seem to be conservative and exclusionary, leading rabbis of modern Israel⁶⁸⁶ re-interpreting and referring to Maimonides' code – the *Mishne Torah* (1180), a systematized corpus of classic rabbinic *halacha*, and his written responses to leaders of the Jewish world – are inclined to follow liberal and inclusive policies versus intermarried Jews and their spouses.

The religious communities' attitude towards the legal system in Israel stems from both a normative gap between secular law and Jewish law and from an ideological divide between religious and secular-liberal values and is thus not only of a conceptual distinction between public and private sphere. Regarding the former, according to the 1947 status quo agreement, all obligations of *kasbrut* are mandatory, in the latter, the observance of laws is voluntary.⁶⁸⁷ This basic separation marks the “green-line” of a conflict in which many private and public institutions of the Orthodox religious sector attempt to expand the scope of obligations into the private sphere. Proponent of such continuous efforts is the Chief Rabbinate composed by both an Ashkenazi and a Sephardi Chief Rabbi (*Rishon LeZion*). Based on agencies such as the Ministry of Religious Affairs, responsible for the supervision of *kasbrut* over the last years, the withdrawing of *kasbrut* certifications that are authorized by the ministry and several rabbinical institutions, has become the vehicle for pursuing this policy.⁶⁸⁸

Laws regulating marriages of Jews living in Israel but also of those living abroad and seeking an Israeli citizenship constitute further and eventually the most complicated clash of secular and religious legal positions. The practice of marriage of Jews whether religious (*dati*) or secular (*biloni*) is fully subjected to Orthodox Rabbinical courts:

[...] these courts apply Halachah, not the secular law of Israel. And the Orthodox rabbinical establishment has been less flexible and less innovative in its Halachic interpretation since the advent of the State than before. The rigidity shown by the Rabbinical Courts has produced considerable resentment among the non-Orthodox Jewish majority who are compelled to come before these courts by the laws of the State.⁶⁸⁹

Non-Jewish Israeli citizens who wish to marry must do so through an authorized representative of their religious faith. This situation poses a problem for those who are not Jewish according to Jewish law, but who do not identify with any other faith. This is for instance the case when *halacha* prohibits marriages between a *cohen* (descendent of the priests of the Temple) and a divorcee or a convert. Furthermore, a bastard – e. g. the offspring of an adulterous relationship between a married woman and a man who is not her husband – cannot marry another Jew except for a fellow bastard.⁶⁹⁰ To bypass the rabbinical approval, marrying abroad has be-

685 Together with Rabbi Joseph Caro (Joseph ben Ephraim Karo, 1488-1575) Maimonides is widely seen as “Rabbinic Master of the Locale” (of the entire Middle East, *Marei DeAtra*).

686 For instance Rabbi Ovadia Yussef (b. 1920), Rabbi Ben Zion Meir AiUzziel (1880-1953), Chief Rabbi of Israel (1939-1953), and Rabbi Moshe HaCohen (1906-1966), *dayyan* in Tiberias.

687 The observation of *kasbrut* in public institutions financed by and representing the state is accepted and unquestioned in public life. This is due to the first case, when in 1948 the Knesset voted for *kasbrut* observance in the IDF. Since the army represents the country's strongest social fabric, promoting unity in the multicultural immigrant society of Israel, no other public institution could reasonably claim an exemption.

688 Obviously, loosing the official certificate that is renewed within regular terms, means a heavy economic loss for small and medium-sized businesses.

689 Cit. Edelman, 1994, p. 53.

690 See Abramov, Zalman S.: Perpetual Dilemma. Jewish Religion in the Jewish State. Cranbury, New Jersey (a.o.): Associated Univ. Press, 1976, p. 179-192. The same is true for Jews that are the offspring of adulterous or incestuous relationships (*psulei chitun*).

come the alternative since most of these marriages are registered and approved by the Ministry of the Interior. In the case of a marriage celebrated abroad as well as in the cases of converts (*gilyur*), the policy of Israel, to officially recognize only the orthodox rabbinical approval creates another problematic scenario: The approval of marriage by a rabbinical authority belonging to Reform, Conservative or Liberal Judaism whose communities are basically in the US, has in most cases not been accepted by the rabbinical establishment in Israel.⁶⁹¹ From 1959 until the late 1980s, the Minister of the Interior responsible for the registration of citizens and their personal national and religious status had been a member of the *National Religious Party* (NRP). NRP leaders Chaim Moshe Shapira and Yosef Burg held this post for most of the years of the country's existence.⁶⁹² In addition, over a long period of time, this power of intervention had been strengthened by NRP's and *Shas*' powerful base in the Ministry of Religious Affairs.⁶⁹³

Until the late 1980s this situation affected only small numbers of Jewish-Israeli citizens but even in that time it created political furor when the government, supported by the US, decided to evacuate the Jews of Ethiopia when the fall of president Mengistu Haile Mariam and his regime became imminent. During the spectacular *Operation Solomon* (1991), a covert civil-military action by the Israeli Air Force and *El-Al*, between 14.325 and 14.400 Jews were evacuated within 36 hours and immediately granted Israeli citizenship termed under the *Law of Return* and *National Act*.⁶⁹⁴ Given what was seen as an isolation of this “lost tribe of Israel”⁶⁹⁵ for two millenniums, the Chief Rabbinate suspected that some Ethiopians may have married non-Jews and therefore warned of integrating an unknown number of “bastards” (*memzer*) into Israeli society. The uncompromising position of the Chief Rabbinate provoked political pressure and public campaigns in favor of the Ethiopians. Forced to respond, the Rabbinate ordered the creation of a separate Rabbinical court dealing only with registration cases for marriage within the Ethiopian community. Nevertheless, before these cases became public in the 1970s and early 1980s, it was Israel's policy towards Ethiopian immigrants to make a modified conversion ceremony obligatory. This included a ritual bath, an oath accepting Rabbinic law and, for male im-

691 See Ratzlav-Katz, Nissan: Legal Opinion – Rabbinical Court Can Invalidate Conversions. In: Arutz Sheva, 24 December, 2009.

692 It is notable, that Burg's son, MK Avraham Burg, stemming from a national-religious milieu, on an individual basis, presented a proposal for a separation of state and religion and the annulment of the status quo to the Knesset in 1992. A first proposal had been refused by the Knesset plenum in 1976.

693 The Ministry was dissolved in 2003/04 but re-established in January 2008 with Yitzhak Cohen from the religious *Shas* party as its responsible minister. The decision by Prime Minister Ehud Olmert's government faced the resistance of liberal-leftist parties, Labor and *Yisrael Beitenu*. From 2004 to 2008 the National Authority for Religious Services, a sub-division in the Prime Minister's Office had replaced the ministry. Olmert's decision marked a political victory for the religious parties and it is likely that in return *Shas* backed the Olmert administration in the light of the Winograd report, published on 30 January, 2008, that had criticized Olmert and the military echelon for serious failings during the Summer War against Lebanon and Hezbollah in 2006. See Ha'aretz: Knesset plenum votes to revive Religious Affairs Ministry, 51-27, 14 January, 2008.

694 Earlier, from June, 1949, to September, 1950, the Israeli government had responded to the ongoing uprisings and violent clashes between Muslims and the Jewish communities in the Aden region and ordered the secret evacuation of 49,000 Jews from Yemen, Djibouti and Eritrea to Israel (*Operation Magic Carpet* and *Operation On Wings of Eagles*). See Sachar, 2007, p. 982. For *Magic Carpet* see *Ibid.*, p. 395-403.

695 According to the 1973 decree by Chief Rabbi Ovadia Yussef, the Ethiopian Jews (*Beta Yisrael*) were descendants of the lost tribe of Dan. Therefore, the mass immigration of *Beta Yisrael* to Israel was imperative for the sake of the fulfillment of the “ingathering of the exiles” (*keibbutz galuyyot*), to be followed by *mizuzug galuyyot*, the “merging of the exiles” which is, divested of its messianic interpretation, the integral doctrine underlying the state immigration policy. The acceptance of *Beta Yisrael* as one of the lost ten tribes of Israel to be “re-patriated” was later adopted by Prime Minister Menachem Begin and supported by other Zionist-statist (*mamlachtint*) rabbis such as Chief Ashkenazi Rabbi Shlomo Goren. See Rabinowitz, Louis Isaac: Ingathering of the Exiles. In: *Encyclopaedia Judaica*, 2nd Ed., Macmillan, 2006; for a detailed analysis of the *mamlachtint* rabbinical position see Fischer, Shlomo: Self-Expression and Democracy in Radical Religious Zionist Ideology. Unpubl. PhD thesis, submitted at the Hebrew University, Jerusalem, January 2007.

migrants, a symbolic “re-circumcision”. This was in reaction to the halachic doubt (*safeke*) that continued to be placed by elements of the orthodox establishment – basically non-Zionist Ashkenazi rabbinic circles – over the Jewishness of the Ethiopian *Beta Yisrael*.⁶⁹⁶ The encounter of Israeli public with the Ethiopians, for both sides, proved to be difficult:

From the point of view of the Ethiopian Jews it might be summed up as a failure to feel the sense of completeness and belonging they had expected, and instead they experienced a continuing struggle to realise their identity: the authenticity of their own Jewish identity had been put into question, their suffering was not acknowledged and appreciated, and, instead of acquiring an image of a brave and resourceful people, they were (and still are) viewed by Israelis as helpless-dependent-resourceless people who were saved from starvation by the Israelis.⁶⁹⁷

Essentially the same issue had shaken Israeli political life during the early 1970s when, after the Supreme Court's ruling in 1970 according to which an individual's declaration to be Jewish was sufficient to officially define him as Jew. The Labor-ruled government of Prime Minister Golda Meir amended the *Law of Return* by simply defining a Jew as “one who is born to a Jewess or is converted”. This was the initial point for a series of attacks against the ruling coalition and the refusal by the NRP to join the next Meir government after the 1973 elections.

Today, because of the large number of immigrants from the post-Soviet territories, the discussion about a system legally equated with the marriage approved by a rabbinical council has become an unavoidable challenge and obstacle for a consensual development of Israeli law. Hundreds of thousands of Israeli citizens whose Jewishness is halachically questionable have no religious affiliation. This large group and its children, born in Israel, generate strong social power against this monopoly of religious jurisdiction. Therefore, the demand for a civil marriage law made it imperative for any government to respond to this large-scale demand:

There is a connection between religion, the land and the state, but nobody can ignore the need for bridging the religious and the non-religious system. The religious majority in the Jewish state is not orthodox at all. This reflects the situation in Israel. Why? Because the moderated Orthodox became much more involved on issues like borders and settlement. They neglected totally the issue of the religious institutions like the religious courts and the system for conversion. The ultra-orthodox stepped into these positions and control the family issues completely. The non-democratic and non-Zionist ultra-orthodox made their position clear, that they won't obey the decisions of the Supreme Court which are supposed to be against halachic values. [...] In my hometown in the USSR, I converted to Judaism, my husband is a Jew and we went to Cyprus for marriage. If I want to get divorced, again, I have to go to Cyprus. [...] So, as a Jew, you have few options and we want to expand them. We are willing to integrate the rabbinical courts to the extend that an applicant is examined on his knowledge of Judaism whenever there are doubts but the ultra-orthodox oppose this model [...].⁶⁹⁸

The idea for a civil marriage system had been promoted by agents of civil society that formed a movement for civil marriage early in the 1950s.⁶⁹⁹ The political dimension and the mobilizing potential of this issue manifested itself only since 2000 under the government of Ehud Barak (1999-2001) when Yossi Beilin, then Minister of Justice, called on the Faculty of Law, Bar Ilan University, Tel Aviv, for “some sort of speed workshop”:

696 For the Ethiopian Jewish immigration to Israel until 1984, see Ashkenazi, Michael/ Weingrod, Alex (Eds.): *Ethiopian Jews and Israel*. Rutgers, New Jersey: Transaction Publ., 2nd Ed., 1987; Parfitt, Tudor/ Semi Emanuela Trevisan (Eds.): *Jews of Ethiopia. The Birth of an Elite*. London (a.o.): Routledge, 2005.

697 Cit. Ezer, Gadi Ben: *The Ethiopian Jewish Exodus. A Myth in Creation*, pp. 124/125. In: Parfitt/ Semi, 2005, p. 122-130. And further: “[...] the Ethiopian Jews arrived in Israel with a heightened sense of Jewish identity and an already emerging Israeli identity. They felt that as individuals and as a community they had been tested, selected and purified through their suffering and had therefore earned their 'right' to enter Israel, God's land, and to fully participate in Israeli society.” Cit. Ezer, p. 124.

698 Cit. Interview with MK Orit Zuaretz (Kadima), Member Lobby to Increase Tolerance Between the Religious and Secular, Jerusalem, 21 June, 2010.

699 Interview with Prof. Benjamin Beit-Hallahmi (University of Haifa), Haifa, 4 December, 2009.

“The Minister informed me that in his opinion, having been in politics for quite some time, there is no chance that civil marriage will be established in Israel any time soon. He chose to end the meeting by challenging us to find creative solutions.”⁷⁰⁰ Since then, the process of finding a solution whose final proposal '[...] would not be recognized as a halakhic marriage, in order to remain sensitive to the religious community that fears having illegitimate children and in order to not let the lack of a solution lead to a major rift in the Jewish nation'⁷⁰¹ resulted in several compromise models like the “pact of couple-hood” (*Brit HaZugiyut*) that was passed by the Knesset just recently: In March 2010, Knesset passed a bill that for the first time allowed Israelis without religious affiliation to conclude a civil marriage. The bill was introduced by the *Yisrael Beiteinu* (Our Home Israel) party led by Foreign Minister Avigdor Lieberman.⁷⁰² However, this limited model further excludes couples from certain tax, insurance, and inheritance benefits and applies only to the marriage of Israelis who declared non-religious status leaving aside non-orthodox, reform Jews.

Israel's legal traditions are impacted enormously by the experience of the *Shoah*. The motif of justice and the sub-discourse on the Holocaust, yet not dissolved, is intrinsically interwoven with the national past of the State of Israel and, accordingly, contributed to some outstanding legal features. Those individuals who helped and saved Jews during the Holocaust can be awarded with the title of a *Righteous among the Nations* – the highest honor given to non-Jews (*goyim*) by the State of Israel. The title includes a honorary citizenship which according to rabbinical tradition accepts a *goy* as a *ger toshav* (Sojourning Alien amid the people of Israel). According to this honor, the righteous, with respect to its in Talmudic roots, “has a place in the world to come”. As defined by the Yad Vashem law, the Remembrance Authority set up a public commission, headed by a Supreme Court Justice, which examines each case and is responsible for granting the title and a medal. In the Garden of the Righteous and on the Mount of Remembrance, Jerusalem, – as of 2010 – the names of 23.788 *Khassidey Umot HaOlam* from 45 countries are commemorated.⁷⁰³ Still, the election of a righteous is broadly covered by Israeli media and the public.

Much more attention is given to the extraordinary attempts by the state, its security apparatus, private organizations and NGOs worldwide to identify, blame and arrest perpetrators of the Holocaust. These track II efforts, primarily brought forward by private organizations, endowments and foundations, do in a certain way, correlate with Israel's official position and legal persecution towards those who are found guilty of the Holocaust against the Jewish people, with the abduction of Adolf Eichmann from Argentine as the most prominent and most spectacular case. The latest initiative was launched in 2002 (Operation Last Chance) by the *Simon Wiesenthal Center* and the *Targum Shlishi Foundation*. The campaign's organizers publish a “Most Wanted Nazi

700 Cit. Shahr, Lifshitz: *The Spousal Registry*. Israeli Democracy Institute, 2006. Ironically, the need for a civil marriage system equivalent to the religious marriage was firstly proposed by the religious professors Ariel Rosen-Zvi and Pinchas Shiffman who together with Lifshitz Shahr chaired the Bar Ilan group working on the new proposal.

701 Cit. Shahr, 2006.

702 On March 17, the bill was passed by 56 votes to 4. The religious parties in the Knesset boycotted the vote. This was completely unexpected since coalition partner and third-largest party *Shas* had declared to join the Civil Union campaign of the religious-rightist coalition. Later, Rabbi Ovadia Yusef, spiritual head of *Shas*, and Rabbi Shlomo Amar, Chief Rabbi of Israel since 2003, agreed on a new proposal by *Yisrael Beiteinu*. See *Yisrael Beiteinu*: online press release, 7 March, 2010. World Jewish Congress: Knesset approves bill allowing civil marriage for ‘non-religious’ Israelis; Somfalvi, Attila: Lieberman: Gov't to vote on civil marriage bill Monday. In: *Ynet*, 3 April, 2010.

703 See *Martyrs' and Heroes' Remembrance (Yad Vashem) Law*, enacted by the Knesset on 18 May, 1953; website Yad Vashem.

Criminal” list and rate the efforts by countries in which Holocaust perpetrators live, ranging from highly cooperative countries like the USA and Hungary (category A) to categories F's-X, which include countries such as Syria, Sweden and Norway who refuse in principle to investigate suspected Nazi war criminals because of lack of political will (Austria) and legal or ideological restrictions.⁷⁰⁴ Still on the top of the list is Alois Brunner⁷⁰⁵, SS-Hauptsturmführer and key operative of Adolf Eichmann, who lived in Syria for decades, together with Aribert Heim⁷⁰⁶, a medical doctor of the Waffen-SS who served in various concentration camps.⁷⁰⁷ Together with controversial operations in the past, these campaigns are believed by critics and supporters alike, to be supported at least on the informational level by the Foreign Ministry and the *Mossad* and, thus, became an informal part of the state's intelligence affairs.⁷⁰⁸ These cases in which the state displayed its ability and willingness to bring Nazi and war criminals to justice at any diplomatic cost and regardless of the safety of Israeli operatives on the ground, clashes with the disturbing reality in which Holocaust survivors, to this day, live in Israel.

The *Entry into Israel Law*⁷⁰⁹, similar to immigration procedures or applications for jobs in the civil service in other countries like the USA or Germany, restricts former members of Nazi organizations, to enter Israel.⁷¹⁰ In a recent case, the Israeli leadership made use of this law after German writer and Nobel Prize winner Günther Grass who in 2006 had acknowledged to have been a SS-member had criticized Israel's position towards Iran.⁷¹¹ The argument drawn from Anglo-Saxon legal tradition emphasizes the rights and restrictions to citizens of the state and citizens of foreign states that – due to their diplomatic relations with or actions against Israel, apply as *persona non grata* or, for instance in the case of an Iranian, who because of his birthright or his residency in Iran applies as an individual of an enemy state. The *Citizenship and Entry into Israel Law*⁷¹² has further developed the Entry law of 1952 and, as its critics argued, targets Palestinians in order to bring about a step-by-step solution of the unresolved question of Arab-Palestinian refugees in accordance with the positions of *Likud* and *Kadima*. The law argues that an Israeli citizen, in order to enter states such as Syria, Lebanon, Saudi Arabia, Iraq and Yemen, has to apply for a special permission provided only by the Ministry of Interior. Iran was included on the list of enemy states in 2007 in accordance with the *Prevention of Infiltration Law* of 1954.⁷¹³ Egypt and Jordan were removed after signing peace treaties with Israel in 1979 and 1994. The legal

704 See Wiesenthal Center Annual Report, 1 May, 2011, pp. 4/5.

705 Born in 1912 and last seen in 2001 in Damascus.

706 Born in 1914, disappeared in 1963 and allegedly died in Cairo in 1992.

707 See OLC, website.

708 Another campaign launched in 2010/11 is aimed to expose international prominent anti-Semites from politics, arts and religious leaders.

709 Passed by the Knesset on 26 August, 1952. Amended on 13 July, 1966, and 31 July, 1985.

710 In contrast, in the cases of Noam Chomsky who had been barred from entering Israel in 2010 and the debate on declaring conductor Daniel Barenboim a *persona non grata* after he conducted music by Richard Wagner in 2001, Israel did not explicitly refer to the law of 1952. See Spiegel Online International: Minister Wants Nobel Prize Withdrawn. Furious Israel Bars Günter Grass for Critical Poem, 9 April, 2012.

711 See Neue Zürcher Zeitung Online: Israel wehrt sich gegen DDR-Vergleich von Günter Grass, 12 April, 2012.

712 See *The Citizenship and Entry into Israel Law* (temporary provision), passed by the Knesset on 21 March, 2007. The law reaffirms the version as of 2003 in principle but added further provisions into the text.

713 See *Prevention of Infiltration (Offences and Jurisdiction) Law*, passed by the Knesset on 16 August, 1954, amended in 1960 and 2007. Enemy states had been filed in 1954 with Iran being to only case in which the list had been updated, now including Afghanistan and Hamas-ruled Gaza as well.

determination of citizenship, in recent years, gained prominence as the most challenging issue for the state in the light of the Middle East peace process to which it is basically connected through the Palestinian refugee question.

In 2006 and 2009, and again, on 11 January, 2012, the Supreme Court decided against the petitions filed by national NGOs such as *Adalah*⁷¹⁴, the legal center for Arab minority rights in Haifa, arguing that the law violated fundamental international human rights and was against the protection of minorities, provided by the Basic Laws of Israel. According to the court panel, the *Citizenship and Entry into Israel Law* was not in violation with the existing Basic Laws.⁷¹⁵ Here only few exceptional permits were provided by the Minister for Inner Affairs, Eli Yishai (*Sbas*): In April, 2010, Palestinian citizen and resident of the West Bank, Ala Halihal was permitted to visit Beirut after a High Court ruling. On behalf of the Arab writer who planned to visit a cultural festival in Lebanon, *Adalah* won the case in whose debate even the prime minister intervened against the petitioner, and in which for the first time since 1948 an Arab Israeli citizen's visit to an enemy state had been legalized.⁷¹⁶

The ideological dimension includes the claim of rightist-conservative parties to introduce stricter laws guaranteeing the loyalty of citizens to the Israeli state. *Yisrael Beitenu* as the representative party mainly of Russian immigrants which composed the last big wave of immigration in the 1990s, stands at the forefront of this debate. In March, 2011, a bill proposed by Foreign Minister Lieberman, David Rotem and Robert Ilatov was passed by the Knesset which empowered courts to abandon citizenship of individuals for reasons of security threats, treason and contact and passing of information to the enemy. Lieberman's success to amend the Citizenship Law for which he had campaigned since the elections in 2009 ("No loyalty, no citizenship") was based on similar arguments like his demand to introduce an oath of loyalty which recognizes Israel as a Jewish state as obligatory for Israeli Arabs living in Israel.⁷¹⁷ The law which marked the end of a long debate, is believed to target prominent Israeli Arabs who allegedly misused their position in society or their parliamentary status and who openly displayed sympathies with the Arab-Palestinian cause or with policies of states that are hostile towards Israel.⁷¹⁸ The case of MK Azmi Bishara, Palestinian and founder of the *Balad* party, had been the reference for the supporters of the law for his treason against the state because of his alleged passing of confidential military information during visits in Syria and Lebanon between 2001 and 2006 in the wake of the Second Lebanon War:

[...] visits in enemy states stir fear that security information could be passed on and form an encouragement to armed attacks and terror attacks against Israel. [...] The Azmi Bishara episode and the incitement on the part of some of the Arab Knesset Members, as well as their trips to Syria and meetings with heads of the Hamas, are not in the realm of free speech, but form clear encouragement of armed attacks and terror activities against Israel and her citizens.⁷¹⁹

714 See Adalah, website.

715 See case Adalah vs. the State of Israel.

716 For this case see Khoury, Jack: In unprecedented ruling, court lets Israeli Arab visit an enemy state. In: Ha'aretz, 13 April, 2010.

717 See Stoil, Rebecca Anna: Knesset passes law revoking citizenship for treason. In: The Jerusalem Post, 28 March, 2011.

718 Interview (by phone) with MK Nitzan Horowitz, (Meretz), Jerusalem, 13 November, 2010.

719 Cit. MK Zevulun Orlev (NRP). Quoted in Amnon, Meranda: Law banning visits in enemy states approved in preliminary vote. In: Ynews, 31 October, 2007.

Accordingly, the Knesset had passed a law in February, 2011, which allowed to suspend state pensions to former MKs after they were found guilty of treason.⁷²⁰

Similarly, the British law tradition defines trading, mercantile and business relations with foreign states and their citizens that are politically hostile to Israel as illegal and allows the suspension of earlier contracts as being contrary to national public policy goals.⁷²¹ The same applies for trading actions by Israeli investors in currencies of hostile states. Following the example of post-Second World War Germany, when international investors purchased the German Mark on a grand scale when the country's economy laid down but promised rich dividends due to the positive prospective for German industrial growth on the basis of international development programs, after the fall of Saddam Hussain's regime in Iraq, the Israeli ministry of finance amended the act and legalized trade with the Iraqi Dinar.⁷²² The *Trading with the Enemy Act*, with its most prominent case being the US where trade with Cuba is still sanctioned⁷²³, is a law that, because of its intensive, if not solely reference to war between nations, embodies a strong political-ideological dimension.⁷²⁴ While regional cooperation and bilateral trade between Pakistan and India but also regionally for the SAARC member countries proved to be strongly determined by ups and downs of IndoPak relations, the economic dividend of trade agreements and improvements for cross-border traffic has given new perspectives for reconciliation and normalization of relations ("economic peace"). In Israel and its neighboring countries the potential of an economic win-win situation and expansion of the regional market, for all parties, is on the table but impossible to implement due the conflict situation. Accordingly, and also despite the demand for normalization of ties in the nearest possible future, the Israeli government made sanctioning Iran economically one of its foreign policy priorities. In 2008, a new law restricted Israeli companies from investing in Iranian firms. Therefore, it was astonishing for the Israeli public and the political elite, when in 2011 the US State Department informed Jerusalem that it had imposed sanctions on the Ofer Group, one of the world's largest private shipping companies owned by Israel's top-business family, the Ofer brothers, for having sold a tanker to Iran and because of its false claims to have the admission by the Israeli government to dock its ships in Iranian ports.⁷²⁵

720 Bishara who left Israel in 2007 had received pensions since April, 2007, when he resigned from his MK seat from self-imposed Egyptian exile.

721 See Detter, Ingrid: *The Law of War*. 2nd Ed. Cambridge: Cambridge Univ. Press, 2000, p. 362.

722 See Shefer, Shlomi: Looking for investment opportunity? Try the Iraqi dinar. In: *Ynews*, 27 July, 2006.

723 The same was the case with regard to trade with North Korea, forbidden until 2008.

724 "Identification of 'enemy alien' status in a Trading with the Enemy Act may depend solely on residence so that aliens not so classified may continue their business and trade unhampered and 'without the slightest governmental supervision'. [...] The question of when a company is of enemy character is complex. Such character has been held to attach if the company was under 'enemy control'." Cit. Detter, 2000, p. 365.

725 See Vick, Karl: Shipping with the Enemy: Israeli Firm Deals with Iran. In: *Time World*, 5 June, 2011.

5 Sociopolitical Framework I: Pakistan's Religious-Political Groups and the State

This is the picture taken when Zia visited the pirs of the area. Of course this was an honor and show of respect to be visited by the president of Pakistan. He also invited us to come to Islamabad. But to be honest, there was not much to talk about between him and us. What has he done for these villages and the people here?

Interview with Pir Syed Zafar Kazmi, Chakwal, 16 July, 2009.

Pakistan's religious sector is not monolithic but fragmented into various Islamic schools of thought. Given the notion of the state as a “political laboratory eloquently demonstrating that there is no such thing as an 'Islamic essence’”⁷²⁶, the same can be applied to its religious landscape. Alavi proposed the following grouping of ideological positions among Indian Muslims before 1947:⁷²⁷

- (1) Islamic traditionalism: Deobandi ‘*ulama*’
- (2) Islamic traditionalism: Bareilwi ‘*ulama*’ and *Pirs*
- (3) Islamic modernism: Sir Sayyid Ahmad Khan and Mohammad Iqbal
- (4) Islamic neo-traditionalism, integrationalism⁷²⁸, or fundamentalism: Maulana Maududi and Jama'at-i-Islami
- (5) Secular non-communal trans-actionalism (provincial): Unionist Party⁷²⁹
- (6) Secular non-communal radicalism: Krishak Proja Party, Bengal⁷³⁰
- (7) Secular non-communal nationalism: Congress Party⁷³¹

However, such categorizations can serve only as approximate orientation for there exist cross-crossings and thereof hybrid variants and intermediary groups indicating changes in central perceptions and stances within the religious sector:

'Modernity' itself was an contested idea, open to many varied interpretations. One will have to slip out of the facile and rigid distinctions between so-called Muslim 'modernists' and 'anti-modernists' or 'liberals' and 'traditionalists' to appreciate the subtleties and ambiguities underlying the ideas of those whom these categories have sought to classify.⁷³²

While Islamic traditionalism and neo-traditionalism have survived after independence, the other groups are merely politically visible and were succeeded by new parties. This is especially true for parties with leftist secular-pragmatist orientation like the Communist party that was banned in 1954, went underground and joined the *National Awami Party* (NAP).⁷³³ However, the main representatives of modernism, Sir Syed Ahmad Khan and Mohammad Iqbal, are still very present in political discourses and especially in those which touch upon

726 Cit. Philippon, Alix: Sunnis against Sunnis. The Politicization of Doctrinal Fractures in Pakistan, p. 347. In: *The Muslim World*, Vol. 101, 2011, p. 347-368.

727 See Alavi, 1987, p. 28ff. A similar use of categories can be found in Smith, 1946; and Shah, Syed Mujawar Hussain: *Religion and politics in Pakistan, 1972-88*. Islamabad: National Institute of Pakistan Studies, Quaid-i-Azam University, 1996.

728 As, for instance, proposed by Malik as “adapting or modernising one's tradition which continues to be articulated in Islamic symbols and terms [...]” Cit. Malik, 2008, p. 396.

729 With its rightist Punjab wing dominated by the local landlords and similar smaller groups in Sindh.

730 Led by the “Tiger of Bengal” (*sher-i-bangal*) A. K. Fazlul Haq (1873-1962), Chief Minister of (East) Bengal and future Governor East Pakistan.

731 The ruling party in NWFP at that time.

732 Cit. Jalal, 2000, p. 67.

733 This Marxist-Leninist party (*Communist Mazdoor Kissan Party*, Communist Workers and Peasants Party, CMKP) with non-political but influential bodies such as *Progressive Writers Association* under the poet Faiz Ahmed Faiz, and the *Trade Union Federation* formed Pakistan's cultural left. In its public debates it was competing with the other political parties and especially with the *Jama'at-i-Islami*. See Toor, Saa-dia: A national culture for Pakistan: the political economy of a debate, p. 330-337. In: *Inter-Asia Cultural Studies*, Vol. 6, No. 3, 2005, p. 318-340; N. a.: What is the CMKP? In: *Marxism-Leninism in our time*, 4 September, 2006; Interview Arif Malik, Workers Federation/Journalist, Mirpur, 27 July, 2009.

the state's Muslim self-conception. Politicians seek religious and ideological legitimacy through reference to the modernist spirit of Aligarh and the national poet while the fierce hostilities between them and the *'ulamā'* tend to be consequently neglected. An essential feature of this obsessive reference to the past is its focus on the founder of the nation: Jinnah the Westernized Karachi-born lawyer entered the political arena in 1913 when he became member of the Muslim League. Until he gained chairmanship of the League (1916) he maintained his membership in the Congress and the *Imperial Legislative Council* where he represented Anglicized liberal-secular politics with a unified Hindu-Muslim post-colonial Indian state as is its central demand before he withdrew from his initial formula in favor of a two-state solution and the emphasis on a separate Muslim identity.

⁷³⁴ However, his campaigning for a distinct Muslim entity provoked broad resistance:

In 1920 the rising stars of Muslim India, like Iqbal and the Ali brothers, were opposed to Jinnah. In the Nagpur Congress session that year, Maulana Shaukat Ali was outraged when Jinnah opposed Gandhi's policies on the grounds that they were leading to disunity, and he attempted to assault Jinnah while hurling abuse at him. A decade later, the same stars would be proclaiming that Jinnah was the only hope for the Muslims. They had arrived at the same conclusion as Jinnah and abandoned the attempt to work on one platform with the Hindus, although they took different routes.⁷³⁵

Nevertheless, from the orthodox to the sub-nationalist political power holders, all of them have to position themselves vis-à-vis Jinnah's movement: Hence, this orientation has resulted in the essentialization and hegemonialization of the pertinent question on the groups' loyalty towards Jinnah and, hence, whether they were in support of Pakistan or against it.⁷³⁶ The enormous importance of this discourse and its presence in the fundamental discourses of national identities and the religious setup of the state, even more than six decades after Pakistan became independent, brings Jinnah's former opponents under pressure to justify their orientation during the 1940s and reflects ongoing attempts to reinterpret history:

Certain quarters try to make an impression that Sayyid Abul A'la Maududi and Jama'at-e-Islami had opposed the creation of Pakistan. Though it is a lie and, therefore, not worth-[sic!] talking, it is necessary to present facts for setting the record straight. Sayyid Maududi was primarily a thinker, a scholar and a social reformer. He was not a 'politician' in the currently understood sense. Even Jama'at-e-Islami began to take part in politics only after the adoption of the Objectives Resolution in March, 1949. Maulana Maududi was not involved in active politics in the pre-independence era. During that period his contribution was in the field of reconstruction of Islamic thought, analysis of the malaise that plagued the Muslim Ummah and spelling out a strategy for their revival through an Islamic revolutionary movement. Second, it may also be stated as a matter of fact that Maulana Maududi neither opposed Pakistan Movement nor did he practically participate in it. He had his differences with the way the Muslim League had organized the movement. He developed his own distinct approach to the challenge faced by the Muslim Ummah. One has every right to differ from his approach, but it is unfair to distort or misrepresent his position.⁷³⁷

The groups' interrelations are, beyond vehement personal favoritism and enmities, mainly determined by their diverging interpretations and stances towards contemporary forms of Islam such as Sufism and its practices, the accommodation of Western cultural influences “without contravening the religious precepts of Islam”⁷³⁸, legal interpretations as the result of the respective school of religious law (*madhab*) they follow and doctrinal

⁷³⁴ A detailed analysis is provided by Ahmed, 1997, p. 61ff.

⁷³⁵ Cit. Ibid., p. 62/63.

⁷³⁶ As far as the academic body of literature is concerned, Shah shares this view: “The literature on religion and politics in Pakistan revolves around two themes: firstly, the conflicting role of religion in the making of Pakistan where it was used by the traditionalist ulama to negate the idea of territorial nationalism in South Asia and secondly by the modern advocates of the Pakistan Movement in a purely political context.” Cit. Shah, 1996, p. vi.

⁷³⁷ Cit. (old) website Jama'at-e-Islami Pakistan.

⁷³⁸ “Here was an issue loaded with nuances, owing more to individual preferences than a communitarian consensus, not all of which have been captured by the insistence on consigning it to the suffocating confines of the 'modernity' versus 'tradition' dichotomy.” Cit. Jalal, 2000, p. 67.

issues such as *ijtibād* and *taqlid*, *taubid*⁷³⁹ and *shirk* or reformist thought, blamed as *bid'a* by adversaries.⁷⁴⁰ Their political involvement contributed to this matrix of cooperation and conflict when the groups were split along the lines of their political support for Jinnah's Muslim League, the fundamental question of either supporting or refusing the creation of Pakistan, as epitomized in the political agenda of the 1940's Muslim League, their standing on the matter of relations with post-independent India, from where most of the groups originated, and finally, their opposition or cooperation with subsequent ruling regimes and, as a more recent issue, their role within the new religious extremist models of conflict.⁷⁴¹

5.1 Sunna

5.1.1 Barelwis

Originating from North Indian Bareilly, the Barelwis place the role of the prophet in the center of their theology. Their love towards the Prophet (*'ishq-i rasūl*) is expressed through their devotional practices, for instance at holy shrines of saints which links many among the Barelwis to folk and Sufi Islam. Earlier in another section of this study, it has been pointed out to the Barelwi sensibility towards defamation or insultation of the Prophet that crystallized in the aftermath of the Salman Taseer murder in January, 2011. Cases like the killing of the Governor of Punjab also shows that the Barelwis, often considered to be less able to mobilize in public, with regards to blasphemy, are far more concerned about Prophet Mohammad's reputation and good name,⁷⁴² while e.g. the burning of the *qur'ān* would mobilize primarily Deobandis.⁷⁴³ As a Hanafi reactionary movement to streams such as the Salafi reform movement of the *Ahl-i-Hadith* and the Deobandis⁷⁴⁴, the *Ahl-i-Sunnat wa-l-Jama'at* refer to the works of their founder Maulana Shah Muhammad Ahmad Rida Khan Barelwi (1855/56-1921/22).⁷⁴⁵ As the largest Sunni stream in Pakistan with an estimated share of between 50 to 70 percent of the total Sunni Muslim population,⁷⁴⁶ they stand close to the sufi culture, whose orders play an influential rule especially in the rural areas of Punjab⁷⁴⁷: “For the Brelwis, the Prophet is the pivotal figure, but the Muslim

739 Belief in the unity of god.

740 See Malik, 2008, pp. 296/297.

741 Regarding their new political roles, Malik writes: “Common to all these *ashraf* groups was that they did not in the first place aspire for political leadership. But all of them postulated reforms of religious education while the emulation of *sunna* and *hadith* – which had become a decisively useful means of safeguarding Muslim identities – was paramount by way of pious action in order to re-establish the cultural and political hegemony of Muslim power.” Cit. Ibid., p. 296.

742 The Salman Rushdie affair (1989-1995), the Danish cartoon case might serve as the most prominent examples. Mass protests in the whole Islamic world were the direct result. For Rushdie see Hafez, Kai: Die politische Dimension der Auslandsberichterstattung, Vol. 2, Das Nahost- und Islambild der deutschen überregionalen Presse. Baden-Baden: Nomos, 2002, p. 240-252. For reactions from Pakistan to the cartoons see Blom, 2008.

743 Recent events that mobilized Deobandi regional protests with their epicenters in Afghanistan and Pakistan, were US Pastor Terry Jones' proclamation to put the holy book symbolically on trial and burn it in April, 2011, as well as more recent incidents at US Army bases in Afghanistan. See Sieff, Kevin: Florida pastor Terry Jones's Koran burning has far-reaching effect. In: The Washington Post, 3 April, 2011; NBC News: Obama apologizes to Afghanistan over Quran burnings; 2 US troops shot dead, 23 February, 2012.

744 For they refused the Arab-*wahhabi* influenced renewal movement of the 19th century, *Tariqah-i-Muhammadiyah* and later also the *Nadwat ul-Ulama* (1894) as well as the modernist Aligarh movement. See Ahmad, Mujeeb: Political Role of the Sunnis (Barelwis) and their Factions in Pakistan, p. 26. In: Cheema, 2008, p. 26-35.

745 For the colonial context see Sanyal, 1999.

746 See Khan, Aarish U.: Sunni Ittehad Council: The Strengths and Limitations of Barelvi Activism against Terrorism. Paper Center for Research and Security Studies. Islamabad: 2011, p. 1.

747 Here, Rana counts 43 groups out of which six follow a political agenda. See Rana, 2009, p. 353.

[...] communicates with the Prophet only through a saint.”⁷⁴⁸ Accordingly, spiritual leaders, the *pīrs*, *masha'ikh* and *gaddi nashin*⁷⁴⁹ are not only considered mediators and religious authorities but also important sociopolitical figures.⁷⁵⁰ Similar to the level of organization and inner hierarchies of the Deobandi groups and much less cohesive than the JI, “the Brelwis adhere to traditional modes of communication. The majority of their representatives in today's Pakistan are, however, often associated with the traditional sector.”⁷⁵¹ The Barelwi cosmos is subdivided into at least four major streams (*silsilas*) that claim their lineage to the prophet – the *Qadriya*, the *Naqshbandiya*⁷⁵², the *Chishtiya* and the *Suburwardiya* – and is therefore not a monolithic bloc.⁷⁵³ While the 1990's and the 2000's witnessed the trend of increasing Deobandi influence on state-controlled mosques, this development in general but particularly in Sindh and Karachi seems to have been reversed. Among the various allegations and critiques by their opponents, the view that the Barelwis remained largely loyal to the British authorities⁷⁵⁴ and supportive towards Jinnah's League, and did therefore not participate in the resistance movements against the British *rāj* (reign), is still very common.⁷⁵⁵ Despite the formation of the *All-India Sunni Conference* in 1925, the representative body of the Barelwis, and its participation in the League's political struggle, this view usually tends to ignore varying positions among Barelwi leaders that were yet visible at the time of independence. Like the other Islamic streams that supported Jinnah, envisioning an Islamic state, the League's secular drive after independence disillusioned them gradually.⁷⁵⁶ However, Barelwi support can be localized among the social groups that are linked to Sufi or popular non-canonical Islam⁷⁵⁷, common in the rural areas, mainly in Punjab and Sindh but as Ahmad claims, their influence and social basis is considerable in urban areas as well.⁷⁵⁸

Founded in 1948, the *Jam'iyat 'Ulama'-i-Pakistan* (JUP) provided a platform for those Barelwi *'ulama'* who had supported Jinnah's cause. As the party that represented the majority of the traditional religious authorities, the JUP vehemently opposed the nationalization of shrines since 1959/1960 and lobbied against the establishment of the *awqaf* department in 1960 under Ayub Khan.⁷⁵⁹ After the death of Allama Abul Hasnat Syed Muhammad Ahmed Qadri in 1961 the party remained more or less inactive. In 1968 Allama Abdul Ghafur

748 Cit. Malik, 1996, p. 5.

749 Or *sajjada nashin*; custodians of a shrine and direct descendants of the buried saint.

750 Their loose political organization is the *Jam'iyat al-Masha'ikh Pakistan*. See Malik, 1996, p. 5, 8, 64. The organization was founded in 1948 by Pir Sayyid Muhammad Fazl Shah of Jalalpur Sharif. However, it is debatable whether this organization is still intact on the operational level. See also Ahmad, 1993, p. 4.

751 Cit. Malik, 1996, p. 6. Accordingly, beyond its vague political program of seeking the implementation of values and laws provided by *qur'an* and *sunna*, as outlined in its manifestos, “the JUP has not published any written history or other literature.” Cit. ICG Asia Report, No. 216: Islamic Parties in Pakistan, Islamabad/ Brussels, 2011, p. 15.

752 For the Naqshbandi see Weismann, Itzchak: *The Naqshbandiyya. Orthodoxy and activism in a worldwide Sufi tradition*. London (a.o.): Routledge, 2007.

753 See Khan, 2011, p. 5.

754 Together with the Shīrites they were often labeled as puppets and compliant agents in the service of their colonial masters, as well as co-architects of British-Jewish conspiracies to abolish Islam, e. g. in India and the Ottoman Empire. Polemics against them by other religious groups are not uncommon. See for instance Gümüs, M. Siddik: *Confessions of a British Spy*. Lahore: Islamic Propagation Centre, n. d.

755 In the post-independence era, they are still seen as loyal to the establishment; in turn some Barelwi groups “stigmatize other Sunni sects as being deviant religious 'minorities' who are responsible for 'terrorism' and are patronized by the State.” Cit. Philippon, 2011, p. 349.

756 See Ahmad, 2008, pp. 26/27.

757 See De Jong, F.: *Die mystischen Bruderschaften und der Volksislam*, p. 490. In: Ende/ Steinbach, 1989, pp. 487-504.

758 See Ahmad, 2008, p. 26.

Hazarvi became elected as new amir and led the party back into politics after Yahya Khan had dissolved West Pakistan's "One Unit" and replaced it with the concept of party between the Western and Eastern part of the country.⁷⁶⁰ During the 1970 national elections JUP performed best among the West-Pakistani religious parties.⁷⁶¹ The new central figure and the party's most visible leader became Maulana Ahmed Shah Nurani Siddiqi from Merath, who was elected to parliament from a Karachi constituency in 1970, indicating that JUP had become a challenger to the PPP in Sindh. In that elections, the JUP won as many seats as the JUI and more seats than the JI.⁷⁶² Under the chairmanship of Nurani, a committee presented the party's manifesto for the upcoming election, stating that the party would "work against Socialism, Communism, Capitalism and all other un-Islamic 'isms', to uproot Feudalism, Capitalism and economic exploitation by a few families" and declared that "as long as a single Sunni is alive, no other 'ism' can establish its roots in Pakistan".⁷⁶³ The party's campaign, supported and legitimized by a *fatwā* issued by 113 *ʿulamāʾ* was not only intensified during several meetings of JUP's *majlis-i-'amal* and All Sunni Conventions, in which factions of the NAP and the JUI were portrayed as pro-Indian and socialist⁷⁶⁴, ensured the party's transformation into a religious-political force with nationwide support.⁷⁶⁵ Due to its electoral power and *sadr* (president) Nurani's personal engagement, the JUP played a significant role in the process that led to the 1973 Islamic Constitution. Like other religious leaders too, Nurani claimed to have been the most ardent supporter of the *nizām-i mustafā* to be introduced as a framework for state and society under the slogan "*roti, kaprā aur makān – is ka dāmin Islām hai*" (Islam is the guarantor for bread, cloth and house), an inversion of the PPP's slogan.⁷⁶⁶ Generally, the interpretation of the system of the Prophet resulted in a clear divide on this issue, when leading Bareilwi leaders condemned the *Jama'at-i-Islami* and its leader – the system of "*Maududiyyat*" – as opponents of *nizām-i mustafā* and as a threat to the Sunna "greater than socialism".⁷⁶⁷

Nurani's political rise and his image as a "luminous" (*laqab*) leader⁷⁶⁸ reached its climax when he was elected as candidate for the post of prime minister by the *United Democratic Front* (UDF) in 1973,⁷⁶⁹ and as one of the main leaders of the anti-PPP *Pakistan National Alliance* (PNA) in the following years.⁷⁷⁰ In April, 1974, Nurani

759 According to the *Waqf Property Ordinance* of 1961. See Malik, 1996, p. 59-64: "This nationalization had three aims: first, the State wanted to extend and protect its interest, since these endowments are often in the form of religious schools, estates and shrines. [...] Secondly, the State was interested in the financial resources accruing from the shrines and schools. Thirdly, nationalization meant the bureaucratization of the shrine-culture and of endowments which, in association with *Folk-Islam*, was striving for autonomy." Cit. Ibid., p. 55.

760 Ahmad, 1993, p. 45.

761 See Rana, 2009, p. 358.

762 See ICG, 2011, p. 15.

763 Cit. Ahmad, 1993, p. 44.

764 See Ibid., pp. 49/50. According the authors of the *fatwā*, Bhutto's PPP was a party that openly refutes the existence of God or challenges the practicability of the *qurʿān* and which does not submit to the principles of *qurʿān* and *sunna*.

765 Among the traditional and urban strata, or what Schulze and Malik described as mixed/ intermediary sector. See Malik, 1996; see Ibid., 1990, p. 40.

766 Quoted in Ahmad, 1993, p. 60.

767 See Ibid., p. 51-53.

768 See Malik, 1990, p. 40.

769 Alliance comprising JUI, JUP, JI, NAP, factions of the PML and independent candidates lead by JUI's chief Mufti Mahmud and the Pir of Pagaro. For the religious alliances see Annex, Tabelle 1.

770 See Malik, 1990, p. 41. For a detailed analysis of UDF and PNA see Hussain, Akhtar: *Politics of Alliances in Pakistan, 1954-1999*. Islamabad: Pakistan Studies, National Institute of Pakistan Studies, QAU, 2008, p. 74ff.

was elected as the first president of the *World Islamic Mission*, a London-based organization for the preaching of Islam and worldwide missionary activities.⁷⁷¹ At that time, Nurani had also been accepted as a promising political newcomer by prominent members of the establishment within the JUP where scholars like Maulana Abdu Sattar Khan Niazi (1915-2001)⁷⁷² were similarly influential.⁷⁷³ However, JUP's political success remained short-lived: During the 1980s until 1990⁷⁷⁴, the party lost much of its organizational consistence when it was divided into several splinter groups and boycotted the non-party elections of 1985.⁷⁷⁵ In contrast to the JUI and JI, the JUP took a critical stance towards Zia ul-Haq's autocratic regime and accordingly, did not profit from governmental patronage and sponsorship. According to its official narrative, the party, like the PPP became more and more subjected to stigmatization which provoked new dynamics within Barelwi self-understanding by strengthening Sufism as its primary identity marker during the 1980's.⁷⁷⁶ Zia's Deobandi-Wahhabi oriented Islamization policies, his alliance building with the other religious parties under Saudi auspices and the state's interventions in the Afghan War, indeed marginalized the JUP increasingly:⁷⁷⁷

[...] Zia provoked its [JUP; M.G.] internal rifts in order to minimise its impact, including by inviting some members to join his Majlise-Shura and promising them lands in return for their support. JUP members even argue that the MQM's creation was primarily meant to corrode the JUP, rather than the JI vote bank in Sindh's urban centres, Karachi and Hyderabad.⁷⁷⁸

Unlike the JI that enjoys regional and international support and funding – among the religious parties, the JI owns the largest resources of self-financing – , and unlike Deobandi and Shi'a organizations from Saudi Arabia⁷⁷⁹ and Iran, the Barelwi JUP lacks external patronage and funding. Only two main factions survived the inner party struggle – a wing loyal to Nurani (Nurani Group)⁷⁸⁰ and its opposite faction, the Fazal Karim Group

771 The *World Islamic Mission* had been established in January, 1973, by an international delegation of scholars with Maulana Abdu Sattar Khan Niazi, Allamad Abdul Mustafa al-Azhari and Pir Sayyid Maruf Husain Shah representing Pakistan. See Ahmad, 1993, p. 223; Waraich, Sohail: *Mazhabi siyosat kay tazaadat (Discrepancies of religious politics)*. Lahore: Sagar Publ., 2003, p. 279-342; Gugler, Thomas K.: *Mission Medina: Da'wat-e Islāmī und Tabligī Jamā'at*. Würzburg: Ergon, 2011, p. 87. See also Gugler, Thomas K.: *Moderne Standardisierung und traditionelle Frömmigkeit: Die pakistanische Missionsbewegung Da'wat-e Islami*, p. 55. In: Reetz, Dietrich (Ed.): *Islam in Europa: Religiöses Leben heute. Ein Porträt ausgewählter islamischer Gruppen und Institutionen*. Münster: Waxmann, 2010, p. 53-78. In this account, the Mission's founding date is claimed to be 1972.

772 Formerly the dean of Islamic Studies at Lahore's Islamia College, he remained loyal to Nurani and backed him as the First General Secretary JUP until he split from the party in 1989/1990.

773 Among others, Lt.-Gen. Amir Abdullah Khan Niazi, the last Governor East Pakistan who had signed the instrument of surrender in December, 1971, as Commander of the Pakistan troops in East Pakistan, joined Nurani's JUP in March, 1977. See Ahmad, 1993, pp. 138/139.

774 Facing national elections on 24 October, 1990, the JUP came under political pressure when Nurani decided to join the *Pakistan Democratic Alliance (PDA)* under PPP leadership while another faction under Maulana Abdu Sattar Niazi allied with the *Islamic Democratic Alliance (Islami Jamburi Ittehad, IJI)*, consisting of nine conservative Islamic parties led by PML's Nawaz Sharif. Backed by military and security agencies, the IJI won 110 seats, while the PDA won only 44 seats out of 216. The elections of 1990 in which Benazir Bhutto's government was dismissed, were the result of president Ghulam Ishaq Khan's order of 6 August to dissolve the assembly. See National Democratic Institute for International Affairs: *The October 1990 Elections in Pakistan*. Report of the International Delegation. Washington, 1990, p. 1-10.

775 See Pasha, 1995, p. 183; Philippon, 2011, p. 351.

776 See Philippon, 2011, p. 350.

777 See ICG, 2011, p. 15.

778 Cit. Ibid.

779 In fact, JUP showed a decisively hostile stance towards Saudi Arabia and its Hashemite rulers, for instance during the Second Gulf War of 1991 when Nurani declared his party's support for the Iraqi regime of Saddam Hussein, whose invasion of Kuwait in summer 1990 had been opposed by the Saudis. See Ibid.

780 With Gen. K. M. Azhar as his most loyal adviser. After the retired general and Governor of NWFP joined Nurani, he stood with him in contrast to Dr. Sher Afghan who joined the PPP as government as a minister. See Pasha, 1995, pp. 183/184.

under the leadership of Sahibzada Haji Muhammad Fazal Karim who is aligned with the PML-N.⁷⁸¹ In 2003, again, the JUP faced rapid decline, when Nurani died in December, 2003.⁷⁸² It was only during the 2002 elections, under the banner of the religious alliance MMA, when the party was able to win significant electoral power.⁷⁸³

Like the Deobandi *Tablighi Jama'at*⁷⁸⁴, the *Da'wat-i Islami* is an organization aimed at spreading the message of Islam through *da'wa* in which it advocates what it calls a "Medina Revolution" by improving and purifying the believer's self and piousness on an individual basis (*madani kām*).⁷⁸⁵ According to Gugler, their reformist approach offers a non-political alternative strategy for Islamization with a bottom-up approach through *da'wa*.⁷⁸⁶ Their competing relationship with the Tablighis which they accuse of being Wahhabis, guilty of *bid'a* and *shirk*,⁷⁸⁷ made the organization's outlook more tolerant, open and attractive also to non-Muslims that are far more accepted than in the TJ ranks.

Sunni Tehreek (ST) is another important Barelwi group that transformed into a political party in January, 2012, together with the *Pakistan Islam Students Federation* (PISF) as its student wing at universities and colleges. The party came into prominence in Karachi in the late 1990's under the charismatic leadership of Riaz Hussain Shah of Multan.⁷⁸⁸ Due to the dominance of MQM within Karachi's sociopolitical violence economy, very soon, ST's activities clashed with the MQM's hegemonic claim. However, while the conflict between ST and MQM, PPP, ANP is mainly a political struggle about the rule over Karachi, ST sees itself as a defender of Barelwi religious interests: Opposition to the appointment of Deobandis as *khatib*⁷⁸⁹ or the distribution of other religious posts by the government to Deobandis, or the systematic control over mosques are primary goals on the agenda of ST. Besides, elements within ST are keen to revive religious and political action against the

781 However, after the attack on Lahore's Data Darbar shrine in July, 2010, he attacked Minister of Law Rana Sanaullah from the PML-N for having links to jihadi outfits that, like the Taliban, were behind the attacks on Sufi shrines. See ICG, 2011, p. 16. Furthermore, the JUP Nurani criticized the provincial government's selectivity and accused it of providing security to 'ulama' and mosques on the basis of political loyalty. See Dawn: Govt-backed Ulema fanning sectarianism, says JUP-N, 7 July, 2010.

782 His successor and son Shah Anas Nurani resigned from his post in 2008, and was followed by Dr. Abul Khair Muhammad Zubair as new president. See Daily Times: Anas Noorani resigns from office of JUP president, 3 March, 2008.

783 Like the other MMA members, the JUP instrumentalized the popular wave of anti-Americanism and like some of his coalitions partners, Nurani urged his followers to join the fighting against the troops of the international alliance in Afghanistan in 2002. See World Religion Watch, 2009.

784 Founded in 1927 by Muhammad Ilyas (1885-1944), TJ with its center in New Delhi is an international organization with offices in Asia, Africa, Europe and the Americas. In Pakistan, the TJ has its center in Raiwind, close to Lahore. For the TJ in South Asia and Europe see Sikand, Yoginder: *The Origins and Development of the Tablighi Jama'at (1920-2000). A Cross-country Comparative Study*. Hyderabad (a. o.): Orient Longman, 2002; Ahmed, Khaled: *The Grand Tableeghi Congregation*. In: *The Friday Times*, 8 November, 2002. Increasingly the TJ with its image becoming more negative, is accused of providing a platform for recruitment to extremist and jihadist groups. See for example Alexiev, Alex: *Tablighi Jamaat: Jihad's Stealthy Legions*. In: *Middle East Quarterly*, Vol. 12, No. 1, 2005, p. 3-11. It has also been blamed for its poor engagement and literary foundations, e.g. by Wahid al-Din Khan and Mohammad Khalid Masud since the organization's only source is *Faḡal il i-Am'aal* (The Merits of Practice) by Muhammad Zakariyya. See Masud, Mohammad Khalid: *Ideology and Legitimacy*, p. 82-85. In: *Ibid.* (Ed.): *Travellers in Faith. Studies of the Tablighi Jama'at as a Transnational Islamic Movement for Faith Renewal*. Leiden: Brill, 2000, p. 79-118; Zaman, 2004, pp. 184/185.

785 See Gugler, 2011.

786 *Ibid.*, p. 23.

787 *Ibid.*, p. 82ff.

788 See Dawn: *Sunni Tehreek announces launch of political movement*, 29 January, 2012.

789 For instance, ST's Lahore branch has publicly declared its opposition to the appointment of a Deobandi as the new *khatib* of Badshahi Masjid. See Ahmed, Khaled: *Re-assertion of the Barelvis in Pakistan*. In: *The Friday Times*, 8 September, 2000.

Ahmadiyya,⁷⁹⁰ although it is likely that the more moderate elements that brought the organization into the local political mainstream, will favor a political outlook that emphasizes national competitiveness on the basis of a national and de-sectarianized agenda with avoidance of anti-and anti-Sufi polemics.⁷⁹¹ This is basically the way that – to a considerable extent – gave the *Jama'at-i-Islami* under its populist-pragmatic *amir* Qazi Hussain Ahmad, a de-ideologized and inclusive outlook.⁷⁹² Although the organization had been targeted by Deobandi and political groups before⁷⁹³, the group's official narrative claims the bomb blast that killed more than 60 people including its leader Maulana M. Abbas Qadri in Karachi's Nishtar Park,⁷⁹⁴ as a key event and 11 April, 2006, the date marking the beginning of ST's war on barbarism and its forces hostile to Islam,⁷⁹⁵ with martyrdom (*istishhad*) being the group's “enviable destiny”.⁷⁹⁶

The group, currently under the leadership of Muhammad Sarwat Ejaz Qadri,⁷⁹⁷ has been placed on the watch-list of the Pakistani authorities in January, 2002, which might hinder its recent transformation into a political party with national electoral aspirations, illustrated by its involvement in the Barelwi “Save Pakistan”, launched in May, 2009.⁷⁹⁸

Indicating a crisis among the Barelwi leadership,⁷⁹⁹ around the same time when *Daw'at i-Islami* came into existence, Dr. Tariq ul-Qadri's *Minhaj ul-Qur'an* (MQ), was founded in October, 1980. The MQ is claimed to be apolitical like the DI. This is possible since Dr. Qadri is also the chair of the political party *Pakistan Awami Tebrik* (PAT).⁸⁰⁰ “In order to not cross the limits of both spheres, PAT in turn tries to focus on day-by-day political matters and serves the people of Pakistan, while the Minhaj is concentrating its force exclusively on Islamic matters.”⁸⁰¹ Parallel to the rise of Allama Ilyas Qadri and his *Da'wat-e Islami* in Sindh in the 1990's, Tahir ul-Qadri advocated an apolitical Islamic orientation with which he was able to rival the Deobandi influence of *Tablighi Jama'at* and the jihadi-oriented congregations of *Ahl-i-Hadith Dawat-ul-Irshad*⁸⁰². Both leaders

790 Maulana Abdul Sattar Khan Niazi's (JUP) *Khatm-i-Nabuwat* Movement is a case in point. Ahmed points out to the Deobandization of this campaign in the 1980's and increasing cooperation between Deobandis and Shi'a on that matter. See Ibid.; Ahmad, Bashir: Ahmadiyya Movement – British-Jewish Connection. Rawalpindi: Islamic Study Forum, n. d.

791 Like Javed Akbar Saqi's *Ittehad Bainul Muslimin*, a Barelwi organization that, with the support of Iran, reached out to the Shi'a communities and political parties, mainly *Tebrik-i-Jafaria*. Saqi comes from a *pir* family; his father Pir Asif Ali Gilani, claimed to have converted to Shiism only recently, was one of the main figures behind the establishment of the *Milli Yakjehiti Council* in 1995 to address sectarian conflict and a member of the *World Muslim Unity Forum*. See Ahmed, 8 September, 2000; Firstpost: Sunni Peer Converted to Shia on 5th Muharam 1433.

792 E.g. when the JI and Hizbul Mujahidin leaders attended ST gatherings in Multan, together with Naqshbandi-oriented organizations such as *Tanzimul Ikbwan* under Maulana Akram Awan from Chakwal. See Ahmed, Khaled: Re-assertion of the Barelvis in Pakistan, 2000. Qazi claims that the creation of the MMA – beyond its anti-government and anti-American drive – aimed at uniting all schools of thought in an attempt to end the Sunni-Shi'a as well as the Deobandi-Barelwi schism. Interview with Qazi Hussain Ahmad, former *amir* *Jama'at-i-Islami*, Mansurah, 21 August, 2009.

793 In May, 2001, ST leader Saleem Qadri had been assassinated by the Deobandi *Sipah-e-Sahaba Pakistan* (SSP).

794 See Daily Jang: Nishtar Park bomb incident: Four martyrs laid to rest, 11 April, 2006.

795 Interview with Maulana Syed Shah Turab-ul-Haq Qadri, Jamat-e-Ahl-e-Sunnat, Memnon Masjid, Karachi, 19 August, 2009.

796 Cit. Philippon, 2011, p. 362.

797 Like his successors Salim and Abbas Qadri he is not a religious scholar in the traditional sense but an influential businessman and disciple of Ilyas Qadri. Ibid., p. 359.

798 Ibid., p. 350.

799 See Gugler, 2011, p. 99.

800 See website Minhaj-ul-Quran International.

801 Cit. Interview with Agha Murtaza Pooya, Vice Chair Pakistan Awami Tehrik, Islamabad, 8 August, 2009.

802 Predecessor and umbrella organization of LeT.

are eager to win the support of the Pakistani expatriate communities, especially in UK and USA.⁸⁰³ Their organizations are “the most visible faces of the Barelvi community on the electronic media and among the highly respectable among their academic circles.”⁸⁰⁴ However, this does not prevent other scholars and political forces from harsh criticism against ul-Qadri for his reformist positions and the weak performance of PAT.⁸⁰⁵ While some scholars declared Tahir ul-Qadri a *kaafir*⁸⁰⁶, critique comes also from conservative elements that blamed him for his personal lifestyle and his commercialization in local media programs:

[...] there is also a picture shown of Tahir-ul-Qadree alongside Pakistani women without Hijaab, but I suppose that this is minor when we consider his Aqeedah and Tawheed related deviations. At one point in the past he was seen as a 'leader' of the Barelwis, but in light of the fact that nowadays this deviant sect has itself split up into different faction this appellation no longer applies. Instead, he is now known as Sheikh-ul-Islam by his ignorant followers, as I remember seeing in one of their pathetic newsletters.⁸⁰⁷

After his resignation from his Lahore seat in the National Assembly (2002-04) and his removal from the Pakistani arena to London, he took the lead in PAT's pre-election campaigning and expressed his intention to cooperate with religious minority groups.⁸⁰⁸

Other leaders like Dr. Israr Ahmed of *Tanzim-i-Islam*⁸⁰⁹ and the former member of the CII and scholar Javed Ahmad Ghamdi⁸¹⁰ from the Islamic research institute Al-Mawrid⁸¹¹ are former members of *Jama'at-i-Islami* but resigned because of its involvement in electoral politics which they believed was irreconcilable with the revolutionary methodology adopted by the Jama'at in the pre-1947 context.⁸¹² Beyond Lahore's Model Town where the Tanzim and the *Anjuman Khuddam-ul-Qur'an* attract thousands of students and international visitors, these organizations and its leaders have to be seen as influential forces for the whole of Punjab.⁸¹³ Facing their political failure, Barelwi activism in Pakistan has significantly changed and highlights their efforts to bring about an Islamic system while bypassing the political system with apolitical organizations.

In 2009, the year that witnessed heavy fighting between the Pakistan Army, the Frontier Corps and the insurgency at what became known as a “Western frontier line”, terrorist attacks on civilian targets increased dramatically. The Barelwis responded to this unprecedented level of violence and high numbers of casualties with the creation of the increasingly influential *Sunni Ittehad Council* (SIC), to create a Barelwi platform against Taliban activities in Pakistan and as a reaction to the gradual escalation of attacks on shrines and targeted

803 See Ahmed, 8 September, 2000.

804 Cit. Khan, 2011, p. 5.

805 “The reformist positions of Tahir-ul Qadri are such that he has been marginalized by other Barelwi groups and is often presented as the 'Mawdudi of the Barelwis'.” Cit. Philippon, 2011, p. 355.

806 See *fatwā* issued by Pir Irfan Shah on Youtube.

807 Cit. Blog entry Salafi Talk forum, 25 November, 2006.

808 For instance in February, 2012, MQ established a Muslim-Christian Dialogue Forum. See Press release Minhaj-ul-Quran: Efforts of Dr Tahir-ul-Qadri worthy of emulation: Minority leaders, 10 February, 2012.

809 After the retirement of Israr Ahmed in 2002 led by his son Hafiz Akif Saeed.

810 See Ghamidi, personal website.

811 Founded in 1983. See Al-Mawrid, website.

812 See Tanzim-i-Islami, website. These splits from the JI ranks were, compared to other Pakistani political parties, very uncommon. In fact there was only one significant split within the JI in the 1940's as a result of an episode that involved a young cook, employed in Maudūdī's household whose interaction with the female members of the household was considered an offense against the commandment of *pardab*, where after close followers of Maudūdī like Maulana Miyan Ai, Maulana Qamaruddin and Maulana Ja'far Shah left the party. See Gaier, 2012, pp. 114/115.

813 See Rana, 2009, p. 380-382. I am also grateful to Dr. Ali Usman Qasmi and Prof. Dr. Tahir Kamran for their crucial suggestions on these scholars.

killings against Barelwi leaders since late 2006.⁸¹⁴ Usually these attacks are attributed to banned militant organizations with a Deobandi or *Ahli-Hadith* background or to the TTP.⁸¹⁵ Eventually because of personal animosities and their apolitical claim, the SIC does not include *Da'wat-e Islami* and *Minalhuj ul-Qur'an*, who have the largest numbers of followers while all the other Barelwi organizations are part of the alliance.⁸¹⁶ Although the party leadership displayed its willingness to negotiate on the matter of a re-establishment of MMA with other religious parties, it is likely that the JUP will try to contest the next elections from the SIC platform to avoid its past political mistake of running for elections without a the broad base of other organizations that can ensure mobilization among supporters. The SIC acts highly responsive to the political and public mainstream which includes its condemnation of US policies in the region, the drone war and the presence of US and CIA forces in Pakistan. When in January, 2011, Governor of Punjab, Salman Taseer, was killed by his security guard, the SIC defended the assassin Mumtaz Qadri and justified the murder with regard to Taseer's critical position towards an amendment or annulment of the Blasphemy laws.⁸¹⁷ As I showed in Chapter 4 the articles of the law refer to the defamation of the name of the Prophet, the central authority for the Barelwis. Nevertheless, Barelwi solidarity with Qadri – to some extent quite surprising for national and international observers – contradicted the SIC's position against extremism and intolerance.⁸¹⁸

5.1.2 Deobandis

Following the Hanafi school of law, the Deobandis adhere to the scholarly tradition that evolved at the *dār ul-‘ulūm* of Deoband in 1866/67 in today's Saharanpur district, Uttar Pradesh.⁸¹⁹ Both in order to conserve but also to revitalize what they saw as traditional Islamic law, they aimed at preserving the Islamic identity of the subcontinent and especially Muslim education.⁸²⁰ Their intellectual refusal of Hindu influences and resistance against the British rule made them an important political player through the JUH. Similar to the Barelwis, the Deobandi version of educational organization and missionary activities is the *Tablighi Jama'at*.⁸²¹ While the Barelwis in Pakistan comprise between 50 to 60 percent of the Sunnis, the Deobandis represent only about 15

814 Initially, the SIC was founded as an alliance of eight groups such as *Aalmi Tanzim Ahle Sunnat*, the JUP, *Markazi Jamaat Ahle Sunnat*, *Sunni Tebrik*, *Karawan-e-Islam*, *Markazi JUP*, *Nizam-e-Mustafa Party*, the Barelwi Wafaq issuing degrees to madrasa graduates, *Tanzeem-ul-Madaris* under the leadership of Mufti Muneeb-ur-Rehman and the *Jamaat Ahle Sunnat* under ex-MNA and *khatib* of the Karachi Memon Masjid, Syed Shah Turab-ul-Haq Qadri. See Shahid, Tanvir Qaiser: *Sunni Ittehad Council (SIC): Peaceful Barelvis rise against the Taliban criminals*. In: *Let us build Pakistan*, 9 May, 2009; Khan, 2011; *Balochistan Times: Ulema, Mashaikh declare suicide attacks un-Islamic*, 17 December, 2009; Interview with Maulana Syed Shah Turab-ul-Haq Qadri, Karachi, 19 August, 2009.

815 First incidents included a blast at the shrine of Pir Rakheel Shah, Jhal Magsi, on March 19, 2005, with 49 killed, and the suicide attack at the Bari Imam shrine, Islamabad, on May 27, 2005, with 25 killed and more than 100 injured. Until 2011, According to the statistics of the Center for Islamic Research Collaboration and Learning, 209 persons have been killed and 560 injured in 29 terrorist attacks on shrines since 2005. For numbers see Khan, 2011, p. 1-3.

816 According to Khan, “some important and powerful Barelvi families like the Makhdooms of Punjab or the Pagaros Sindh have not made many favorable gestures towards SIC either.” Cit. *Ibid.*, p. 5.

817 See *The New York Times: Pakistan Faces a Divide of Age on Muslim Law*, 10 January, 2011.

818 The same is true with regard to the prominent Aasia Bibi case: When interviewed on the matter of a formal amnesty to the accused by president Zardari, the leaders of the SIC refused to support any such step and warned of uprisings that would spread throughout the country in case of a pardon. See ICG, 2011, p. 16; *Dawn: Sunni Ittehad Council warns of anarchy if Aasia pardoned*, 26 November, 2010.

819 Its founders were the *‘ulama* Qasim Nanautawi (1832-1879) and Rashid Ahmad Gangohi (1829-1905).

820 To counter Western-colonial education and forced modernization, Deobandi scholars were an important motor for the development of religious literature in Urdu. See Malik, 2008, p. 293.

821 See Metcalf, Barbara: *Living Hadith in the Tablighi Jama'at*. In: *Journal of Asian Studies*, Vol. 52, No. 3, 1993, p. 584-608; Sikand, 2002.

to 20 percent. However, Deobandi influence and representation, for instance in Punjab, has been increased with an estimated number of 450.000 students in Deobandi *madāris* and only 200.000 enlisted to Barelwi *madāris*.⁸²²

Jam'iyat al 'Ulama'-e Hind (JUH), founded in 1919 by former graduates of the seminary of Deoband aimed at unifying the Indian '*ulamā*' and to form not only a homogenous position in theological and academic terms but also a platform of anti-colonial position, shared by both Muslims and Hindus in order to gain independence from the British colonial power. The decision to resist Western hegemony, predominantly in terms of safeguarding the Indian Muslim culture from the threat of Western influence, originated from the mutiny in 1857 where many '*ulamā*' joined the resistance against the British.⁸²³

Jam'iyat-e 'Ulama'-e Islam (JUI) is the main Deobandi political party and successor organization to the JUH.⁸²⁴ In 1945 its leading member Allama Shabir Ahmad Uthmani (1886-1949) split with a group of followers from the JUH and founded JUI in 1947.⁸²⁵ As a member and one of the few supporters from the Deoband '*ulamā*', he supported Jinnah's Pakistan movement. This was the case during the 1945/46 elections and two referendums in NWFP and Sylhet.⁸²⁶ Jalal claims implicitly that his split was rewarded by the League that, according to her, sponsored the new organization to counter the Ahrar and the old oppositional wing of JUH.⁸²⁷ As a graduate and teacher at the *dār ul-'ulūm* Deoband and parliamentarian in Pakistan's first constituent assembly, Uthmani lobbied for the inclusion of Islamic elements in the 1949 Objectives Resolution. In 1956, at a congregation in Multan and after members of the Ahrar, formerly opponents of Jinnah's League joined the party,⁸²⁸ the group decided to participate more actively and independently in politics, with the central aim of implementing an Islamic system of government and ensuring minority status and a separate voters list for Ahmadis. Notwithstanding the harsh opposition from within the JUH against Uthmani and his new party, he was and still is considered one of the leading Deobandi scholars by the establishment and even by his adversaries from the *Jama'at-i-Islami*.⁸²⁹ The close links between the JI and the JUI resulted from their cooperation in religious campaigning like during the anti-*Ahmadiyya* riots in 1953. However, during the 1960s tensions between the two groups increased due to JUI's charging Maudūdī for being an "agent of Western imperialism". Another reason was the refusal by JUI leaders to participate in the anti-Bhutto campaign during the 1970s.⁸³⁰

822 With most *madāris* in Bahawalpur followed by Lahore. Numbers quoted in Bahadur, Kalim: Islamisation in Pakistan: A Case Study of Punjab. Observer Research Foundation, Issue Brief 12, 2007, p. 1.

823 The involvement of the scholars is expressed by a *fatwā* which had been issued by 31 '*ulamā*', defining the armed resistance against the British as an obligatory duty for the Muslims of Delhi. Although religious reasons were not primarily among the determining factors which led to the Mutiny, the menace to the "Indian Muslim heritage" was promoted to be an existential threat. See Nawab, Mohamed: The Ulama in Pakistani Politics. Working Paper No. 133, Rajaratnam School of International Studies, Singapore, 2007, pp. 3/4; von Hinüber, 2005, p. 71-73; Ahmed, 1997, p. 40ff; Rothermund, 1998, pp. 21/22.

824 With the exception of Pirzada's account, to date there is no monograph on the JUI. See Pirzada, 2000.

825 *Markazī Jamiat Ulema-e-Islam* (MJUI) at that time.

826 See Pasha, 1995, p. 180.

827 See Jalal, 2000, p. 454.

828 As a reaction to the new Ahrar members, Deobandi leaders such as Maulana Thanvi left the JUI. See Pasha, 1995, p. 181.

829 My own conclusion when members of the JI Karachi showed me Uthmani's grave on the campus of the Islamia College. The site's maintenance seems to rely solely on the college's students and the Jama'atis who referred to Uthmani as a *kbadim-i-Islam* (custodian of Islam). After his death, the title of a *shāikh ul-Islam* was expected to be transferred from Uthmani to a Barelwi scholar but, according to Ahmad, the government directed against using this title, eventually in order to prevent further Deobandi-Barelwi divide. See Ahmad, 1993, p. 5.

830 See Ali, 2004, S. 4.

In the 1970 elections, the JUI won only seven seats from Baluchistan and NWFP.⁸³¹ The party under Mufi Mahmud became an intimate enemy of the Bhuttos, especially after Zulfikar Bhutto was defeated in the 1970 elections. His attempt to legitimize elements of his economic agenda of Islamic Socialism (*Musawat-i-Mubam-madi*) which culminated in the nationalization of the leading industries⁸³², generated powerful opposition not only in Punjab and Sindh where the leading “22 families” lost their property and were forced to leave the country into exile, but also in the religious camp.⁸³³ However, strategically bound, the religious parties relied on pragmatic political strategies to survive. Therefore, Mufti Mahmud, who had declared Bhutto's flirt with socialism a heresy, allied with the *National Awami Party* (NAP)⁸³⁴ on the basis of the Tripartite Agreement⁸³⁵ to become part of the governing coalitions in NWFP and Balochistan.⁸³⁶ As an ally of the *Pakistan National Alliance* (PNA), the JUI took part in the blame campaigns against Bhutto. Benazir Bhutto wrote about the 1977 elections agitation against her father:

Die Lügen dieser Männer wurden immer dreister. Bhutto sei ein so schlechter Muslim, verbreitete Asghar Khan, daß er erst jetzt lerne, wie man die fünf täglichen Gebete verrichtet. [...] Auch diesmal gefiel mir, wie mein Vater den Vorwurf parierte. Als er von einem Reporter gefragt wurde, warum Jasir Arafat, der Führer der PLO, ihm einen Besuch abstattete, flachste er: 'Er kommt, um mir Gebete beizubringen.' Mit dem Wahlslogan *Nizame-e-Mustafa* [...] beuteten andere Führer der Koalition schamlos die Religion für ihre politischen Zwecke aus. Eine Stimme gegen seine Partei, so der Chef von *Jamat-e-Islami* bei einer Wahlveranstaltung auf dem Land, sei eine Stimme gegen Gott. Dagegen entspreche eine Stimme für die PNA 100 000 Jahren Gebet.⁸³⁷

In order to counter PNA's campaign and the mud-slinging for the elections of 1977 in which Bhutto's religiosity was a central – if not the exclusive element –, the government's Publicity Cell and the Directorate of News Documentaries⁸³⁸ became active with a PR bonanza in which they laid much emphasis on the PPP's and Bhutto's pro-Islamic orientations and achievements during his time in power.⁸³⁹ An important mark had been Bhutto's support for the banning of the *Ahmadiyya* and his holding of the Islamic Summit in 1974 in

831 See Pasha, 1995, p. 181.

832 Bhutto's nationalization started in 1972. The case of the Sharif family stands out in many ways: Mian Mohammad Sharif's steel conglomerate *Ittefaq* was given back to the family when it repatriated to Pakistan from its exile in Saudi Arabia and the Emirates. This was mainly due to son Nawaz' political career in Zia's IJI. Having been exiled, the Sharifs were able to develop business networks with other exiled Punjabi families like the Saigols and personal relations with the Sa'udi royal family. Back in Pakistan, they profited from the bankruptcy of other steel companies, ensuring Ittefaq's monopoly, and former competitors' dependency through the privatization under Nawaz Sharif. For instance only through privatization during the 1990's and Nawaz' personal intervention, Chaudhry Mohammad Latif's *Batala Engineering Company* – today's *Pakistan Engineering Company* (PECO) – was able to economically survive. Similarly, influential players like the *Nishat Group*, owned by Mian Muhammad Mansha, became dependent of the goodwill of Chief Minister Nawaz and are said to be loyal supporters of the PML-N to this day.

833 Another reason was his authoritarian leadership after he came into office. Noman sees in the "radical reform programme, feudal support in Sind and Bhutto's ambivalent relationship with the army" the main factors that ensured the rise of the PPP as a mass movement and the formation of Bhutto's cult. See Noman, Omar: *The Political Economy of Pakistan*. London: Routledge, 1988, p. 102ff. Hussain adds the 1971 separation of Bangladesh as an supportive factor for the rise of Bhutto: "On 20th December 1971, Yahya Khan resigned and Zulfikar Ali Bhutto took over charge as a civilian CMLA in less than three hours of setting foot on the soil of Pakistan. With the formation of Bangladesh, the situation in West Pakistan was simplified for Bhutto and his Pakistan People's Party emerged as the single largest party. Therefore, as a majority party leader Bhutto was in a position to form his own government at the centre." Cit. Hussain, 2008, p. 74.

834 After being banned by the Supreme Court the party was renamed as ANP.

835 See Pirzada, 2000, p. 57-63.

836 See Pasha, 1995, pp. 181/182.

837 Cit. Bhutto, 1991, p. 97.

838 Both established in 1976.

839 Funds for PR were increased in 1976/77. These measures included the production and distribution of books, manifestos and movies such as "Prime Minister Bhutto – The Servant of Islam (*Khadim-i-Islam*)". See Kaushik, Surendra Nath: *Politics in Pakistan. With Special Reference to Rise and Fall of Bhutto*. Jaipur: South Asia Studies Centre, Univ. of Rajasthan, 1984, p. 77-80.

Lahore.⁸⁴⁰ However, the initiatives by the Bhutto regime to appease the religious front ended in the military takeover of 1977. In subsequent years of dictatorial rule, Zia's de-Bhuttoization campaign shattered the cult of personality around Bhutto which included a series of White Papers documenting cases of corruption and election rigging under the Bhutto regime.

In contrast to the JI, JUI depends much more on its electoral power which is indicated by the party's ability to mobilize the masses. While it is true that one can speak of a clear ethnic predominance of Pakhtuns for the time the JUI was engaged within the ranks of the MMA, its Baluchi members and support base seems to have increased significantly since then⁸⁴¹ while its support in Sindh and Punjab has been insignificant.⁸⁴²

The Hasba Bill and Swat episodes of 1994, 1999 and 2009 indicated JUI's loyalty to the state and a pro-establishment orientation, when Fazlur Rahman – together with JI's *amir* Munawar Hassan – claimed Sufi Muhammad's step to introduce *shari'ah* in Swat as unconstitutional and demanded the consultation by the *Council of Islamic Ideology*.⁸⁴³ Since the elections of 2008, the party has been a coalition partner to the Zardari-Gilani government. However, the JUI has been in opposition to the army's latest military operations in South Waziristan.⁸⁴⁴ The conformist image and personal quarrels between its leaders Fazlur Rahman who was closer affiliated with the PPP and the political establishment during the Afghan War⁸⁴⁵ and Maulana Sami ul-Haq who was keen to maintain support for his Afghan clients, resulted in the latter's split from the party and the establishment of a new faction (JUI-S) that took a more close stance towards the JI and the League.⁸⁴⁶ Since then, Sami ul-Haq's party, after the 2008 boycott of the elections, distanced itself from the political game. Its primary focus is on the madrasa sector.⁸⁴⁷ Sami ul-Haq, supported by his son Hamid ul-Haq, serves as the head of the *dār ul-'ulum* Haqqania in Akora Khattak near Peshawar, founded by his father the late Maulana Abdul Haq and considered one of the largest seminaries in Pakistan.⁸⁴⁸ It has been stated that, according to their self-image as

840 “The Bhutto regime's Islamic rhetoric, songs, symbols and calls for ummah's unity created a euphoria for Islamic revival and unity of the ummah (the gathering of heads of Islamic States), captured the imagination of the people, and created an environment of expectancy for Islamic unity and possible Islamic social order. In his speech as Chairman of the Summit, Bhutto evoked images of Islamic glory, its great tradition, its principles of justice, equity, fairness in the comity of nations and a desire of unity among the Muslim States. He made a passionate appeal before the heads of Islamic States to work for evolving a regional block of Muslim States – a 'Muslim Commonwealth'.” Cit. Shafiqat, Saeed: *From Official Islam to Islamism: The Rise of Dawat-ul-Irshad and Lashkar-e-Taiba*, p. 136. In: Jaffrelot, Christophe (Ed.): *Pakistan: Nationalism without a Nation?* New Delhi: Manohar (a. o.), 2002, p. 131-148.

841 While there are not many in-depth studies on the JUI, most of them see the JUI as a Pakhtun party. See for instance ICG, 2011, p. 10. However, unbroken support comes from the Durrani tribes in the border areas.

842 In the 2008 elections, JUI won only two seats in Punjab and none in Sindh.

843 See Sunday Times: *Religious Parties reject Sufi's Stance*, 26 April, 2009.

844 See Daily Times: *JUI-F to sit with Opp in NWFP: Durrani*, 3 March, 2008.

845 Among the religious-political players, Fazlur has shown to be a true political pragmatist when he stepped into a PPP-led alliance with Benazir Bhutto: “His party having won a few seats in National Assembly in the 1993 elections, he now coalesces with Benazir Bhutto's government though he has been shouting from roof tops that according to Shariah a woman cannot be the head of government.” Cit. Pasha, 1995, p. 182.

846 As a third faction of the JUI lead by Maulana Ajmal Qadri (JUI-Q) has its base in Lahore's Jamia Masjid at Sheranwala Gate from where it oversees its limited network in Punjab. See Rana, 2009, pp. 164/165. For Fazlur Rahman and Sami ul-Haq see also Waraich, 2003, p. 133-193, 260-278.

847 Sami ul-Haq became *amir* of the group when Maulana Muhammad Abdullah Darkhawasti (1887-1994) who led the party since 1962 died. His faction is believed to control around one-third of the Deobandi schools. Conversation with Mujeeb Ahmad, IIUI, Islamabad.

848 This institution is commonly associated with the Afghan Taliban movement. Eight Taliban cabinet members have graduated from the seminary. See for instance Hussain, 2007, p. 76-81. For his journalist account see Bergen, Peter: *Heiliger Krieg Inc. Osama bin Ladens Terrornetz*. Berlin: Siedler, 2001, p. 186-189. Both visited Sami ul-Haq in his madrasa between 2000 and 2003.

defenders of Pakhtun interests, especially the early JUI, in many ways, resembles the Pakhtun nationalist ANP.⁸⁴⁹ They both entered politics with the demand of a socialist-revolutionary transformation of Pakistani society. Nevertheless, the JUI, throughout the country has been identified with its vision of an Islamic transformation, without clarifying its approach to the introduction of *shari'a* as a legal framework for society. With the 2002 victory in national polls, the JUI proved that its agenda for a development of the NWFP with the introduction of elements of *shari'a* and repressive gender politics in public was primarily a cultural, rather than the urgently needed economic agenda. The latter with a mix of liberal elements of social market economy and anti-globalization outlook, was not able to meet the manifold challenges in the area.⁸⁵⁰ The JUI's initial grand narrative of colonial resistance against the British and revival of Deobandi Islam has shrunk with JUI's post-colonial ideology of bringing Islam to the masses with a top-down approach and only limited campaigns in parliament⁸⁵¹ that were by far not competitive to the JI's sophisticated theory of Islamic revolution. Rather, it has become more and more “at risk of being outflanked ideologically and politically by the Taliban.”⁸⁵² This became obvious when in 2011, Fazlur Rahman and his followers were targeted twice within 24 hours by suicide bombers in KPK for which the party blamed external forces.⁸⁵³

With regard to leadership and authority, South Asian political culture has created and relies heavily on dynastic systems of power. The religious-political parties – with the exception of the *Jama'at-i-Islami*, whose inner *shura* elections were often highlighted as the similar to inner decision-making by Western democratic parties – are not different. Like in other parties, there was a dynastic change when Maulana Fazlur Rahman took over leadership after his father Maulana Mufti Mahmud's death in October, 1980.

Mufti Mahmud's appointment as Chief Minister NWFP in 1972 guaranteed political power for the family from the Abdulkhel Banyala area (Dera Ismail Khan) with various posts in subsequent governments.⁸⁵⁴ His second son Maulana Atta ur Rahman, like his brother Fazlur, served as minister and MNA. Another feature of regional political culture – like allegations of corruption among the political elite – proved to also apply to leadership of JUI. Maulana Fazlur Rahman, nicknamed “Maulana Diesel”, is said to have profited enormously from the smuggling and illegal trans-border trade of petroleum via the Pakistani-Afghan border and has allegedly helped in issuing fuel permits to the Afghan Taliban regime in the 1990s.⁸⁵⁵ Similarly, the party left the PPP-lead ruling coalition after Azam Swati, information technology minister and a major financial supporter of the party, was ousted from the cabinet in December, 2010, on allegations of mismanagement and corrup-

849 See Lieven, 2011, p. 396-401.

850 See Hippler, Jochen: Das gefährlichste Land der Welt? Pakistan zwischen Militärherrschaft, Extremismus und Demokratie. Köln: Kiepenheuer & Witsch, 2008, p. 241.

851 For instance Sami ul-Haq's demand of amending the bill of *Namus-i-Sahaba* and *Abl-i Bait* in the senate in 1994. See Akhtar, Mujtaba: Here is the Parliament. Islamabad: Dost Publ., 1996, p. 143-145.

852 Cit. Lieven, 2011, p. 396.

853 See Ali, Manzoor/ Butt, Qaiser: Charsadda strike: Second attack targets Maulana Fazlur Rehman. In: The Express Tribune, 1 April, 2011.

854 Mufti Mahmud resigned from this post following his protests against Bhutto's dismissal of the Balochistan government in 1973. See ICG, 2011, p. 11. Bhutto had blamed the provincial government of JUI and NAP to act as a proxy and “frontline organization for Afghan territorial designs against Pakistan” and to support Balochi separatist elements such as Babu Shero (“General Sherov”) Sher Mohammad Marri. See Pasha, 1995, pp. 181/182.

855 See also Ali / Butt, 1 April, 2011.

tion.⁸⁵⁶ Although the party is, like the JI, internally loosely structured on the basis of a *shūrā*,⁸⁵⁷ decision-making lays in the hands of Maulana Fazlur Rahman.⁸⁵⁸

Together with Sami ul-Haq's faction (JUI-S) the party controls the majority of religious schools; accordingly its loose organization is based on a large network of mosques, *madāris* and welfare organizations like the *Al-Khair Trust* providing ground for recruitment and training of supporters and networks of financing and donations. Other organizations include the militia-type of student body *Ansarul Islam*, and the *Majlis-i-Tanseequl Islami* with which Fazlur Rahman tried to establish an international scholarly network.⁸⁵⁹ As in the case of *Al-Khair*, JUI's networks are said to include leaders and activists of former jihadi groups: "Its relief operations unit draws recruits from a militant jihadi group, *Jamiat-ul-Ansar*, the renamed *Harkatul Mujahidin*, which has maintained bases in KPK's Mansehra and Kohistan districts since the early 1990s."⁸⁶⁰ Besides, support for the party has been generated in public through the media presence of prominent 'ulamā' like Mufti Muhammad Yusuf Ludhianawi (1932-2000).⁸⁶¹

Contemporary media and scholarly accounts' blaming of Deobandi and *Ahl-i-Hadith madāris* for support or at least strategic ambiguity towards the Afghan Taliban movement, have generated a predominantly negative image of these institutions. The initial meeting of Mullah Umar and Usama bin Ladin at the Deobandi Banuri Masjid, Karachi, in 1989 based on single accounts is a case in point.⁸⁶² The Banuri Town complex of seminaries hosts more than twelve branches for at least 3.000 to 9.000 students. Well known graduates were Maulana Masud Azhar, leader of *Jaish-i-Mohammad* (JeM)⁸⁶³ and its teaching staff including Maulana Mufti Rashid Ahmad (1928-2002)⁸⁶⁴ and Mufti Nizamuddin Shamzai, patron of the Deobandi jihadis from the *Harkatul Mujahidin* and a member of JeM and JUI-F.⁸⁶⁵

Generally, in the context of the Afghan *jihād*, radicalization and growing extremism in today's Pakistan, Deobandi organizations – on both the operational and the ideological level – are widely seen as being much more involved into religious violence than the Barelwis:

In the framework of 'War against Terror', mainly targeting Deobandi and Ahl-e Hadith groups, the Barelwis have finally accessed to political recognition and earned legitimization from the powers to be. The latter are using sectarian dynamics to underpin and give teeth to their fight against 'the roots of evil', that is to say the Taliban and al-Qa'ida. In the official narrative portraying the current war as an ideological conflict between 'moderate' and 'extremist' forces within Islam, the Barelwis have indeed been identified as falling into the first of these categories.⁸⁶⁶

856 See Daily Times: JUI-F quits ruling coalition over Swat's dismissal, 15 December, 2010.

857 See Lieven, 2011, p. 395.

858 During the 2008 elections, which had been boycotted by the other religious parties, Fazlur lost his seat from his home town DIK but won a new seat from Bannu while Attaur Rahman succeeded with a seat from DIK. See Pakistan Herald, profiles.

859 Its establishment was agreed upon during a 2001 Deobandi conference in Peshawar. See Rana, 2009, p. 163

860 Cit. ICG, 2011, p. 13.

861 Affiliated with the Jam'at ul-'Ulum Karachi, the "media mufti" wrote columns for the *Daily Jang*, the weekly *Khatm-i-Nabumwats* a. o. since 1978. See Zaman, 2004, pp. 57/58.

862 See Cooley, John K.: *Unholy Wars: Afghanistan, America and international Terrorism*, 3rd new Ed. London (a. o.): Pluto Press, 2002; The Friday Times: The grand Deobandi consensus, 4 February, 2000.

863 Azhar was a disciple of Maulana Nawaz Jhangvi, the leader of SSP who had been killed in 1990.

864 Founder of the *Al-Rashid Trust*, an organization with links to *Al-Qa'ida*,

865 Also linked to the seminary is Ibrahim Azhar from the *Harkatul Ansar* and brother of Maulana Masud Azhar, who is believed to have participated in the hijacking operation of an Indian airplane to free his brother from jail. See Jalalzai, Musa Khan: *Sectarian Violence in Pakistan and Afghanistan*. Lahore: Maktaba-e-Jadid Press, 2000, p. 35-39.

866 Cit. Philippon, 2011, pp. 350/351.

While the Deobandis, the *Ahl-i-Hadith* and the *Jama'at-i-Islami* were indeed the main Pakistani contributors to the war scene in Afghanistan during the 1980's, the Barelwis, as a result of Saudi demands towards the ISI,⁸⁶⁷ were not directly involved in the support of Afghan *mujabidin* and, thus, remained outside the radius of state patronage. As a result of a new jihadist orientation on Kashmir after the Soviet Union withdrew its troops from Afghanistan, militant activities and sectarianization in the Kashmir region increased.⁸⁶⁸ This trend began under Benazir Bhutto's first premiership in which Fazlur Rahman served as chair of the Standing Committee on Foreign Affairs. In September, 2008, the Maulana was elected unanimously as the new Chairman of the Special Parliamentary Committee on Kashmir, as part of the coalition deal with the PPP.⁸⁶⁹ Compared to his hardline stance towards the issue of negotiations with India on Kashmir in the past, Fazlur Rahman's rhetoric with regard to the unsettled dispute remains ambiguous. However, in his function as chair of the committee and during visits by JUI-F leaders to India⁸⁷⁰, he displayed much more commitment to the composite dialogue.⁸⁷¹

5.2 Shī'a

The Shī'a proportion of Pakistan's Muslim population counts between ten and twenty percent⁸⁷² and represents the second largest Shī'ite community behind Iran.⁸⁷³ Subdivided into two major groups – the Ismailis under the leadership of the Agha Khan⁸⁷⁴ and the *Ithna 'Ashar*⁸⁷⁵ – the Shī'a of Pakistan has never been fully integrated into the national religious discourse, for instance on the issue of constitution building when Pakistan's political elite, the military and the ulema were divided with regard to the question of an Islamic constitution. While the Agha Khan and his network of universities and institutes is frequently covered by international media, it is considered elitist or even decaying⁸⁷⁶ and distinct from the mainstream by Sunni circles:

Während sich die Zwölferschia stolz als der Sunna gleichwertige Macht und als ein genuiner Teil des Islams aus- gibt und Anerkennung findet, haftet diesen drei extremeren Absplitterungen der Schia [Ismailis, Alawites, Druses; M.G.], welche in der Geschichte den insitutionalisierten Islam, das Kalifat, dogmatisch und polit-

867 See Philippon, 2011, p. 353. The same is true for Kashmir where, despite the activities of *Al-Barq* and *Tebrik-i Jibad*, Barelwi militant groups were disfavored by the ISI and army command. For an overview see also Ahmed, Naeem: Rise of Terrorism in Pakistan: Reasons, Implications and Countering Strategies. In: Journal of South Asian and Middle Eastern Studies, Vol. 33, No. 4, 2010, p. 16-37.

868 For the Afghan security dimension of the Kashmir conflict see Zahab, Mariam Abou: The Regional Dimension of Sectarian Conflicts in Pakistan, pp. 121/122. In: Jaffrelot, 2002, p. 115-130.

869 See National Assembly: Press release, 16 September, 2008.

870 His visits to India started in 2003 as "peace missions" and were accompanied by protests by *Harkat-ul-Mujabidin* and *Jaish-e-Muhammad*. Interview with Maulana M. Khan Shirani, Senator (JUI-F), Chair CII, Islamabad, 17 July, 2009.

871 See Hassan, Ahmad: India trade should follow Kashmir peace, says Fazl. In: Dawn, 20 October, 2011.

872 Existing numbers from surveys are difficult to interpret, e.g. when interviewees are declining to indicate that they are Shī'a in preference to *Ahle-e-Sunnat* or Sunni depending on the survey and for fear of displaying this belief in a Sunni majority state.

873 Naqvi claims even 25 percent and more. See Naqvi, Syed Hussain Arif: Political Significance of Shiites, p. 38. In: Cheema, 2008, p. 37-40; Zahab, Mariam Abou: 'Yeh matam kayse ruk jae?' ('How could this matam ever cease?'): Muharram Processions in Pakistani Punjab, p. 104. In: Jacobsen, Knut A. (Ed.): South Asian Religions on Display. Religious Processions in South Asia and the Diaspora. New York (a.o.): Routledge, 2008, p. 104-114. A 25 percent proportion is also claimed by the US State Department. See US State Department: International Religious Freedom Report, 2011, p. 3.

874 See Schmucker, Werner: Sekten und Sondergruppen. In: Ende / Steinbach, 1989, p. 505-526.

875 See Eliash, Joseph: The Ithna'ashari-Shi'i Juristic Theory of Political and Legal Authority. In: Studia Islamica, No. 29, 1969, p. 17-30.

876 Because of their tactical denial of their identity, justified on the basis of *taqiyya*. In the case of persecution and threats, Shī'ites are allowed to conceal their belief. See Malik, 2008, p. 251.

isch-militärisch (Ismailiten) offen und versteckt bekämpft hatten, das Mal des Verräters, Todfeindes, Zerstörers der Sunna an.⁸⁷⁷

For the Shī'a in Pakistan, issues such as religious taxation (*khums*) have been a central discourse and bone of contention between their organizations and the (Sunni) state authorities. Paralleling the agitations against the *Ahmadiyya*, the Shī'a established the *Idara Tahaffuz-i-Huquq-i-Shi'a*, the "Organization for Safeguarding the Rights of the Shī'ites" in January, 1953.⁸⁷⁸ Shī'a representatives welcomed the critical investigation set up by the Munir Commission for that it questioned the very nature of Islam and its role in the state, thereby meeting the Shī'ite demand of a renegotiation of the religious status quo.⁸⁷⁹ Within, differing views on practical Shī'a Islam in Pakistan between scholars with an educational background from Najaf, Iraq, arose during the 1960's and clashed with those ulema who had gained religious knowledge in Northern India⁸⁸⁰ and, after the 1979 Iranian revolution, with a clearly pro-Iranian revolutionary stream, that had been educated in Qom.⁸⁸¹ Central discourses between these three streams were differing views on theological concepts such as the Shī'a awakening (*bidāri*) and *taqrib* or rapprochement with the Sunna.⁸⁸² However, besides Shī'a identity politics, Shī'ite political involvement was primarily born out of the felt need to defend Shī'a communities:

The Shi'i processions during the month of Muharram and the public Shi'i vituperation of the caliphs Abu Bakr and Umar have always carried with them the potential for violence. But the early 1960s saw an intensification of this mutual animosity as the Umema [sic!] pressed their demands for Islamic state that conformed solely to their vision. The Shi'is in response, began to organize politically.⁸⁸³

Beyond these discourses and in the light of Khomeini's regional power politics, Pakistani Shī'ism was seen as marginalized, lacking an indigenous Pakistani tradition and had been offended of assimilation to the Iranian project.⁸⁸⁴ Generally, competition between Saudi and Iranian influence on proxy organizations through ideological and financial support lead to splits not only among the Shī'a but also other religious parties like the *Jama'at-i-Islami*.⁸⁸⁵

Syed Jafar Hussain Mujtahid who had resigned from his post at the CII in 1977 stood for this new orientation which, at the climax of Zia's Sunni politics of Islamization, felt the need of protecting and sharpen Shī'a

877 Cit. Schmucker, 1989, p. 510

878 See Jalalzai, 2000, pp. 41/42.

879 For its hearings, the commission invited leading scholars of all schools of thought including Shī'a authorities such as the saint Hafiz Kifayat Husain. See Government of Punjab: Report of the Court of Inquiry constituted under the Punjab Act II of 1954 to inquire into the Punjab Disturbances of 1953 (Munir Report). Lahore, 1954, p. 203.

880 Due to the lack of Shī'a institutions of higher learning at the time of partition, a majority of them had an educational background from Lucknow.

881 See panel contribution Fuchs, Simon Wolfgang: Third Wave Shi'ism: Sayyid 'Arif Husayn al-Husayni and the Islamic Revolution in Pakistan. Presented at the conference "Contesting Shi'ism: Isna 'Ashari and Isma'ili Shi'ism in modern South Asia", 9-10 September, 2011, Royal Holloway, Univ. of London.

882 See Moussavi, Ahmad Kazemi: The Prospect of Rapprochement (Taqrib) between Sunni and Ja'afari Shi'i Legal Schools, pp. 1/2. In: Crow, Karim D./ Moussavi (Eds.): Facing one Qiblah. Legal and Doctrinal Aspects of Sunni and Shi'ah Muslims. Singapore: Pustaka, 2005, p. 1-29.

883 Cit. Jalalzai, 2000, p. 41.

884 See Fuchs, 2011.

885 Following the 1979 revolution in Iran, a Karachi-based faction under Ghafur Ahmad together with students from the IJT split from the JI. Rewarded by Iran's new Islamic regime, from now on they worked with the Iranian charity institutions that were set up in Pakistan to counter Saudi influence. This was in opposition to the JI's more Saudi-oriented position that also remained loyal to Zia ul-Haq. See Khalid, 1985, p. 102ff. A few months before his death, an Iranian delegation sent by Khomeini visited the Mansurah colony. Maudūdi had met Ayatollah Ruhollah Khomeini personally during *hajj* in Mekkah in 1963 and had offended the Persian Shah in an article in *Tarjuman ul-Qur'an* in which he criticized the Shah regimes repressions against dissident 'ulamā'.

identity, culture and religious practices and Ja'fari interpretation of the *sharī'a*.⁸⁸⁶ After the *Tebrik-i-Ni-faz-i-Fiqh-i-Ja'fariya* (Movement for the Introduction of Ja'fari *fiqh*, TNFJ)⁸⁸⁷ came into existence under his leadership, the 1980s witnessed increasing radicalization among the religious groups and more sectarian clashes between Sunni organizations and their Shī'a counterparts.⁸⁸⁸ As an off-shot of TNFJ, *Sipah-i-Muhammad* was founded as a defensive militant force while *Imamiya Student Organization*, founded in 1972, served as an umbrella organization for Shī'a student groups.⁸⁸⁹

Shī'a fears of the regime's efforts to declare Pakistan a Sunni state and its support by the predominantly Hanafi religious organizations of the *Qaumi Ittehad* (National Alliance), became visible when Zia issued the *Zakat and Ushr Ordinance* in July, 1980, which was followed by a massive Shī'a demonstration in Islamabad with protesters even occupying Zia's central committee.⁸⁹⁰ As a result of a first negotiation round with Shī'ite leaders, the regime accepted a special Shī'a taxation status arguing on the grounds of their non-acceptance of compulsory payment of *zakat* as determined by Ja'fari Islamic law (*fiqh*)⁸⁹¹ which claims the payment to be a voluntary tax, while Hanafi *fiqh* defines *zakat*⁸⁹² – an annual tax of 2.5 percent on savings – as obligatory for Muslims.⁸⁹³ The perspective of evading the payment of *zakat*, it has been assumed, might be a considerable argument for some Sunnis to convert to Shī'ism. The same might apply to *'ushr*, the annual tax on agricultural produce, which is lower according to Ja'fari *fiqh*.⁸⁹⁴ Another line of conflict between the Shī'ites and the government was the latter's order to unify the school syllabus, especially of Islamiyyat, for Shī'a and Sunni students.⁸⁹⁵

This matrix of various conflicts exploded in July, 1985, when clashes between Shī'a and Sunni protesters and the authorities reached their climax in Quetta, Peshawar and Rawalpindi.⁸⁹⁶ Between 1982 and 1985 the unrest had increasingly developed into a protest directed against Zia's regime for its refusal to accommodate central Shī'a demands such as equal representation in government bodies like the CII, the Islamic Research Institute, the police and Zia's controlled parliament.⁸⁹⁷ Accordingly, Shī'a leaders like Agha Sayed Hamid Ali Shah Musavi, Mufti Ja'far Husayn and his successor Allama Arif Husayn al-Husayni had called for a boycott of Zia's

886 See Bahadur, 2007, p. 4; Rana, 2009, p. 402.

887 Founded in Bhakkar, Punjab, in 1974. Turned into a political party in 1987 and changed its name into *Tebrik-i-Jafariya Pakistan* two years later. In 2002, the name was again changed when the party called itself *Islami Tebrik Pakistan* (ITP).

888 For sectarian militancy see Nasr, Seyyed Vali Reza: Islam, the State and the Rise of Sectarian Militancy in Pakistan. In: Jaffrelot, 2002, p. 85-114; Ali, Nosheen: Sectarian Imaginaries. The Micropolitics of Sectarianism and State-making in Northern Pakistan. In: Current Sociology, Vol. 58, No. 5, 2010, p. 738-754; Jalalzai, 2000.

889 See Rana, 2009, p. 401.

890 See Naqvi, 2008, p. 37-40.

891 The *Ithna 'Ashari* school of law that refers to the sixth *imām*, Ja'far Bin Muhammad al-Sadiq (702-765). According to this lineage, twelve *a'immah*, the descendants of the Prophet's daughter Fatima and his son-in-law Ali, are seen as the prophetic successors and therefore, as the only religious-political authorities. For the legal theory (*uṣūl al-fiqh*) see Rohe, 2009, p. 43ff.

892 Lit. "purification".

893 Due to Qur'an 2:177. See Bahadur, 2007, p. 5.

894 See Jalalzai, 2000, p. 42.

895 Ibid., p. 42; Rana, 2009, p. 401.

896 See Khalid, 1985, p. 105; Jalalzai, 2000, p. 43.

897 Like in the case of the 1980 *zakat* ordinance, the regime and advisers like Justice Tanzil-ur-Rahman – member of the CII and Chief Justice of the FSC – were blamed for their personal sectarian orientation. See for instance Ahmed, Khaled: Ijaz ul-Haq and Shia killings in Pakistan. In: The Friday Times, 16 July, 2004.

referendum of December, 1984, and the national elections in 1985.⁸⁹⁸ In this context, the special role of Shi'a leaders is touched upon by Zaman:

There is no parallel in the Sunni Muslim world to the authority the highest-ranking Shi'i religious scholars have wielded since the emergence of the position of the marja' al-taqlid in the second half of the nineteenth century, a position which, in turn, became the basis for Khomeini's reformulation of the doctrine of wilayat al-faqih in 1970 and for the rise to power of the Shi'i religious establishment with the Iranian revolution of 1979. Insofar as the actual assumption of political power by the 'ulama is concerned, perhaps the closest contemporary parallel to the Shi'i 'ulama of Iran was represented by the strongly anti-Shi'a Sunni Taliban of Afghanistan.⁸⁹⁹

Arif Husayn al-Husayni, a Pakhtun from Kurram Agency, combined in his education influences from Najaf and Qom and tried to adapt them to the Pakistani religious-political context. Nominated as Khomeini's representative to Pakistan (*Wali-i-Faqih*)⁹⁰⁰ al-Husayni's election as the new leader of TNFJ was rather unexpected and preceded by a split within the platform.⁹⁰¹ Nevertheless, during the short episode under al-Husayni's leadership, from 1984 until his assassination in Peshawar in 1988⁹⁰², Pakistani Shi'ism became more pro-Iranian revolutionary and openly opposed the Zia ul-Haq regime. Furthermore, Iraq's intelligence has been suspected of having been involved in the murder of Husayni whom it perceived as an Iranian proxy.⁹⁰³ The bombing marked the beginning of a series of targeted killings; in 1989, Palestinian scholar 'Abdullah 'Assam who rose to prominence at Jeddah's King 'Abdul 'Aziz University and later at the International Islamic University Islamabad, was killed by a car bomb in Peshawar. Much more outspoken with his criticism than his predecessor, al-Husayni had offended corruption among the political elites, the increase of Saudi influence in Pakistan's welfare and education sector and the government's Islamization policies. His exposed role stands in opposition to other Shi'ite leaders, including the father of the nation Mohammad Ali Jinnah himself, who kept a low-profile policy in which they tended to not tackle Shi'a interests too publicly.⁹⁰⁴

After al-Husayni's death, Syed Sajid Ali Naqvi took over the leadership of the TNFJ and was appointed as *quaid* (president) for lifetime, but his authority became challenged by the Imamia and conservative elements within the party, who blamed him for his mundane lifestyle and his marriage with the former model Shazia Qurban in 1994.⁹⁰⁵ The party tried to survive politically when it allied with the Bhutto-PPP-led *Pakistan Democratic Alliance* (PDA) in the forefront of the rigged 1990 elections where the alliance was beaten by Nawaz Sharif's ISI-sponsored platform IJI until it became part of the MMA in 2002.⁹⁰⁶ Politically marginalized and

898 See Jalalzai, 2000, pp. 43/44. The TNFJ's demands were justified with reference to an accord between government officials and the Shi'ite 1980 protest movement's leaders, signed on 6 July, 1980 (Islamabad Agreement), in which the establishment of a commission designed to deal with the demands had been announced. Cit. Rana, 2009, p. 405: "Imam Khomeini played an important role in this agreement and had asked for an assurance from Ziaul Haq that the Shia demands would be met. A message from Khomeini was read out at the Convention that instructed the people to keep up their spirits."

899 Cit. Zaman, 2004, p. 144.

900 He met the Iranian leader in Najaf where Khomeini spent 13 years of his exile.

901 Following the death of Mufti Jaffar Hussain on 29 August, 1983, Maulana Agha Syed Hamid Ali Shah Musavi – referred to as *Quaid-i-Millat Jafariya* by his disciples – took the lead of this faction which cooperated with the Zia regime which in turn declared Musavi's faction the representative body of Pakistan's Shi'a. This group is still active with its headquarter at Jamiatul Momineen at Ali Masjid, Satellite Town, Rawalpindi, but claims to be apolitical. See Rana, 2009, p. 406; TNFL-Musavi, website.

902 The TNFJ blamed NWFP's provincial governor, Fazle Haq, for the assassination. A member of Zia's presidential elite guard, Maj. Majid Raza Gilani, accused for carrying out the murder, was held innocent by the Supreme Court. See Rana, 2009, p. 407; Naqvi, 2008, p. 39.

903 See Zahab, 2002, p. 118.

904 Email by Dr. Andreas Rieck (BKA), 4 August, 2009.

905 See Rana, 2009, pp. 410/411.

weakened because of Iran's stopping for funding Pakistan's Shi'a groups in 1996⁹⁰⁷ and a split in the party by Dr. Mohammad Ali Naqvi and his followers as a reaction to the decision to join the PDA,⁹⁰⁸ the party's activities are concentrated on the welfare sector, where its institutions such as the *Shaheed Foundation* provide support and compensation for the families of martyrs – in general victims of sectarian attacks.⁹⁰⁹ Like its mother faction, the Naqvi group, *Majlis-e-Wahdutul Muslimin*, founded in 2008, claims succession to al-Husayni and has the support of the *Imamia Students Organization* which Rana claims to be the “real strength” behind Shi'a political activities.⁹¹⁰ The *Imamia* has been closely linked to *Hibzbul Mominin*, the Shi'ite jihadi outfit with its bases in Azad Kashmir.⁹¹¹

As the political partner of five non-Shi'a parties in the MMA, the TNFJ has always complained about its marginalization within the alliance, that, according to JI leader Qazi Hussain Ahmad, had put these differences on its agenda:

We felt the need to unite in a single front, not on a political basis but on all the religious and social issues. The understanding that has been developed, the personal friendships, was an integral part of MMA. It was a good and fruitful alliance and it has done its services to the people, the results are there. Religious tensions have been decreased since there is no basic difference between Barelwi and Deobandi. The actual historic difference is between Sunna and Shi'a. To minimize this difference in Pakistan the MMA was very much helpful. Divide and rule was the policy not only of the Britishers but of all the imperialistic regimes. They still try to create and increase differences and schism among the schools of thought.⁹¹²

Nevertheless, the TNFJ members and especially its leader Sajid Naqvi who was even barred from entering NWFP province in 2004,⁹¹³ experienced hard times under the de facto leadership of JI and JUI: “If that was not enough, the MMA did not nominate Naqvi from NWFP for the seat to the Senate and was, instead, given the nomination from Punjab where the MMA did not have the required number of votes to ensure his election.”⁹¹⁴ Shi'a resignation on political affairs and the question of adequate representation in a Sunni majority society, has cultivated a somewhat passive stance on electoral politics. A Shi'a scholar observes in his communities that, in reaction to marginalization and under-representation in the civil-service, religious teaching and institutions like the CII, Shi'a have always tended to abstain from giving their vote to religious parties in general and to Shi'a parties in particular.⁹¹⁵

Since the 1980s that witnessed a rise of sectarian violence in Pakistan and Afghanistan, Shi'a scholars, mosques and processions were frequently targeted by attacks. Especially during *ashura*, the holy month of Muharram during which Shi'ites commemorate the death of Imam Hussein by the armies of the Sunni caliph Yazid in 680 A.D. – reciting elegies and hymns, carrying black banners and march behind replicas of Imam Hussain's tomb in Iraq – Shi'a militias, police and security forces have a hard time to protect the believers.

906 According to Nawaz, Yunus Habib, owner of Habib Bank – later Mehran Bank – sponsored the IJI candidates with an amount of 140 million rupees that were distributed by the ISI under former ambassador to Germany and director ISI, Gen. Asad Durani. See Nawaz, 2008, p. 434.

907 See Zahab, 2002, p. 117.

908 See ICG, 2011, pp. 18/19.

909 See Shaheed Foundation, website.

910 See ICG, 2011, pp. 19/20.

911 See Rana, 2009, p. 417-424.

912 Cit. Interview with Qazi Hussain Ahmad, Mansurah, 21 August, 2009.

913 See Bahadur, 2007, p. 5.

914 Cit. Ibid.

915 Conversation with Syed Hussain Arif Naqvi, Islamabad, 1 August, 2009.

Muharram processions (*julus*) provide important vehicles for sectarian and political mobilization.⁹¹⁶ As such and due to the radicalization of Shīʿite and Sunni sectarian identities, they became prominent targets of attacks by Sunni extremist groups such as the *Sipah-i-Sahaba* (SSP, founded 1985) and the *Lashkar-i-Jhangvi* (LeJ, 1996).⁹¹⁷ In the service of the Afghan Taliban, both groups were involved in the sectarian killings of Hazara Shīʿa. SSP's leader Maulana Azam Tariq had been a political tool of the authorities: Freed from jail in 2002, he contested the elections for the MMA.⁹¹⁸ In the Musharraf era in which SSP was officially banned, among many other incidents, the Shīʿites of Quetta were targeted during Muharram by both groups and Shīʿite contractors for the US Army, recruited from this area during the initial years of the international mission in Afghanistan, were killed during retaliation operations.⁹¹⁹ Community representatives accused the leaders of the MMA parties for their authorship of *fatāwa* that justified the murder of Shīʿites. In May, 2004, after several attacks on Shīʿite mosques had claimed lives in Karachi, the leading scholar of the Deobandi Binori Town complex, Mufti Nizamuddin Shamzai was killed, obviously for revenge by Shīʿa activists. Generally speaking, anti-Shīʿa violence has been on the rise in recent years with new attacks and fatalities among the Pakhtun Shīʿa at the beginning of 2012,⁹²⁰ with epicenters in KPK and Baluchistan.⁹²¹ Issues regarding practices of formalized mourning (*azādari*) and *zūljīnah*⁹²² such as licenses for the processions together with a separate *auqaf* had been central demands of the Shīʿa groups since the 1950s.⁹²³

5.3 Jama'at-i-Islami (JI)

Seen by some as the most important Islamist party⁹²⁴ due to its high grade of organization and mobilization⁹²⁵, its prospering system of self-funding and its exclusivity based on restrictive membership and its theological distinctiveness and incompatibility with other *madāhib*, the JI is, without doubt, the most prominent religious party of Pakistan attracting most academic studies in this field. The party's publication services which make the Jama'at “a major stakeholder in the religious ideological media in Pakistan”⁹²⁶ did their part to promote this

916 See Zahab, 2008, p. 106.

917 For a detailed analysis of both groups see Rana, 2009, p. 192-212.

918 Taqir was assassinated two years later. See Rashid, 2008, p. 227.

919 Ibid., pp. 227/228.

920 For its violent crack down on Shīʿa protesters after the attacks, the Frontier Corps has been frequently criticized. See Taqi, Muhammad: Kurram: Children of a lesser God. In: Daily Times, 22 February, 2012.

921 See Dawn: Millions of Pakistanis observe Ashura, 28 December, 2009.

922 Procession with a saddled and decorated but riderless horse representing the Shīʿa martyr. On these processions, Zahab writes: “Zuljinah was – and still is – particularly venerated as a powerful intercessor. Women watched from the rooftops and brought their children to Zuljinah to press them against its flank and offered money to the horse's attendants. In Bengal, Hindu and Muslim women placed their newborn babies at Zuljinah's feet to gain protection; they gave milk to the horse, collecting what fell on the ground in a vial; it was said not to curdle and was used as medicine.” Cit. Zahab, 2008, p. 105.

923 See Rana, 2009, p. 401.

924 See for instance Waseem, 1994, p. 90.

925 Here the concept of professional contracted functionaries and a Leninist cadre organization with reference to the *Bolshevik* was introduced by Maudūdī who had been familiar with the works of Stalin and Lenin. See Kepel, 2002, p. 34. The JI has a parallel organization on both national and provincial level including a visible presence and alliances with the small landlords and farmers in rural areas which provide a grass root base of support beyond the party's traditional urban networks. Here, the party, in competition with the PPP and leftist organizations, has tried to ensure support among workers with special committees, legal advice and welfare institutions such as the *National Labor Federation* and the *Business Forum*. See Khan, 2000, p. 337; Gilani, Syed Asad: Maududi. Thought and Movement. Lahore: Islamic Publ., 1984, pp. 78/79; Nasr, 1994, p. 63; Interview with Arif Malik, Workers' Federation, Rawalpindi, 27.07.2009.

926 Cit. PIPS, 2010, p. 71.

reputation.⁹²⁷ Its prominent founder, Sayyid Abul A'la al-Maudūdi⁹²⁸, established the organization in 1941⁹²⁹, but it is mainly his intellectual work based on the social-revolutionary call for an Islamic state and its adaption by Islamist groups worldwide, which makes Maudūdi a central figure within Islamist discourses.⁹³⁰

In 1974 the party moved to its new headquarter in Mansurah, Lahore.⁹³¹ Despite its welfare work and crisis assistance, being recognized by many Pakistanis in the light of the collective traumas of partition, wars and recent natural disasters⁹³², the JI has never been able to reach out to the masses, let alone to win the electoral majorities as a political party until the late 1970s. The party's strict cadre principle, its radical state design, sectarian intolerance and its active discriminatory role towards the non-Muslim population (*dhimmi*), as well as its intolerant attitude towards the omnipresent cultures of Folk Islam alienated the bigger part of society.

927 See Khan, 2000, p. 337; Zaidi, 1990, p. 393. The JI has its own publishing houses and by far, as compared to other religious groups, the most periodicals in accordance with its sub-organizations their members' particular needs. For its organization and hierarchy see Annex, Abbildung 1.

928 Maudūdi, a descendant of the *Chishtīyya sāfi* order had not been educated in traditional theology but attended primary classes at the Madrasa Fawqaniyah in his hometown Aurangabad. His father, the lawyer Ahmad Hassan had been educated at Aligarh but later he split from the college because of its pro-Western worldview. Maudūdi was, in this respect, a representative of both, traditional studies in *dars-i nizāmi* under different Deobandi 'ulama' in Delhi and secular educational ideals as expressed through his intensive study of languages, Western philosophy, natural sciences, and his work as a journalist in Jubalpur and later in Delhi during the early 1920s. In Delhi he contributed to the *Muslim* and from 1925 to 1928 the *Al-Jami'a*, a periodical published by the *Jami'at-ul-'Ulama-i-Hind*. Indian Muslim intelligentsia became aware of Maudūdi's works mainly because of his *Al-Jihād fi al-Islam* (1927/28) which was translated into Arabic and which, together with *Towards Understanding Islam* (1930) can be seen as a key work to his oeuvre. Mohammad Iqbal was one of the readers of Maudūdi's works and journalistic articles and asked him to cooperate with him in the establishment of a Dar ul-Islam in Pathankot, following an initiative by Chaudhry Niaz Ali, a future patron and friend of *Jama'at-i-Islami*. Following engagements with contemporary Muslim intellectual life – in 1932, Maudūdi became an editor for the *Tarjuman al-Qur'an* – he adopted the anti-colonial and anti-Western spirit of that time but became also a challenger to the political Congress elite and nationalist-oriented 'ulama' whose monopoly he criticized for their neglecting and passivity towards Muslim decline and their falsification of what he considered as „true interpretation of Islam“. In response, Maudūdi had been banned as a *kāfir* and *murtad* in *fatāwa* from various religious camps. See Ahmad, 1969, p. 37-39; Hartung, 2001, p. 107-126; McDonough, Sheila: *Muslim Ethics and Modernity. A Comparative Study of the Ethical Thought of Sayyid Ahmad Khan and Mawlana Mawdudi*. Waterloo: Wilfred Laurier Univ. Press, 1984, pp. 55/56; Zaidi, 1990, p. 367-398; Ahmad, Khurshid: *Mawlana Mawdudi: An Introduction to His Life and Thought*. Delhi: Markazi Maktaba Islami, 1992, p. 9-18; Ahmad, 1976, p. 31-33; Malik, Jamal: *Maudūdi's al-Jihād fi'l-Islām. A Neglected Document*, pp. 63/64. In: *ZfR* No. 17, 2009, p. 61-69; Nasr, 1994, p. 7.

929 At the founding conference on 26 August, 1941, in Pathankot, with 74 members present, Maudūdi elaborated on the importance of his exclusive interpretation of Islam and the *Jama'at's* future role as a leading exemplary force and Islamic vanguard.

930 Thus, seeing him as a „doyen of political Islam“ within the „Islamist trinity“ together with Hassan al-Banna and Sayyid Qutb seems to adequately designate his leading role. Cit. Malik, 2009, p. 62. The prominent but incorrect view according to which, „the *Jamaat-e-Islami* was, in effect, the Pakistani branch of the Muslim Brotherhood“ does not adequately take into account the JI's agenda which has been strongly oriented, initially to the Indian colonial context, and later to the Pakistani state. Cit. Coll, 2004, p.112.

931 In 1968, the *Jama'at* established its own campus in Mansurah, Lahore, financed with private donations and equity capital and acquired land next to their new headquarters. The area of the colony houses a number of educational institutions, research centers, schools and institutions for the religious training of its members. The JI, from the very beginning, was eager to set up an autonomous educational system and, since then, in addition to the training of its own party cadres, has been strongly frequented by the public. This is especially true with regard to its medical services for the poor: Besides offices of the central secretariat of the JI in Punjab, residential areas for leading officials, high style guesthouses and accommodation for students, there is a hospital under the aegis of *Al-Khidmat Foundation*, which had been built with government subsidies. An ambulatory care service functions, like *Al-Khidmat* with offices in all cities, countrywide and offers reduced prices or free medical care. *Al-Khidmat* coordinates public health campaigns, such as a nationwide vaccination campaign against hepatitis in 2009, in which vaccination for 400 instead of 1.000 rupees had been provided. *Al-Khidmat* and smaller trusts associated with the JI had been involved in the emergency aid for refugees during war times and victims of natural disasters, like in the case of the 2005 earthquake in Kashmir and the 2010 floods. Beyond that, there are several other organizations and institutions based in the fenced and well guarded colony, some of them with branches in the major cities, such as the Academy of Islamic Studies (*Idarah Ma'arif-i-i Islami*), the *Sayyid Maududi International Education* institution and the offices of *Voice of Islam (Idarah Sada-i-i Islam)*. See Khan, 2000, p. 337; Gaier, 2012, pp. 102/103; Interview with Amjad Qurashi, secretary general *Al-Khidmat Foundation* Islamabad, Islamabad, 4 August, 2009.

932 During several crises in Pakistan's history, the JI has proven its keen sense for presenting itself as a competent welfare agency. Its immediate aid measures and direct support were, in many cases, much more effective than the slow support provided by the government and the army. This was for instance the case during the massacres and expulsions in East Punjab following independence in 1947, when the JI provided supply of food to the overcrowded refugee camps as well as during the great flood in Punjab in 1950.

Hierarchically, the *amir* (military leader) is the party's highest authority and provides guidance to his followers.⁹³³ According to the constitution of 1941, he is flanked by an elected committee, the *majlis-i-shūrā*, as an advisory body. A vow of allegiance to the *Amir-e-Jama'at*, as a substantial element of the Jama'at's centralized and authoritative principle of leadership, ensures loyalty and control from top down to the smallest administrative units. With regard to its social basis, the Jama'at relies on the support by its urban lower middle class constituency composed of civil servants, traders and intellectuals.⁹³⁴ Like many other religious-political organizations, its student organizations form the ideological spearhead of the movement with the *Islami Jami'at-i Tulaba* (IJT) as the most active sub-organization.⁹³⁵ In general terms, its own base of support includes sympathizers (*hamdard*), followers (*mutaffiqan*)⁹³⁶ and official members (*arkan*), with the two former categories providing essential support and mobilization for political action (“street power”). Cadre training, education and strict regulation with regard to duties and privileges of members, combined in the concept of *dā'wa* (mission) among new members and in public, is consistently applied on the individual level to new recruits in specific character-building courses and study and prayer circles, and almost analogous to the efforts of educating Muslim society in large on a collective level.⁹³⁷ Membership requires the passing of strictly codified inauguration rites in which the applicant formally declares his abstaining from drinking, music and dance, gambling, protected sex and moral misbehavior repugnant to the code of conduct as exemplified in *sunna* and *qur'ān*.

With regard to his political theory, as has been discussed in Chapter 2 in contrast to the arguments brought forth by other *'ulamā'*, the League and members of the Congress, the doctrinal change from a sovereignty of the people towards the sovereignty of God is important to understand the Jama'at's balancing of genuinely political demands for a revolutionary change on the one hand and a theological concept on the other and the harmonization of this antagonism within the party's self-understanding. The importance attached to the people of the Islamic state becomes clear with Maudūdī's emphasis on *khilāfa* that makes every individual of Islamic society its own caliph or representative of God's will. "Every true Muslim is a caliph"⁹³⁸, is, thus, a

933 Maudūdī who had an undisputed authority as the Amir for life time, was the party's main financial patron due to his active authorship of literature which was produced by the JI's press and associated publishing groups. This was probably another reason why the JI, as an exception in Pakistan's political culture, since the 1960's seemed to be immune to splits and inner unrest: „Organisationally, Mawdudi's hold over the Jama'at rested on the system of whole time workers who were paid their wages from the treasury. In 1965, every fifteenth member was a paid worker. The leadership and its management was entirely under the control of these paid workers. It required great courage to differ from the Amir, when one's livelihood depended on one's agreement with the Jama'at.“ Cit. Bahadur, Kalim: *The Jama'at-i-Islami of Pakistan*. New Delhi: Chetana Publ., 1977, pp. 13/14:

934 See Waseem, 1994, p. 90.

935 A detailed analysis of the IJT is given by Nasr, Seyyed Vali Reza: *Students, Islam and Politics: Islami Jami'at-i Tulaba in Pakistan*. In: *The Middle East Journal*, Vol. 46, No. 1, 1992, p. 59-76. The IJT has proven that it can attract students and teaching staff at Pakistan's universities to such an extent that competitive political and religious student organizations are clearly on the margins. The University of Punjab, Lahore, is only one prominent case where the Jama'at wing gained hegemony. See for instance Baker, Aryn: *The Battle for Punjab University*. In: *Time Magazine*, 8 October, 2006.

936 The institution of the *mutaffiq* had been introduced in the forefront of the Punjab elections of 1951 and as a substitute for the former differentiation between those activists with limited knowledge of the Jama'at's program (*muta'arif*) and those who had applied to the party's rules and educational program (*muta'athir*). See Nasr, 1994, p. 48.

937 See Zaidi, 1990, p. 395; Khan, 2000, p. 340. The process of *dā'wa* is, according to Maudūdī, based on purification and training of spirit and thought, re-orientation and re-building of one's own character and life, reformation of society and, finally, the reform of the government. See Gilani, 1984, p. 63-68.

938 Cit. N. a.: *Pursuing a Mission. The Life and Times of Syed Abul A'la Mawdudi. Rise up with the Message of Qur'an and go forth to win the World* (DVD). Karachi, n. d.

central message of *Jama'at-i-Islami's* ideology as much as *khilafa* is a core principle of political Islamic theory, together with *taubid* and *risala* (prophet-hood).⁹³⁹

5.4 Ahl-i-Hadith / Salafiyya

Markaz-e-Jamiat Ahle Hadith, or *Ahl-i-Hadith* (AH), though smaller by numbers of its *madaris*, holds an considerable influence especially in the urban and industrial centers of Punjab such as Faisalabad, Gujranwala, Sialkot and Lahore.⁹⁴⁰ A majority of Punjabi businessmen sees the Sharif family, whose founder and dynastic head, *aba-ji* Mian Mohammad Sharif, until his death in 2012 had been a member of the AH, and the Pakistan Muslim League of Nawaz Sharif as their political representation. The *Ahl-i-Hadith* is supported by the merchant families of industrial Punjab and private donors from the United Arab Emirates and Saudi Arabia.⁹⁴¹ On a personal basis relations between scholars and the Saudi royal family were quite close.⁹⁴² Similar to its support for the *Nadwat al-'Ulama*, who were incorporated into the front against Nasserist Arab nationalism by providing funds and leading posts in Saudi-sponsored organizations,⁹⁴³ the AH was seen as a strategic partner. Institutionally and through the privileged relation, AH schools such as the Jami'a Salafiyya with branches in Faisalabad and Islamabad were affiliated with universities in Medina, Riyadh and Mecca.⁹⁴⁴ In Pakistan, the influence of *Ahl-i-Hadith* on the society is significant while their political engagement has been traditionally low. Gujranwala, formerly Hafizabad, is a case in point: Until the 1970's ruled by the PPP and considered a liberal climate, the city increasingly became the focal point of several blasphemy, *fabashi* (vulgarity/obscenity) and *uriani* (nudity) cases in which actresses, musicians and even members of the Pakistan cricket team faced a variety of court cases.⁹⁴⁵ The sealing of Gujranwala theaters, internet cafes and DVD-shops indicates changes in the perception of public morality with the new moral watchdogs from the sectarianized *jibadi* scene being on the rise.⁹⁴⁶ In general, the area of the canal colonies, where many *Ahl-i-Hadith* members settled as refugees from

939 While the concept of sovereignty (*hakimiyya*, Allah's sovereignty) is seen as sacrosanct in Maududi's theory of rule, the concept of *khilafa*, the human vice-regency of the divine will on earth, allows room for interpretation. Power and rule through the caliphate is not given by rank, caste or class, rather, the vice-regency can only be exercised as a collective rule, which has to submit to the divine sovereignty. Nevertheless, due to its imprecise character, this theory emphasizes both the interpretation of rule by the community of believers and a party in the political sense and, thus, creates a twofold meaning. The ideal Islamic state would represent Islam as an inclusive system intertwining politics, economy and culture. However, Maududi's loose evolutionary multistage model, proved to be historically right, as he claimed Pakistan's head of state to be a male Muslim candidate only in 1952, based on the need for a flexible model that would be modified in the light of coming developments: The future Islamic state should not be an identical projection of ancient Medinensic times. Rather, the prophetic role model and authentic Muslim life-style had to be applied to contemporary modern times.

940 As of 2009, Rana counts 17 political, jihadi and Tablighi organizations that are controlled by the *Ahl-i-Hadith*. See Rana, 2009, p. 295. Riexinger points out to the AH's expansion in rural areas such as Wazirabad, Sahadra, Sargodha, Okara and Qila Mahian Singh or its traditional presence in Amritsar and the district of Ferozpur. Here, much emphasis had been laid on the AH's influence on both urban and rural society. See Riexinger, Martin: *Sanâ'ullâh Amritsarî (1868–1948) und die Ahl-i im Punjab unter britischer Herrschaft*. Würzburg: Ergon, 2004, pp. 591/592. Rana adds Dera Ghazi Khan, Khanpur, Rahimyar Khan and Islamabad to the organization's countrywide network. See Rana, 2009, p. 305.

941 See Shafiqat, 2002, p. 131-147.

942 As Zaman pointed out, the strong Saudi influence was the result of competing claims of both Egypt and Saudi Arabia. While the former has only a limited say in the Subcontinent's Islamic debates, the Saudis, due to their much larger resources through oil production and export, are important supporters for religious groups in Pakistan. See Zaman, 2004, p. 174.

943 One platform was the *Muslim World League (Rabitat al-'alam al-Islami)* on which Sayyid Abu'l-Hasan Nadwi (1913-1999), eminent scholar at the *Dar ul-Ulum Nadwat ul-Ulama* and the *Dar ul-Ulum Deoband*, played a leading role. See Ibid., p. 160-170.

944 With the Islamic University Medina, the Imam Muhammad Bin Sa'ud Islamic University in Riyadh and the Umm al-Qura University of Mecca. See Ibid., p. 175.

945 See The Friday Times: What's happening to Gujranwala?, 30 January, 2004.

partitioned Punjab can be identified as the initial center of AH expansion in Pakistan with Gujranwala and Lyallpur as main centers of their activities.⁹⁴⁷

In contrast to the Deobandis and Barelwis, “those who do not adhere to any school of law (*madhabib*)” (*ghair muqallid*) reject any school of law – or even consider the schools founders as infidels⁹⁴⁸ – and hold that *hadith* and *qurʿān* provide adequate guidance to the Muslims.⁹⁴⁹ Their demand for independent reasoning, their refusal of *taqlid* while justifying *ijtihad* for members of the educated elite,⁹⁵⁰ their pejorative notion as Wahhabis and Salafis, gave them a widely negative image of zealots. The *jihad* oriented faction offered armed resistance to the British reign during the 1857 uprisings which was responded by suppression, forcing its leaders to maintain a low profile.⁹⁵¹ Soon after its creation around the year 1864, the group, or better, the internally diverse conglomeration, formally requested the official differentiation from the Wahhabis in 1887.⁹⁵² With regard to their Yemeni origins, until today, the *Ahl-i-Hadith* are perceived as a non-indigenous, largely Arab influenced reformist movement, hence, an external competitor in the South Asian religious field. Another stumbling bloc in the colonial context was the *Ahl-i-Hadith*' claim to succeed Shah Wali Allah, a claim that is shared by Deobandi scholars as well.⁹⁵³

Since the 1953 anti-Ahmadiyya agitations, the AH has been an active supporter of the *khatm-i-nubuwwat* campaign, despite a minority faction refusing it.⁹⁵⁴ Accordingly, political interventions were limited to those of the other religious parties and included opposition to the regimes of Ayub Khan and Zulfikar Ali Bhutto. Like in the case of the JUP, the 1970 elections became the turning point for the party when it aligned with the Deobandi JUI but failed to win more than one provincial seat in Bengal.⁹⁵⁵ During the 1970's the most prominent figure in the AH was Ihsan Ilahi Zahir: While the party supported the *nizam-i mustafa* movement against Bhutto in 1977, Zahir and other leaders became vehement critics of Zia ul-Haq's policies and later rejoined the Bhutto camp and the *Movement for the Restoration of Democracy*.⁹⁵⁶ However, strong linkages between *Ahl-i-Hadith* members and the PML-N persist.⁹⁵⁷ Prof. Sajid Mir is the current *amir* of the group.⁹⁵⁸ Being a close ally

946 In the context of “talibanization” of the country, similar cases of artists, writers and public figures who were banned or penalized, were commonly linked to the Taliban movement and, since 2002, to the governing MMA coalitions in NWFP. See for instance Pakistan Today: Taliban force famous singer out of Peshawar, 11 April, 2011.

947 See Riexinger, 2004, pp. 565/566.

948 For instance a *fatwa* issued by *Ahl-i-Hadith* scholars declaring Abu Hanifa a *kaafir*. See Youtube.

949 For AH's inner debate on the role and interpretation of the *hadith* (“*hadith* fundamentalism”) versus quranic scripturalism see Malik, 2008, pp. 361/362.

950 Ibid., p. 292.

951 Ibid.

952 See Jalal, 2008, p. 145. Formally, the *All India Able Hadith Conference* was established later in 1906.

953 Conversation with Maulana Mohammad Ishaq Bhatti, *Ahl-e Hadith*, Lahore, 22 August, 2009.

954 According to Riexinger, four out of 28 delegates of the *All Pakistan Muslims Parties Conference*, held in January, 1953, were from the AH. See Riexinger, 2004, p. 570.

955 See Ibid., pp. 571/572.

956 See Ibid., pp. 573/574.

957 For instance the late Maulana Moinuddin Lakhvi, a former MNA for the PML-N and Chairman of the Standing Committee on Religious and Minorities Affairs, had been a prominent *Ahl-i-Hadith* leader whose father, Maulana Muhammad Ali Madni, had spent 36 years as scholar in Saudi Arabia. Lakhvi had also been a mentor to Punjab's assembly speaker Rana Muhammad Iqbal Khan (PML-N). See The Times of India: Jamiat Ahl-e-Hadith leader Maulana Moeenuddin Lakhvi dies, 10 December, 2011; The News: No undemocratic method to end govt: Rana Iqbal, 18 December, 2011.

958 Mir, who comes from a notable family of AH scholars, had been educated in religious and secular institutions and has worked at a college in Nigeria. See Riexinger, 2004, pp. 566/567.

of the Sharif family, he ensured his election as a senator on a PML-N ticket in the 2002 elections. The party's manifesto indicates that the AH had been somewhat in competition with the JI:

Markazi Ahle Hadees raised the voice of truth against a female rule [Benazir Bhutto, M. G.] and, for the greater good of the country, considered forming a coalition with Muslim League (N) the need of the day. It is the reason why Mian Nawaz Sharif has repeatedly appreciated the organization's efforts. In fact, Mian Nawaz Sharif, who keenly desired the support of Jama'at-e-Islami has now forgotten the way to Mansoor. ⁹⁵⁹

Since then, Mir has displayed his political flexibility through his frequent attendance at *Jama'at-ud-Dawa* (JD) *jalsas*.⁹⁶⁰ The JD is in this study treated as a distinct organization of the AH for its clear commitment to political participation and for its interpretation of *jihad*. Tensions with *Ahl-i-Hadith* leaders began, when Prof. Hafiz Saeed established the *Dawat-ul-Irshad*⁹⁶¹, initially a charity organization whose identity is highly dependent on what it considers as the purity of the Salafi sect which it sees threatened through the political tactical alignments of AH with non-Salafi platforms.⁹⁶² In turn, Saeed's solo and his rise as a religious-political leader, infamous in India and the US, had been criticized by the AH and its Indian organization.⁹⁶³ The latter's representatives had labeled Hafiz Saeed a *khawarij* (rebel), who together with the Taliban was part of an international conspiracy against Islam.⁹⁶⁴ However, Saeed's network is mainly seen skeptical since it succeeded in mobilizing extraordinary street power with political and socioeconomic messages while the AH still focuses on the religious issues.⁹⁶⁵ Its *jihad* doctrine is largely promoted and carried out by the LeT, its Azad Kashmir based military wing which had been banned in 2002.⁹⁶⁶

It is believed that LeT's massive presence in the public, is also a result of its own publications⁹⁶⁷ spread despite the organization's illegality.⁹⁶⁸ In April, 2001, before the events of 9/11 shook the country, and in March, 2003, public rallies by the LeT were held under the eyes of the authorities and the ISI, in which Saeed was given the opportunity to protest against the ban of the group by foreign governments and to spread its call for suicide missions and participation in the holy war against the enemies of Muslim Pakistan:

959 Cit. Rana, 2009, pp. 304/305.

960 See ICG, 2011, p. 14.

961 For fear of a ban by the authorities this name was changed into JD in 2002.

962 See Rana, 2009, p. 316.

963 For instance by Maulana Muhammad Ishaq from Faisalabad who is a prominent promoter of Shī'a-Sunni unity. In the past, Ishaq and other AH leaders from Pakistan launched public rallies against the JD. See Nishapuri, Abdul: Ahl-e-Hadith Muslims reject Jamaat-ud-Dawa (JuD). In: LUBP, 3 March, 2011.

964 See Daily News and Analysis India: Taliban, LeT maligning Islam: Scholars, 1 March, 2012.

965 Conversation with Maulana Mohammad Ishaq Bhatti, Lahore.

966 The founding of the LeT and JD can be traced back to the Islamiyat Department at the Engineering University Lahore, where Saeed, together with Zafar Iqbal and the Palestinian scholar Abdallah Azzam established *Dawat-ul-Irshad Markaz* in 1987. However, Hafiz Saeed was the main force behind the call for participation in the Afghan Jihad for whose purpose *Lashkar-e-Ta'iba* (LeT) was founded. Similar to other groups fighting in Afghanistan, the LeT sent volunteers that were associated with the AH to its training facilities in Paktia and Kantar. See Shafiqat, 2002, p. 131-148. For banned jihadi groups see list in Annex, Tabelle 2.

967 This includes its monthly *Voice of Islam*, *Al-Anfal*, *Mujalla Al-Da'awa*, *Tayyibaat*, *Rozatul Atfal* and its weekly *Ghazwa*. These publications are available in English, Urdu and Arabic and target specific audiences such as women, children or students. See Pak Institute for Peace Studies: Understanding the Militants' Media in Pakistan. Islamabad: PIPS, 2010, p. 57-61.

968 "The Pakistani government also made no attempt to contain the inflammatory jihadi literature that flooded the country after 9/11. Some forty publications with a circulation of over one million were published by extremist groups. Lashkar-e-Tayyaba claimed that its weekly newspaper had a print run of more than one hundred thousand copies and it continued to publish glory accounts of suicide bombers killed in Kashmir." Cit. Rashid, Ahmed: Descent into Chaos. How the War against Islamic Extremism is being lost in Pakistan, Afghanistan and Central Asia. London (a. o.): Allen Lane, 2008, p. 227. Despite its military agenda for Kashmir, the organization displayed an international orientation, e.g. with its successful recruitment of British Pakistanis.

By staging such rallies, when all political rallies were banned by the regime, the ISI was sending an unambiguous message to the Americans and the UN: that Pakistan continued to support the Taliban even as the UN attempted to seek an end to the civil war in Afghanistan.⁹⁶⁹

Its loyalty to the Pakistani state by concentrating exclusively on Indian targets in J&K and India, and after 2006 on the Afghan arena, was claimed to be the main reason why the organization's activities are still tolerated and its leaders protected.⁹⁷⁰ Following the attack on the Indian parliament in December, 2001, and the Mumbai attacks between 26 and 29 November, 2008⁹⁷¹, the Indian government demanded to arrest Hafiz Saeed and his military commander Ziaurrehman Lakhvi.⁹⁷² Still active and linked to other militant groups like *al-Qá'ida* and *Ansar ul-Islam*,⁹⁷³ the JD, together with its affiliated charity *Falah-i-Insaniyat* showed a high-profile during the floods of 2010⁹⁷⁴ and is believed to be independent of ISI financial support since that time, mainly due to profits from its extensive educational and charitable network in Pakistan and in the Diasporas.⁹⁷⁵

5.5 Radicalization, Ghairat Conservatism and the Religious Right

Violent clashes are by far not a new feature of fragmentation and sectarianization of Pakistan's religious landscape. Increasing in number during the 1980s, main targets of street clashes, uprisings and revenge and retaliatory high-profile killings of prominent leaders were attributed to the sectarian and jihadist agenda of new militias:

Till 1995, killings were confined to leaders and activists of both sects; then symbols of State authority, main government functionaries, police officers and judges, were targeted. A change was seen in 1987 with indiscriminate gunfire on ordinary citizens who were not involved in sectarian activity and whose only fault was to be Sunni or Shia, and tit-for-tat killings targeting doctors, lawyers and traders.⁹⁷⁶

This scenario has changed rapidly in the post-9/11 period: Beyond its economy of violence that is usually associated with the Karachi arena, nowadays killings and attacks occur country-wide. As a result, '*ulama*' from all religious schools of thought are increasingly forced to keep a low-profile with a considerable number of scholars having reservations to condemn attacks on civilians and suicide attacks in public for fear of being targeted by militants.⁹⁷⁷ Loud opposition to religious militancy by representatives of state institutions such as the CII, the Islamic Research Institute and affiliated bodies as well as the Ministry for Religious Affairs has proved to

969 Cit. Rashid, 2008, p. 53. For the April, 2003, rally see *ibid.*, p. 228.

970 "Pakistani officials have told me that their greatest fears of a mass revolt in Punjab concern what would happen if Lashkar-e-Taiba/Jamaat-ud-Dawa were to swing against the state and use their extensive network to mobilize and organize unrest. This they say is one key reason (along with their anti-Indian agenda, which they do not mention) for not taking the sweeping measures against the organisation that the US is demanding." Cit. Lieven, 2011, p. 191.

971 In March, 2010, US-citizen David Headley, pledged guilty to have been trained in a LeT camp and to have been involved in the preparations for the Mumbai attacks. Amir Ajmal Kasab, the survivor of the attacks who is in Indian custody, acknowledged that he acted on orders by the LeT. LeT is believed to have carried out the 13 February, 2010, bombing of a German bakery in Pune as well. See also group profile on National Counterterrorism Center, website.

972 See for instance Gul, Imtiaz: *The Most Dangerous Place. Pakistan's Lawless Frontier*. New York: Penguin, 2010, p. 168ff.

973 For instance Pir Saifurrehman, founder of *Ansar ul-Islam* and arch enemy of the *Lashkar-i-Islam* under Mangal Bagh Afridi is thought to have been offered shelter in safe homes run by JD or LeT in Central Punjab since 2006. See Gul, 2010, pp. 238/239. Earlier, in March, 2002, *al-Qá'ida* member Abu Zubaydah was captured at an LT safe-house in Faisalabad.

974 Like the other religious groups and especially *Jama'at-i-Islami*, JD was very active in providing humanitarian relief to victims of the October 2005 earthquake in Kashmir which ensured legitimacy and reputation to the group in Kashmir and Pakistan.

975 See Lieven, 2011, pp. 190/191.

976 Cit. Zahab, 2002, p. 118.

977 The number and qualities of attacks had been increased since 2006 significantly with 2009 as the year with most attacks and casualties, comparable in number with the civilian and military casualties in Iraq in 2006/07. See for instance The Brookings Institution: *Iraq Index Tracking Variables of Reconstruction & Security in Post-Saddam Iraq*. Washington, October, 2007, p. 7ff.

be only limited for similar reasons.⁹⁷⁸ The wave of violence which reached its height in 2009 when the Pakistan Army launched two military operations against the militants, had a significant impact on society: While sympathies for the Taliban diminished by the day, new debates about radicalization among the youth, national pride and honor facing American interference in the region, and, finally, political instability after the return to democracy, have empowered new religious-political forces. In terms of their political-ideological orientations, some of the religious-political parties have become the upholders of conservative nationalist right-wing ideology too. In addition to their initial agenda of introducing an Islamic welfare system and against the background of Pakistan's new front state role, their focus has been widened to fields such as foreign affairs. Paralleling the deteriorating security situation since 2007/08, Pakistani and international observers have pointed out to an intensification of discourses in the field of cultural-religious pietism, conservatism and ultra-patriotism in the mainstream public. Ideological reformation and change of particular mindsets requires more than only state policies, but here, a top down reform approach to redefine the existing monopoly of interpretation of just one Islamic sect seems to be essential followed by critical debate and the reform of education syllabuses, media programs and its contents as well as a free intellectual discourse on religion and culture in their Pakistani context. As the traditional activists in these domains, the religious parties were joined by the right-of-center political spectrum with the PML – especially its conservative Punjabi Nawaz faction – and political newcomers like Imran Khan's PTI. Public debates like the case of TV show anchor Maya Khan who had been fired for producing a program in which she raided a public park in Karachi, hounding unmarried dating couples and questioning their morality,⁹⁷⁹ were recent indicators for the rise of what liberal-oriented Pakistani liberals called a *ghairat* (pride, honor) *brigade*.⁹⁸⁰ Exceptional men of honor (*ghairatman*) seem to offer more plausible answers to the pressing social-economic needs of the people and can effectively counter the narrative of crisis and decline that had befallen the national discourse in recent years. Highly disruptive events in 2011 like the killings of Salman Taseer and Shahbaz Bhatti, violence against minorities, the affair on the CIA operative Raymond Davis, Memogate affair and speculations about a coming military take-over, and in particular the reactions by the political, religious and media public, were seen as an expression of this radicalization of society and especially its well-educated and privileged middle and upper classes.

The attempt to implement a single uniform policy in order to control the religious sectors – “Islam from the cantonment”⁹⁸¹ – has cultivated political alliances despite factional rivalries and internal struggles between the various *Islam pasand* parties.⁹⁸² Pakistan's religious-political front, outnumbered in alliances only by

978 The conclusion that there is a consensus regarding the threat by militant groups and the Taliban, shared by practically all religious groups, is based on my interviews.

979 See Kazim, Hasnain: Pakistanische TV-Show: Mama Talib macht Jagd auf Verliebte. In: Spiegel Online, 25 January, 2012.

980 This term with its polar opposite being *sharm* (shame) – or *ghairatman* including both – comes from the tribal code of *pakhtunwali* where it is used, for instance with regard to the male duty to defend the honor of female family members. See Steul, Willi: Paschtunwali. Ein Ehrenkodex und seine rechtliche Relevanz. In: Beiträge zur Südasienforschung, Südasien-Institut, Univ. Heidelberg, Vol. 54. Wiesbaden: Steiner, 1981, pp. 136/137, 172-177; Paracha, Nadeem F.: Goodbye ghairat. In: Dawn-Blog, 18 March, 2011; Fayyaz, Sadaf: The Ghairat Brigade. In: The Express Tribune Blogs, 12 October, 2010.

981 Cit. Malik, 1996, p. 8.

982 This list does not include the smaller alliances of *Milli Yakjehti Council*, *Muttahida Jibad Council* and the *Jammu Jibadi Council* since they represent exclusive jihadi orientations and aims with special focus on Kashmir. For these alliances see Rana, 2009, p. 478-481.

Bangladesh, where in 1981 not less than 66 religious parties participated in elections,⁹⁸³ is unique in that it comprises of largely independent Pakistani groups.⁹⁸⁴ While the creation and funding of UDF, PNA and IJI was primarily ought to counterbalance and defeat the PPP in the electoral process and beyond that, to damage the reputation of their candidates through targeted blackmail and media campaigns, the activities of present alliances such as *Difa-e-Pakistan Council* (DPC) differ from that tradition. The activities of the DPC indicate a nationalist agenda which is aimed at weakening the present government with its demands of tackling the granting of a MFN status to India, negotiations on the Kashmir issue and any initiatives to bring the Pakistani and Indian sides together.⁹⁸⁵ The DPC proclaims a coming *ghazwa-e-hind*⁹⁸⁶, a religiously sanctified Muslim war against India. Furthermore, the DPC has been the most ardent lobby agency for a downgrade of relations to the USA during 2011/12.⁹⁸⁷

5.6 Informal Networks of Power, Folk Islam and Pirism

While the rural gentry being the politically dominant force, that was – and still is – able to obtain its power by using its *biradiri* (kinship) networks to prevent land reforms from implementation, the peasantry has ever been excluded from political and power participation.⁹⁸⁸ Being a byproduct of devotional Islam, “pirism”⁹⁸⁹ became a factor in national politics too. The infamous Pir Syed Mardan Shah (1928-2012) – the Pir Pagaro – exemplifies the interplay of political and spiritual power about which Malik writes: “State politics cannot function without integrating or limiting the power of the pirs in Pakistan.”⁹⁹⁰ As a central figure of anti-British *hurs* resistance in Sindh, his father Pir Sibghatullah Shah Pagaro had been executed by the British in 1943. Spending years in British protective custody and in England, the Pir who had been educated both traditionally and modernist at the Aligarh University, returned to Pakistan in 1951 where his titles were restored by Liaquat Ali

983 In addition to the *Jama'at-i-Islami* the two Islamic alliances of the *Islamic Jukta Front* (Solaiman and Jalalabadi groups) competed with the Mafizur Rahman Rokan front.

984 In contrast, the Bangladeshi religious camp of the 1980s was highly dependent of foreign support which split the parties into a Saudi, a Libyan and an Iranian faction.

985 In a recent case, president Zardari's and his son's private visit to a shrine in India on 8 April, 2012, in which they met Indian prime minister Singh, was heavily opposed by the DPC circles in Pakistan. See *The Times of India*: Asif Ali Zardari's visit: India will judge Pak ties with action on Saeed, terror, PM tells Pak President, 8 April, 2012.

986 This term refers to the battles in which Prophet Muhammad participated in order to defend Islam or with the goal of Muslim territorial expansion.

987 After the bombardment of the Pakistani army post at Salala in November, 2011, by NATO air force, Pakistan withdrew its delegation to the Afghanistan Conference in Bonn in December, 2011, and closed the US-NATO supply routes to Afghanistan. The DPC has welcomed this step and demanded the route and military airfields to remain closed for US-personal. This includes the Shamsi airfield in Balochistan close to the Afghan border, which played a prominent role in the US drone war. See DPC, website. Its efforts were sidelined by new organizations and lobby groups such as the self-proclaimed policy think tank *Pakistan Ka Khuda Hafiz* (PKKH) with subliminal incitement of militancy, glorification of *jihad* and martyrdom as well as its displayed ultra-patriotism with regard to support to the army in order to restore and uphold the nation's honor. PKKH sees itself as an alternative network for the security and policy community and is also involved in flood relief work. The organization is chaired by former Director MI and ISI, Lt.-Gen. (rtd.) Hamid Gul, talk show host Ahmed Quraishi, PTI member and editor for *The Nation* Dr. Shireen Mazari and Mushahid Hussain Syed (PML-Q) and illustrates the new symbiosis of traditional political right-wing forces with new spokesmen of a highly sectarianized and ideological middle class, which, with regard to the impressive series of DPC *jalsas* and media campaigns in 2011/12 has large funding on hand. See PKKH, website.

988 See Bin Sayeed, Khalid: *Pakistan. The Formative Phase, 1857-1948*. Karachi: Oxford Univ. Press, 1968, p. 83ff.

989 Expression used in Schimmel, Annemarie: *Islam in the Indian Subcontinent*. Leiden: Brill, 1980, p. 138. “Muridism” is used alternatively for this phenomenon by Pasha, 1995, p. 182.

990 Cit. Malik, 1996, p. 8.

Khan. As a political leader of different Muslim League factions⁹⁹¹, the *hurs* community and its leader became a considerable power group in national politics where he patronized politicians like Mohammad Khan Junejo⁹⁹² and ensured influence in Sindh for the regimes of Ayub Khan, Zulfikar Ali Bhutto and Zia ul-Haq on whose martial law regimes he gave supportive statements several times.⁹⁹³ As a considerable political force, he was part of subsequent anti-PPP alliances such as the IJI: It has been said that in the 1990 pre-election campaign, Pir Pagaro received ISI funds provided by members of the Sindhi economic and business elites such as Yunus Habib of the Habib Bank.⁹⁹⁴ Like in most of the country's political-cum-religious dynasties his son Syed Sibghatullah Shah Rashdi, chief of the PML-F faction, former MPA and Sindh minister, stepped in as a new power broker and eighth Pir of his dynasty when Pir Pagaro died in January, 2012.⁹⁹⁵ Marriage politics still is an important tool for gaining power: Although his family is loyal to the PPP, present prime minister Yousaf Raza Gilani, who himself hails from a prominent *sajjada nasbin* family from Multan, made his big coup when he arranged the marriage between his oldest son, himself a provincial parliamentarian, and a granddaughter of Pir Pagaro only a day before he was sworn in as prime minister in 2008.⁹⁹⁶ Political supporters to subsequent ruling regimes can also be found among the *piri* of Punjab: Like the Pir of Siyal Sharif, an influential figure in the Sargodha and Jhang districts during the 1977 and 1985 elections⁹⁹⁷, the *pir* family of the Qureishis from Multan, with Shah Mahmud Qureishi as former foreign minister (2008-11)⁹⁹⁸, *pir* Hazrat Syed Ghulam Muhy-uddin Shah, *Babu-ji*, (1891-1974) of Golra Sharif⁹⁹⁹ was a political heavy weight and a declared opponent of the Bhuttos. Provoked by Bhutto's socialist program including land reforms, Babuji who became an ardent author of anti-Bhutto pamphlets, mobilized his *muridi*, for instance in the parliament, to campaign against Bhutto's PPP. Eventually due to his connections and his potential as a pro-government ally he regained the shrine and his property, taken over by the government and placed under the Awqaf Department in 1961, after he won the case at the Rawalpindi court.¹⁰⁰⁰ When Zulfikar Ali Bhutto visited the shrine of Bari Imam, Nurpur, in 1970, Babuji annoyed the political elite when he refused to meet the PPP leader and former foreign minister (1963-1966).¹⁰⁰¹ Opposing the influence of PPP in Punjab, Babuji supported the Deobandi JUI – especially when Maulana Mufti Mahmud (1919-1980) from Dera Ismail Khan became general secretary of the

991 Qayyum group and Functional group, founded in 1985. Following a deal with the Chaudhry brothers of Gurajat, the PML-F re-joined the PML-Q in 2010. See The Express Tribune: Chaudhrys in new League with Pir Pagara, 19 September, 2010.

992 See Tempest, Rone: Power Is the Pir's in Sind Province. In: Los Angeles Times, 25 September, 1986.

993 See Ashraf, Mohammad: Pir Pagara's death leaves a political vacuum. In: Gulf News, 7 February, 2012.

994 See Nawaz, Shuja: Crossed Swords: Pakistan Its Army, and the Wars Within. Karachi: Oxford University Press, 2008, p. 434.

995 Shah Rashdi proclaimed to continue with his father's efforts to unite the various factions of the Muslim League, but his call has since been ignored by the leaders of PML-Q and PML-Nawaz and failed as a result of vendetta politics between the Chaudhrys and the Sharifs. See Hassan, Mubashir: No mid-term elections in sight. In: The Nation, 7 April, 2011.

996 This step primarily ought to appease his Sindhi opponents within the party, who feared his Punjab oriented politics and especially his obsession with the idea of an autonomous Seraiki province in South Punjab might hamper their regional interests.

997 See Malik, 1990, p. 68.

998 As a former PML-Q member, he joined Imran Khan's PTI in November, 2011.

999 At that time, the shrine Babuji inherited from his father, Hazrat Syedna Pir Meher Ali Shah, belonged to the Rawalpindi district (today federal district Islamabad) and included “shrines, four guest houses, old and new assembly halls, Library and the keys”. Cit. Letter Babuji to Syed Ahmad Bin Mahdar-ul-Atas Madni, 24 April, 1961; quoted in Light of Golra Sharif, website.

1000 Another example of prominent and well-connected resistance against nationalization is the Pir Dewal Sharif. See Malik, 1996, p. 64.

1001 Similarly, after Bhutto had become president in 1971, the *pir* ignored high-profile visits by Bhutto's ministers; for instance his minister for religious affairs, Kausar Niazi.

party – and Maulana Shaikh Ahmad Nurani from the Bareilwi JUP.¹⁰⁰² In general, the majority among the *pirs* embraced Zia ul-Haq's take-over and the arresting of Bhutto in 1977. Even the Makhdums of Hala and their *pir* family members cut off their links to the Bhutto-PPP when the regime sacked the president.¹⁰⁰³ Like his successors in power, Zia became a frequent guest at the shrines and conventions of the *Pirs*.¹⁰⁰⁴

The distinction between Folk-Islam and legal or “official” Islam and its representatives, the ‘*ulamā*’, is important. While the ‘*ulamā*’ represent the urban social strata, they are at times opposed to the *pirs* in the rural areas.¹⁰⁰⁵ The majority of the *pirs*, in contrast to the ‘*ulamā*’, in whose circles the support for the Muslim League found both supporters and rigid opponents, were quite supportive towards the League “[...] for they wanted a Muslim state with all that symbolized and devoutly hoped to establish the religious leadership as advisers, even partners, to a ruling class whose political goals (as they perhaps failed to see) were largely secular.”¹⁰⁰⁶ Elements of Sufism were adapted by outspoken opponents of Folk-Islam as well: Despite their founder's vehement criticism of shrine culture and Sufi rituals, the *Jama'at-i-Islami*'s inner hierarchical organization is based on the concept of *bai'ab*, a pledge of allegiance by the disciple to the authority of the leader (*amīr*), obligatory for party members and quite similar to a ritual of initiation.¹⁰⁰⁷ This concept is also part of Sufi *murshid-murid* or *pir-murid* (master-disciple) relations in which the novice acknowledges his subordination under the guidance of his *sūfī* master on the spiritual way towards the absolute truth.¹⁰⁰⁸

Sufi mysticism played a much more important role in spreading Islam and enforcing Muslim identities across the Subcontinent than did the enforcement of systems of power by Muslim conquerors.¹⁰⁰⁹ The mystical concept of Islam with the implicit or explicit assumption that highlights the unity between the believer and god with the spiritual authority of a holy man – often known for working wonders (*karāmāt*) and being able to provide blessings and beneficial power (*baraka*) through his physical presence or his remains¹⁰¹⁰ – as a mediator

1002According to the hagiographic accounts by his followers, his and his successor's death were mourned throughout the country with condolences from the government and the army command as well as via Radio Pakistan and PTV while religious institutions and commercial centers located at Rawalpindi and Islamabad remained closed. See website Golra Sharif: A brief life-sketch of the Lalajee Sahibaan.

1003One example is Khaliq uz-Zaman Makhdum who was a favorite of Zulfikar Bhutto but distanced himself from the PPP when Bhutto was imprisoned. In 1988 Benazir Bhutto reinstated him as president PPP in Sindh, probably because of his family background. Another influential PPP member became Amin Fahim Makhdum, who was offered premiership under Musharraf but who refused and instead tried to run for the post of prime minister after the elections in 2008 but failed due to Zardari's decision to nominate Gilani.

1004See Einzmann, Harald: Ziarat und Pir-e-Muridi. Golra Sharif, Nurpur Shahan und Pir Baba. Drei muslimische Wallfahrtstätten in Nordpakistan. In: Beiträge zur Südasienforschung, Südasien-Institut, Univ. Heidelberg, Vol. 120. Stuttgart: Steiner, 1988, pp. 28/29; Interview with Pir Syed Zafar Kazmi, Chakwal, 16.07.2009.

1005See Malik, 1990, p. 68.

1006Cit. Metcalf, 1982, p. 14.

1007See Maudūdī's early writings of March, 1941, in: 'Asim Nu'mani (Ed.): Makatib-i Sayyid Abu'l-A'la Mawdudi (Correspondences by Sayyid Abul A'la Mawdudi). Lahore: Islamic Publications, Vol. 2, 1977, p. 8-10. Quoted in: Nasr, Seyyed Vali Reza: 'Organization' in Islamic Movements, p. 65. In: Kennedy, Charles H. / Rais, Rasul Bakhsh (Eds.): Pakistan: 1995. Lahore: Vanguard, 1995, p. 61-81. The inclusion of *bai'ab* into the *Jama'at*'s organizational contours might have been a result of Mistri Muhammad Siddiq's influence. He was an intimate companion of Maudūdī and had been sent to scholars in India by Abu'l-Kalam Azad (1888-1958) to win their support for a new Islamic party for which Azad envisioned *bai'ab* as the instrument for ensuring loyalty between the party's supporters and their leader, the *amīr-i Hind*. See Nasr, 1994, p. 11-13.

1008See Weismann, 2007, Chapter 1 and especially p. 3-9; Aziz, 2001. Even in colonial times the administrators pointed out to the misuse of their exceptional social position and personal gains by local saints who often represented the same socioeconomic interests as the landlords due to their extensive land holdings and income through the management of the shrines. See Einzmann, 1988, p. 22-30, 84/85.

1009See Jalal, 2000, p. 17. For the Sufi mystical poets of Punjab and Sindh see *ibid.*, p. 19ff.

1010See De Jong, F., 1989, p. 495.

in between.¹⁰¹¹ Tombs of saints (*maqbaras*) provide the sacral space where the interaction between believer and god via the saint takes place, emphasizing an individual way to god, marked by the contemplation of god (*tasawwuf*), as contrasted by the more collectivist rituals of worship associated with the mosque (*masjid*).¹⁰¹² The prophet is claimed to be the most central authority, sometimes referred to as “the reason of all being” (*asl al-wujūd*), for instance during the excessive festivities on the occasion of his birthday (*‘urs*¹⁰¹³, *milād* or *maulid an-nabi*).¹⁰¹⁴

It is the link with politics, the misuse of power over followers by pirs and manipulation in order to legitimize rule by regimes that presents Sufism in a rather ambiguous light: Re-discovered in the post-9/11 era by Western think tanks and internationally lauded as the “panacea” to turmoil in the region¹⁰¹⁵ and religious-political counter force against extremism and intolerance,¹⁰¹⁶ Sufi concepts of authority and leadership seem to be in a limbo between acceptance on the basis of a narrative of moderate and tolerant Islam on the one hand, and mistrust, allegations of nepotism, decadence and feudalism on the other, pointing out to a narrative of misuse of religion.¹⁰¹⁷ While both accounts generalize and polarize, the latter image is cultivated by national media and the religious orthodoxy alike. Hence, *Ahl-i-Hadith*, Deobandis and *Jama'at-i-Islami*, tend to portray Sufism as *shirk* (blasphemy by polytheism), *bid'a* (unlawful innovation) or simply as *kufr* (infidelity). As for the popular Sufi events at shrines and graves – without exaggerating its reputation in society at large, especially due to threats by extremist groups and restrictions by the local authorities for security reasons¹⁰¹⁸ – it seems that Folk Islam can serve as a “substitute culture” that has the potential to attract all strata of society to some extent.¹⁰¹⁹

Generally, political groups and actors, similar to the army which owns large property in rural areas that it distributes to retired and active officers, provide networks of patronage and distribution of resources for their electorates. Reconsidering the hegemonic role of the military, political actors have to appease and accommodate the military establishment. Informal networks, strategic installation of family members on key posts of decision making and power ensure their influence and participation. Ideally, the “Pakistani political family thus has its members in a range of influential occupations: a civil servant, a policeman, a lawyer, a businessman and, if possible, representatives in several different political parties.”¹⁰²⁰

1011 See Ibid., p. 487. The concept of inter-mediation (*tawu*) is refused by the Deobandis.

1012 See Jalal, 2000, pp. 17/18.

1013 Literally “marriage”; celebrities and commemoration of the death anniversary of the prophet or a specific saint.

1014 See De Jong, F., 1989, p. 491.

1015 Cit. paper on Sufism, SAARC conference, Delhi, March, 2006. Quoted in: World Religion Watch, 2009.

1016 See Philippon, 2011, p. 347-368.

1017 It seems to be adequate to point out to a common “Western” misperception in which the rich cultural conglomerate of Folk Islam remains largely unknown to the media public in the USA or Europe as compared to the well-known radicalized representatives of political or missionary Islamic movements. For an exceptional German contribution on Sufism in Pakistan see Kermani, Navid: Wer hier tanzt, der tut es nicht zum Vergnügen. In: Süddeutsche Zeitung, 24 March, 2012.

1018 After the attack on the Data Ganj Bakhsh (Data Darbar) shrine on 1 July, 2010, the Government of Punjab and Lahore's authorities officially restricted *qawwali* (Sufi devotional music and dancing) events at the site.

1019 Like integration and isolation, *substitution* is a modus operandi to deal with the challenges and different realms of modernity and tradition and “[...] provides a temporary refuge from the sharp contrast between modern and indigenous, such as urban crime, consumption of narcotics, or the world of cinema. The veneration of saints may also be considered here.” Cit. Malik, 2008, p. 397.

1020 Cit. Lieven, 2011, p. 218.

The social strata of electoral candidates in Pakistan can be categorized as follows: 1. feudal and tribal elites; 2. *biradiri* elites; 3. industrial elites; 4. middle class and, 5. the *pīrs* and '*ulama*'.¹⁰²¹ All of these groups when, quite often regardless of their political-ideological orientations, have to join a party for candidacy in traditional constituencies, that guarantee their election. In turn the candidates bring their networks, followers and supporters on the party platform:

Contesting elections has become the profession of the very rich. JUI is an ideological party. We do not have feudal or industrialists funding our elections. Our workers are awarded tickets on merit and the party men run our campaigns. How often can you expect a poor party, its ordinary workers and its candidates to match the might and riches of the feudal or industrialists? Once in five years is okay, but if elections are held every two years, not only JUI but all ideological parties and workers are bound to get eliminated. This is a good way to ensure the 'survival of the richest!'¹⁰²²

A PML senator claims that only the *Jama'at-i-Islami* and the MQM support their candidates financially while the other party platforms themselves rely on the wealth and power of their candidates.¹⁰²³ Bypassing the formal system of power, informal networks and interdependency are based on the traditional elite of landlords (*zamindari*)¹⁰²⁴ that constitutes its own political and socioeconomic center of power. Predominantly in the rural areas, this group aims at keeping out modern urban elites from the political sphere through its linkages to other social sectors: "Patronage and kinship form the basic elements of the Pakistani political system – if water, chemically speaking, is H₂O the Pakistani politics are P²K."¹⁰²⁵ Hence, political parties are dominated by these feudal families and dynasties. Further, any discussion about feudalism, often taken as a distinct rural phenomenon represented by the traditional landowning elite exclusively, has to take into account that the institutional elites such as the army and new urban business circles increasingly contest these power arrangements and can therefore, to a certain extent, be counted to the representatives of the feudal power structure that penetrates national politics.¹⁰²⁶ And last, rural socioeconomic and political power brokers were subjected to change as well:

More important for Pakistan as a whole is the fact that politics in large areas of the Punjab and the NWFP are no longer dominated by great individual landowners. This is partly because of land reform and the subdivision through inheritance of formerly great estates, and partly because of social mobility due to economic change. The key rural politician in these areas is a relatively small landowner (with perhaps 100 acres or so), deeply embedded in a powerful local landowning clan, with influence over the police and administration.¹⁰²⁷

However, this elite is highly heterogeneous alongside tribal, clan and client subdivisions with differing and often competing interests but it continues to shape Pakistan's socioeconomic reality.¹⁰²⁸

1021 This categorization is proposed in Waseem, 1994, p. 96-109.

1022 Cit. Haq, Azmul: Interview with Senator Hafiz Hussain Ahmed (JUI-F). In: The News, 9 December, 1994.

1023 Interview with Semeen Yusuf Siddiqui, Senator (PML-Q), Islamabad, 30 July, 2009. According to her, despite legal improvements for the candidature of women, the increase of women's seats from 20 to 60 in 2002, this is a problem especially for married female candidates who financially depend on their husbands. Although the creation of additional parliamentary seats for minorities and women might have brought limited improvements, it is questionable if this will affect the political culture substantially. As of 2008/09 there were 22 percent female MNAs and 17 percent female senators.

1024 This term is more used in Punjab while in Sindh big landowners are referred to as *waderos*.

1025 Cit. Lieven, 2011, p. 204.

1026 This argument is also raised by Siddiqui, Ayesha: Maleeha Lodhi Juggling a Dream, 13 September, 2011.

1027 Cit. Lieven, 2011, p. 219.

1028 For overlapping rural structures of power, especially in Punjab and Sindh, see the excellent accounts by Einzmann, 1988; Ahmad, 1985; and especially Aziz, Kursheed Kamal: Religion, Land and Politics in Pakistan. A Study of Piri-Muridi. Lahore (a.o.): Vanguard, 2001.

6 Sociopolitical Framework II: Israel's Religious-Political Groups and the State

Rebbe: *I haven't seen you in a long time. Blessing and success.*
Netanyahu: *I came to ask your blessing and help, both personal and political.*
Rebbe: *Since we last met many things have progressed. What hasn't changed, however, is that Moshiach still hasn't come, so do something to hasten His coming.*
Netanyahu: *We're doing, we're doing...*
Rebbe: *Apparently it's not enough since many hours have already passed today and He's still not here. But there are still a few hours left in the day. So try still for today – with joy and happiness. You know that Hasidim are careful to do everything with joy. Good tidings, much success.*

MK Benjamin Netanyahu meets Lubavitcher Rebbe, Brooklyn, 18 November, 1990.¹⁰²⁹

6.1 Israel's Religious Right

The history of Israel's religious-political parties reflects both the evolving political strength of various Jewish religious groups and the immense influence of issues related to religion that have occupied the political arena and Israeli public over decades. In order to contextualize the importance and centrality of religious issues in the political sphere, I will review the history of the dominant religious parties and non-political groups in Israel whereas religious Zionism, haredi Judaism and *Hassidism* will be in the main focus for their varying orientations towards the state and its ideology. Thereby, the study distinguishes between three different periods.¹⁰³⁰ The distinction I propose hereby, is based on the religious parties' results in the Knesset elections from the first Knesset in 1949 to the eighteenth in 2009¹⁰³¹. During the stable period of Labor rule¹⁰³² from 1949 to 1977, the religious bloc held between 15 and 18 seats in the Knesset, the *Knesset HaGdola*, (out of 120). Between the second period (1977-1996), the religious bloc constituted between ten and 18 seats of the Knesset. During the third period from 1996 to 2009 and the last elections, it held between 21 and 27 seats.¹⁰³³

Characteristic of the first period were electoral stability, continuity and a balance of power among the religious parties *Mizrachi* and *HaPoel HaMizrachi*. After a split in 1956, when leftists of the Mizrachi joined the left-wing *HaPoel HaMizrachi*, the NRP¹⁰³⁴ was formed.¹⁰³⁵ Together with the ultra-orthodox *Agudat Yisrael* and *Palei Agudat Yisrael* these parties became the political activists and guardians of the Status Quo which regulated the status of religion in the future state. The legitimacy of the Status Quo Agreement, signed by David Ben-Gurion, Rabbi J. L. Fishman and I. Greenbaum during the inception of the new state has been the nucleus of many debates among Israeli scholars and intellectuals with regard to re-conceptualizing the arrangement between secular and religious issues in the state. The agreement included: 1. Sabbath shall be the official day of rest; 2. Jewish dietary laws (*Kashrut*) will be safeguarded in all institutions of the state, including the armed

1029Cit. Habad movie clip: Eye to Eye. Politicians for Redemption!

1030For this periodization see Lee, Kangkeun: Religion and Politics in Israel During the Intifada: The Conflict Between Religious and Secular Jews and Religion and State in Israel During the Intifada, 2000-2005. Unpubl. PhD Thesis, Hebrew University Jerusalem, 2007.

1031Results in 2009: *Sbas* (11 seats), *United Torah Judaism* (5 seats), *HaBayit HaYebudi* (3 seats, former NRP).

1032Israel's first republic lasted until 1977 and was dominated by the *Mapai* party (1930-1968), which later became *Avoda*. Although Labor maintained the hegemonic position in parliament for at least two decades, the party's leadership showed a high commitment to a consensual model towards the management of the religion-state conflict and included the religious bloc in their coalitions. Especially the *National Religious Party* became a confirmative element of Labor's government coalitions in the coalitions between 1951 and 1964.

1033See Knesset: Parliamentary Groups Statistics, website.

1034Also known as *Mafdal (Miflaga Datit Le'umit)*.

1035Other influential streams were the religious Kibbutz movement (*HaKibbutz HaDatit*) and the youth movement of *Bnei Akiva*. See Tepe, 2008, p. 107.

forces; 3. Marriage and divorce will be conducted according to halachic law; 4. Autonomy of financing and religious education; and 5. Religious representation in the High Court.¹⁰³⁶

The second period, from 1977 to 1996, illustrates not only a deeper involvement of religious issues in domestic and foreign policy but also deep struggles within the religious parties vis-à-vis their ideological and ethnic setup, their religious leadership and the competition between the national-religious (religious-Zionist) and the ultra-orthodox bloc. During the second period, the competition became obvious when the religious-political landscape was more and more fragmented by splits and mergers.¹⁰³⁷

The third period from 1996 to the present was characterized by a change within the religious parties, and the rise of a new generation of politicians can be identified in the groups' hierarchies. Although Israel has ever been an immigration state and “melting pot”, increasing numbers of Jews from the former Soviet Union arriving in Israel during the 1990s challenged the state's potential in terms of the immigrants' absorption and socioeconomic integration. Avigdor Lieberman, who immigrated from Moldova to Israel in 1978 and soon entered political life in the *Likud* created a political representation of the Russian immigrants when he founded *Yisrael Beitenu* in 1999. In the same year the party took four seats in the Fifteenth Knesset. The electoral success of *Yisrael Beitenu* – similar to the rise of *Shas* – demonstrated the power of identity and ethnic politics and the loyalties of Israel's marginalized communities. Traditional constituencies of NRP and the right-wing list *Ichud Leumi*, especially among the settlers, were attracted by Lieberman's secular nationalist program. Finally, when Lieberman became Foreign Minister in the Netanyahu cabinet after the elections in 2009, the overlapping of secular and religious concepts of nationalism in the parties' agendas became apparent.¹⁰³⁸

The Second Intifada (2000-2005) created the necessity of promulgating new government policies designed to deal with the security crisis caused by the Al-Aqsa Intifada. These policies, in turn, spurred new areas of conflict between the elements of the religious right and the Israeli state. This configuration brought out conflicts that had not manifested themselves before the Gaza Disengagement and which defined a new cleavage in Israel's society based on different interpretations of the territorial issue. This climate of confrontation between a geo-theological reasoning on the one hand versus a logic based on national security and diplomatic concerns on the other, affected the plan for a freeze of settlements in 2009.

1036 See Unna, Moshe: *Separate Ways in the Religious Parties' confrontation of Renascent Israel*. N.N.: Dept. for Torah Education and Culture in the Diaspora of the World Zionist Organization, 1987, pp. 90/91; 94-97.

1037 *Tami* (1981) and *Matzad* (1984) split from NRP and rejoined in 1988. Traditionally, though mixed in its ranks, NRP is more Ashkenazi-oriented. More significant was the split of *Shas* from *Agudat Yisrael* in 1984 which was a Sephardic response to the Ashkenazi dominance predominantly for ethnic reasons. Later, in 1992, the two Ashkenazi parties, Aguda together with *Degel HaTora*, formed *United Tora Judaism* (UTJ).

1038 The current cabinet is with 30 ministers, among them several ministers without portfolio, the largest in the parliamentary history of Israel. Due to what Asher Arian calls the “chaotic nature” of the Israeli political system, the low two-percent qualifying threshold for elections, and therefore a large number of parties and difficulties in forming governments, made the distribution of cabinet positions important in coalition deals. Among the religious parties, only *Shas* and NRP MKs serve in ministerial positions since the Ashkenazi parties traditionally refuse to get involved in the process of political decision making in the Zionist state.

6.1.1 National-Religious Bloc and Religious Zionism

Similar to the secular Zionism of the founding fathers, the religious Zionist “movement of concrete redemption in our time” highlights an active Jewish engagement in the process of redemption (*Yeshu*) of the people and the land of Israel:

The Messiah [...] is not responsible for the plant and the growth of the fruit, but rather for its ripening. The concrete, historical Beginning we are witnessing today has not come about through a personal redeemer, but through our collective activity and the changes that have taken place in our character as a people.¹⁰³⁹

However, it was precisely the Zionist goal – “the normalization of the Jewish people, by creating a Jewish state”¹⁰⁴⁰ – that contradicted the logic of religious Zionism and provoked opposition at the margins of the Zionist endeavor, by the ultra-orthodox groups who opposed human intervention in the status that had been framed by the Jewish covenant with God making the Jews his chosen people. The Zionist imperative of collective action, seen by its religious opponents not sanctified in religious terms, is linked to the belief in a post-Zionist messianic age.¹⁰⁴¹ The three-way connection between God, the People of Israel and the Torah is not exclusively religious Zionist since it is a basic belief, shared by the haredi interpretation and many secular Israelis and even anti-Zionists.¹⁰⁴² In contrast to this, the idea of messianic redemption which finds its expression in the ideologies of religious Zionism and haredi groups¹⁰⁴³ will become more evident when considering the meaning of the Israeli state in the light of anti-Zionism:

Seeing the coming of Zionism and the founding of the state of Israel as an opportunity for Jews to improve their situation, but not as the beginning of redemption. [...] [They] will avoid any contact with the state, since they see it not only as illegitimate, but as an act of blasphemy. For them the state is still a place of exile, until the coming of the Messiah.¹⁰⁴⁴

Unlike the interpretation of the state as “the beginning of redemption”, the idea of the Land implies an attribution of religious dimensions to a concrete geography within a cultural process of “mapping”. Kippenberg and von Stuckrad state that in this geo-theology, a grading according to the holiness and religious purity of a geographic place is central for the interpretation of *Eretz Yisrael* as the holy land with Jerusalem and the “lost Temple” in its center. In the Temple's holiest circle the manifestation of God (*Schechinah*) is still present and also manifested in the Hebrew Bible, the Torah. According to both the Zionist-messianic belief, historical events such as the Balfour-Declaration, the creation and continuation of the Israeli state, the Six Day War and the conquest and settlement of the country were steps within the process of redemption which will lead the Jewish People into a Messianic Age in which a Third Temple will be constructed.¹⁰⁴⁵

The second most critical complex in both the religious and political philosophy of religious Zionism is the concept of the Ingathering of the Exiles with “a very political idea of uniting separate Jewish communities,

1039Cit. Ravitzky, Aviezer: *Messianism, Zionism, and Jewish Religious Radicalism*. Chicago (a.o.): The Univ. of Chicago Press, 1996, p. 81.

1040Cit. Tepe, 2008, p. 109.

1041Ibid., p. 79.

1042Interview with Rabbi Shmuel Strauss, Educational Director Institute for Science and Halacha, 22 December, 2009.

1043In some accounts, Kookist religious Zionism is categorized as a sub-stream of the ultra-orthodox *Haredim* movements. While it is correct that Kookist thought emerged from a tradition that has been, in many aspects, close to the *Haredim*, it is here presented as a distinctive milieu including its remarkable development after 1967. Thus, the term *Haredim Leumi*, used by some authors, seems not adequate in the context of this study and is normally not used in Israel where the notion of “the settlers” seems to be much more common.

1044Cit. Beit-Hallahmi, 1992, p. 133.

forming a unity that could be seen as a creation of a nation-state in secular terms.”¹⁰⁴⁶ Rav Avraham HaCohen Kook in his philosophy offered a concept which undid the religious-secular conflict within Zionism: According to Kook, events like the Jewish settlements in Palestine and the creation of the state of Israel implied both, the secularist aim of unifying the Jewish people in order to normalize its relations with the non-Jewish world and the orthodox attempt to preserve its uniqueness. Secular Zionists, according to Kook, and even the most ardent opponents of Judaism were driven by divine will and by a latent and hidden religiousness. Their efforts to establish the modern secular nation-state and to cultivate *halutzit*, the pioneering spirit¹⁰⁴⁷, from that perspective, were holy and sanctified in halachic terms, equal to the overt holiness of sanctified deeds (e.g. prayers, Torah studies).¹⁰⁴⁸ Instead of condemning secular Zionism and its manifestation – the state – as unholy or illegitimate the way the ultra-orthodox from the *Agudat Yisrael* did, Kook embraced the Herzlian vision of statehood. It was under his son, Rabbi Zvi Yehuda Kook (1891-1982), that the State of Israel, its institutions, representatives and its army, were conceived in terms of holiness. Kookist worldview and political theology were introduced into Israeli politics by *Mafdal*. The leaders of the national religious party, with few exceptions, had been students of Rabbi Kook or were associated to the milieu of the Markaz HaRav Yeshiwah of Jerusalem: Moshe Levinger¹⁰⁴⁹, Hanan Porat¹⁰⁵⁰, Yaakov “Kätzele” Katz¹⁰⁵¹, Rabbi Menachem Felix and Benny Katzover¹⁰⁵² and others, after 1967, emerged as political leaders of the settler movement and introduced Kookist thought to the ideology of the NRP or linked organizations like the *Gush Emunim*. 1967 and the war brought by a new dynamic and enabled the Kookists to expand their discourse into the secular Zionist public. A significant event before the war was Rabbi Zvi Yehuda Kook's prophetic claim on Independence Day at his Yeshiwah:

1045The Second Temple was destroyed in 70 A.D. during the Roman-Jewish War. See Kippenberg/ von Stuckrad, 2003, p. 114-120.

According to this eschatology and basic assumption of orthodox and ultra-orthodox traditional thought which is to some extent shared by Christian interpretations, the Jewish People is God's “chosen people” and “light upon the nations” and the Torah its eternal and universal message. To enlighten other nations with the Torah is therefore an integral part of the concept of ethnic election, destiny and cultural mission. See Smith, Anthony D: Ethnic Election and National Destiny: Some Religious Origins of Nationalist Ideals. In: Nations and Nationalism, Vol. 5, No. 3, 1999, p. 331-355; Langer, Ruth: Theologies of the Land and State of Israel: The Role of the Secular in Jewish and Christian Understandings. In: Studies in Christian-Jewish Relations, Volume 3, No. 1, 2008, p. 1-17; Interview with Rabbi Levi Yitzchak Halperin, Head of Institute for Science and Halacha, Jerusalem, 29 December, 2009.

1046Cit. Tepe, 2008, p. 107.

1047See Ibid., p. 112.

1048See Ibid., pp. 110/111.

1049Well-known for being the spiritual father of the first settlements in Hebron. In 1978, he and his followers had occupied the Park Hotel and refused to withdraw.

1050Died in 2011. Ordained as a rabbi as a student of Kook, he participated in the 1967 war as a paratrooper. For his involvement in the capture of the Old City and his political skills, Porat became the leading figure of the settler movement and the Gush. As a child he was evacuated from the Kfar Etzion settlement in 1948 before its *Haganah* defenders surrendered to the Arab attackers. Known as the Kfar Etzion massacre of 13 May, the killing of its residents was declared a retaliatory operation as a response to the Deir Yassin massacre of 9 April, 1948.

1051After his studies at the Markaz HaRav, he served in an elite unit during the 1973 war behind Egyptian lines where he was heavily wounded. Becoming the founder of the Beit El settlement, he serves today as an MK for the nationalist-religious party *Ichud Leumi*. Seeing the “de-Arabization” of Eilat as a role model for the concentration and control of immigrants, Kätzele makes no secret of his hard-line stance towards the sub-Saharan refugees who illegally live as day-workers in Israel. Interview with MK Yaakov Katz (Ichud Leumi), Knesset, 12 November, 2010.

1052Felix and Katzover, together with Porat were the founders of the Elon Moreh (1975) settlement near Sebastia. Katzover has also been the Head of the Committee of the Settlers of Samaria which after the 2005 Gaza disengagement composed an important lobby group against the freeze of settlement constructions in the West Bank. Katzover is also an iconic leading figure within the radical Hill Top Youth. For his position on the settlements see Levinson, Chaim: Dismantle Israeli democracy and replace it with Jewish law, says settler leader. In: Ha'aretz, 8 January, 2012.

'They divided up my land.' Yes, this is true. Where is our Hebron? Do we let it be forgotten? And where are our Shechem and our Jericho? Where are they? Can we ever forsake them? All of Transjordan, it is ours. Every single inch, every square foot [...] belongs to the Land of Israel. Do we have the right to give up even one millimeter?¹⁰⁵³

As Aran points out, 1967 and the conquest of Jerusalem and the West Bank as its culminating events made tensions between secular Zionism as represented by the state and the new re-discovery of Jewishness after the war visible.¹⁰⁵⁴ For Kook's students, their master's "prophecy" had turned into reality. The Kookist narrative of the war connected the nation with its land¹⁰⁵⁵ and integrated 1967 as the "year zero", as "Israel's rebirth" or as "the beginning of the era of redemption" into the popularized national narrative. Thus, it made the war a greater event than the war of 1948/49 with the celebrations on the occasion of the Jerusalem Day (*Yom Yerushalayim*) replacing Independence Day (*Yom HaAtzma'ut*). 1967 had the potential to bridge between ideological splits within religious Zionism and enabled it to expand its beliefs, values and world view to such an extent to the general statist Zionist secular and religious public that it merged with similar political features of Israeli political culture such as the rightist obsession with security, the claim for expansion, militarism and ethno-religious nationalism.¹⁰⁵⁶

Regarding the realization of the ideology of Greater Israel, which was not a unique claim of religious Zionism but which filled the ideology with a concrete political program after the victory of 1967, Fischer writes:

While of course, there were important non-religious factors, such as the Movement for the Greater Land of Israel, Hug Ein Vered in the Labor Party and the largely non-Orthodox Likud Party, who advocated incorporation and settlement of Eretz Yisrael Hashlema, the religious Zionists were the ones who most ardently advocated this program and it became most closely identified with them.¹⁰⁵⁷

The vision of incorporating territory into the Israeli borders and to politically incorporate it to the Israeli legal and administrative system followed by the religious imperative to implement and realize the commandments of the Torah (*Mishtar HaTorah*) in the whole of Greater Israel (*Eretz Yisrael HaShlema*), was therefore a demand which after June 1967 found resonance beyond the religious nationalist community.¹⁰⁵⁸ Although the process of settling the land started in fall 1967, it manifested as a policy of settling not before 1977 when the religious

1053Cit. Kook, quoted in Aran, 1995, p. 202.

1054Similarly, religion's role in the Israeli-Palestinian conflict in general and regarding Israel's conquest of Jerusalem and subsequent endeavors to Judaize the Jerusalem area, was significantly pushed by all conflict parties. Among the additional events that brought by a sharpening of the religious factor was the attack on the Al-Aqsa Mosque by an Australian fundamentalist Christian in 1969. For the discourses of the official Egyptian clergy on the events during the 1960s see Haddad's analysis of the meetings of the al-Azhar Academy of Islamic Research, Cairo. The demand of destroying Muslim holy places in Jerusalem had also been advocated by Christian fundamentalist leaders in the U.S. who fought their crusade through the media. Within the worldview of preachers such as Pat Robertson, the Six Day War "was a defining event in history, a moment of divine intervention heralding the millennium." Cit. Haddad, Yvonne: Islamists and the "Problem of Israel": The 1967 Awakening, p. 271. In: Middle East Journal, Vol. 46, No. 2, 1992, p. 266-285. The perception of Muslim holy places being threatened initiated a process in which elements from the Jewish and Christian and the Muslim side did their part to bolster religion as a unifying and transnational identity-building factor. In this context, it is worth to mention the founding of the Organization of the Islamic Conference (OIC) in 1969 and the joining of Egypt, especially since Gamal Abd el Nasser had opposed to join the Islamic Pact proposed by Iran and Saudi-Arabia two years earlier. With membership in the OIC Nasser ought to generate the support against Israel from the Islamic countries that were not members of the Arab League. See Ibid., pp. 268/269.

1055See Aran, 1995, p. 197.

1056For instance Sprinzak applied all these per se political features to *Gush Emunim* and the settlers' organizations, interpreting them primarily as a political-cultural phenomenon. See Sprinzak, Ehud: The Ascendance of Israel's Radical Right. New York (a.o.): Oxford Univ. Press, 1991.

1057Cit. Fischer, 2007, p. 169.

1058See Ibid., p. 174.

Zionist position was adopted by Begin's *Likud*-led government. The implementation of the religious through the secular – including state policies in military and foreign affairs – demanded a reinterpretation of the State of Israel and its role in the concept of *Eretz Yisrael HaShlema* and in religious Zionism itself which since its birth had advocated its vision of *Mishtar HaTorah*, as a revitalization of the dominant view on the state which since 1948 was expressed mainly through loyalty, respect towards and accommodation with its institutions. While *Mishtar HaTorah* had existed before 1967 as an utopian and abstract slogan – indeed it can be traced back to the first religious Zionist organization, the *Mizrachi*, a party within the WZO, founded in 1902¹⁰⁵⁹ – the Israeli conquest of biblical land on the Sinai Peninsula, the Golan, Judea and Samaria and Jerusalem, upgraded the centrality of *Eretz Yisrael HaShlema* which maps the territorial contours of Israel as the biblical land and its borders from the sea in the West to the river of Jordan in the East.¹⁰⁶⁰ Subsequently, any forms of political concessions which could result in a re-transfer of parts of *Eretz Yisrael* was seen in the light of the Torah as a negative command while conquest and possession of the land were positive ones.¹⁰⁶¹ In this sense, only through the unification of parts of the land and Jerusalem under Jewish-Israeli control the land could be back to normality: Since independence of the State of Israel large parts of the territory which, according to the Kookist approach can only be seen as part of an organic whole including the holy trinity of the Jewish people, the Greater Land of Israel and the Torah, were under foreign control. The Kookist approach to the land of *Eretz Yisrael* sees the demand for the full ownership over the land as non-negotiable while the territorial notion of the land emphasizes its indivisibility.

Ideologically, the national-religious movement has always existed between two somewhat conflicting positions: Religion, as a set of beliefs constructed around the idea of a god, and secular Zionism, which offered a hegemonic ideological platform for a broad spectrum of different and sometimes competing national Zionisms, for instance right-wing Revisionist Zionism which opposed the leftist Zionism of the Labor Party. Another issue specific to the national-religious camp which is on the political level represented by today's *New Mafdal* party *HaBayit HaYehudi*, was that during the 1970s, when the Young Generation faction gained control of the party, it used its political power and by forcing the settlements in Judea, Samaria and Gaza, defined a new party agenda. This new focus was in favor of secular political issues and contrasted the party's previous focus on the religious-centered issues of Kashrut, Sabbath legislation and marriage and divorce, which apply to the rabbinical religious jurisdiction based on Halachic law.¹⁰⁶² Through education and settlements, organizations such as *Gush Emunim* (Bloc of the Faithful) and the *Movement for the Greater Land of Israel*, ought to strengthen the Jewish character of the state.

Evidenced by a de facto large number of settlements in these areas, the supporters of the expansionist narrative have attained many achievements and gained legitimacy. Israel's demographic environment is further fragmented by a growing number of Israeli citizens who, for the sake of attractive financial benefits and taxation, nationalist ideological prospective of conquering and settling land suffused with a religious mission, live

¹⁰⁵⁹See Liebman, Charles S.: Religion, Democracy and Israeli Society. Amsterdam: Harwood Academic Publ., 1997, p. 39ff.

¹⁰⁶⁰See Fischer, 2007, p. 178.

¹⁰⁶¹See Ibid., p. 172.

¹⁰⁶²See Weissbrod, Lilly: Gush Emunim Ideology. From Religious Doctrine to Political Action. In: Middle Eastern Studies, Vol. 18, No. 3, 1982, p. 265-273.

in the area of the West Bank occupied by Israel in the 1967 war. Often described as “messiah's donkeys”¹⁰⁶³ by the liberal left and opponents to the occupation in generalizing terms, today they compose about 311.000 in the West Bank settlements and 196.000 in East Jerusalem. Although there are only a few ultra-orthodox settlements in the West Bank, statistics show that the haredi population in this settlements constitutes 26 percent of the total Jewish settler population (289.600 as of July 2009) in the West Bank. The *Haredim* communities in this area are therefore the second largest compared to the settlements of national-religious (25 percent), secular (16 percent) and mixed communities (33 percent).¹⁰⁶⁴

Under Zevulun Hammer who became the party's leader in 1977 and Yehuda Ben Meir, a former lecturer at Bar-Ilan University¹⁰⁶⁵, religious leaders of *Gush Emunim* were placed on the NRP's list of candidates such as Rabbi Chaim Druckman, one of the leading religious authorities in the settlements.¹⁰⁶⁶ Druckman represented a generation of orthodox religious scholars who graduated from the Merkaz HaRav, which is considered to be one of the most influential religious institutions in orthodox Judaism. Founded by Rabbi Abraham Isaac Kook (1865-1935) in 1924 in Jerusalem, the Markaz and the attitude of its graduates shifted away from an integrative and liberal orthodox view to a conservative position in regard to the Israeli-Palestinian relations and the settlement policy which they interpreted as a natural and historical right. Sharing the coalition with the new elected *Likud* government of Prime Minister Menachem Begin was for NRP only logical.¹⁰⁶⁷ In an electoral-based context, the antagonism of weak electoral results and the party's social power become obvious, since NRP decreased in popularity from an initial success in 1977 with twelve seats to a power loss in 1984 with only four seats.¹⁰⁶⁸

When the right-wing *Likud*, including the former *Herut* party, entered the political game and three decades of Labor rule ended, Begin proceeded to implement ideological elements of the Revisionist Zionists' framework¹⁰⁶⁹ into what Peleg considers a “neo-Revisionist” framework¹⁰⁷⁰. The Revisionist Movement, an extreme rightist stream within Zionism under the leadership of Vladimir Ze'ev Jabotinsky (1880-1940), ought to protect the Jewish communities in Europe from the threat of antisemitism and was influenced by European nationalism and elements of Italian fascism. The Revisionist vision of settling Palestine was the concept of a powerful nation whose executive and protective force against natives, was to recruit soldiers and fighters, rather than workers and farmers as promoted by the socialist vision. The idea of the “new Jew” - the Hebrew

1063Cit. Prof. Dr. Benjamin Beit-Hallahmi (University of Haifa), Haifa, 4 December, 2009.

1064See ICG Middle East Report: Israel's Religious Right and the Question of Settlements, No. 89. Jerusalem/ Brussels, 2009, p. 12-16 and Appendix B, Map of religious composition of settlements, p. 40. For this composition and numbers of settlers see also Annex, Tabelle 4 and Tabelle 5.

1065Bar-Ilan University in Ramat Gan-Tel Aviv, the country's second largest university, offers a dual curricula, combining secular academics and religious Torah studies. The majority of its religious students is widely seen as politically and ideologically affiliated with religious-Zionism vis-à-vis the settler movement. Following the assassination of Prime Minister Yitzhak Rabin on 4 November, 1995, by Bar-Ilan student Yigal Amir, the university's policy towards radical political students' unions changed drastically. However, the university is frequently stigmatized by the secular public. See Ha'aretz: Losing God's Image, 15 September, 2004.

1066See Bradley, 1985, pp. 54-57.

1067See Lee, 2007.

1068In 1981, NRP gained six Knesset seats. See Arian, Asher: Politics in Israel. The Second Republic. 2nd Ed. Washington D.C.: CQ Books, 2005, p. 93.

1069See Peleg, 1987, p. 1-15; Peleg, Ilan: A Constructivist Interpretation of Likud's Foreign Policy, 1977-1999: The Production of Insecurity. Paper presented at the annual meeting of the International Studies Association. Montreal, March 17, 2004, p. 11-13.

1070See Peleg, 1987, p. 51-93.

Israeli - as a colonialist in the Land of Israel meant a radical shift away from the Jewish past in exile (*Galut*) as well as from the “stereotype of the weak, pale, scholarly Diaspora Man”.¹⁰⁷¹ As one of Jabotinsky's students and admirers Menachem Begin internalized the security and defense paradigm of “building a wall of iron” around the Israeli state.¹⁰⁷² Politically, the Greater Israel ideology was transformed into an ultra-nationalist agenda and became the core of right-wing foreign politics and a strong component of Israel's military-security setup. Although *Likud* never had a similar organizational strength possessed by Labor parties and leftist groups, Labor lacked to oppose the strong territorial component of the rightist ideology. The expansion and protection of the land and the call for “tenable borders” became predominant in the elections of 1977: The success of the Arab armies in the first days of Yom Kippur War (6-24 October, 1973) created a powerful trauma in the nation's psyche and memory. As a result, large parts of the Israeli public were attracted by the hawkish neo-revisionist attitude.¹⁰⁷³

During his tenures, Begin offered more than just symbolic gestures towards the national-religious right and the ultra-orthodox leadership. Soon after his electoral victory he met with Rabbi Zvi Yehuda HaCohen Kook, the spiritual father of *Gush Emunim*¹⁰⁷⁴, and Rabbi Menachem Mendel Schneerson, the highest authority of Habad-Hassidism.¹⁰⁷⁵ The practice of following a rabbi and asking for his spiritual support is not exceptional. Private audiences at the residences of former Israeli Chief Rabbi Ovadia Yusuf, the head of *Sbas*, and the Lubavitcher Rebbe in Brooklyn-Williamsburg are an inherent part of Israeli political culture.¹⁰⁷⁶

Facing an evident shift of political culture and the parliamentary system rightward, the religious-nationalist position of NRP's hardliners towards the settlements became more acceptable for the new political mainstream. Vice versa, the support of the Begin cabinet for the establishment of new settlements in the West Bank, announced by Begin and the new agriculture minister Ariel Sharon immediately after the elections, was

1071 See Beit-Hallahmi, 1992, p. 120-124, 129.

1072 The commitment of *Likud* leaders to the Revisionist thought and to “one of the intellectual giants in the annals of Zionism” becomes obvious in a number of parliamentary rituals. Cit. Knesset: Publ. Division: Address by PM Benjamin Netanyahu to Knesset Session in Memory of Ze'ev Jabotinsky, 22 July, 2009. The reference to Jabotinsky is frequently used by think tanks and institutions which are ideologically close to the *Likud* party such as the Jabotinsky-Institute, the Hadar-Israel Council and the Betar Movement.

1073 However, Jabotinskism has often been misunderstood in terms of an expansionist offensive doctrine towards Palestine – in that sense as a militaristic-extremist feature of Zionism which centered conquest of land to the project of establishing a state. However, while indeed it claimed a hardline stance towards the “people of natives” that was there before the Zionist settler arrived in the holy land, if necessary with military means for generating deterrence, it was primarily described by Jabotinsky in terms of protective means and defense of Jewish settlements, thus, as a passive doctrine. Theodor Herzl in his works on the Jewish home had mentioned the Arab population in Palestine and the potential for conflict between them and the Jewish immigrants only sketchily because he believed that there would be a harmonic and peaceful coexistence. Herzl argued that the Jews, the eternal refugees, had learned tolerance in Europe where it had been denied to them by their persecutors. In contrast to his utopian vision, Jabotinsky was sure of the fact that the Arabs would resist the Zionist project on their soil with violent means. According to his view, anti-Semitic pogroms and violence which he personally experienced in Ukraine would again take place as a transformation of the European experience into the Palestinian local context. Therefore, Jabotinsky who had been the architect of militant Jewish self-defense groups in Odessa, claimed that only military might would prevent Arab aggressions.

1074 According to the memoirs of a student of Kook's Markaz HaRav who attended the reception, “he [Begin] came as if to Canossa, as if this man, Tvi Yehuda, was God's representative. Suddenly the Prime Minister kneels and bows before Tvi Yehuda. Imagine for yourself what all the students standing there and watching this surrealistic scene were thinking.” Quoted in Lustick, Ian S.: For the Land and the Lord: Jewish Fundamentalism in Israel. New York: Council on Foreign Relations Press, 1988, p. 37.

1075 Rabbi Schneerson, although a moderate in many aspects of Halachic interpretations, said that evacuation of Jewish land was illegal according to Halachic law.

1076 In the case of opposition leader Tzipi Livni this ritual became a very challenging issue when Ovadia refused to receive the female *Kadima* leader in the middle of her election campaign for the 2009 polls.

highly appreciated by the settlers of *Gush Emunim*.¹⁰⁷⁷ After *Likud*'s second election victory in 1981, government and ministries accelerated and expanded their support for the West Bank settlements. This included programs of land acquisition, and from 1977 to mid-1981 a 400 million USD investment and between 1981 and 1984 another 600 million program for infrastructural development.¹⁰⁷⁸ The benevolent policy of land distribution – which is in the West Bank predominantly administered by the *Jewish National Fund* (JNF) – to Jewish Israeli settlers is still a very ambivalent one.

Although a semi-official support for Israeli settlers existed in a similar manner under the rule of Labor before *Likud* came into power, the national-religious activists' rhetoric against the demanded withdrawal from the Sinai territory – expressed with the formula “not an inch!” – provided a shared oppositional position for religious and secular nationalists to the plan and even polarized the political left.¹⁰⁷⁹ Parallel to the Sinai Withdrawal, which ended in 1982 and followed the Israeli-Egyptian peace treaty of 1979, *Gush Emunim*, after it came into existence in February 1974, concentrated its settlement activities in the West Bank. It changed from a “silent consent”, in its method hidden and with no media coverage – according to defense minister Shimon Peres, the IDF did neither help nor hinder them – into an official recognition by the new government of 1977. In 1975, Peres recognized Ofra, the first settlement of *Gush Emunim*, as “a worker's camp for purposes of regional defense”.¹⁰⁸⁰ He did so again when in 1977 a group of Gush activists and graduates of the Markaz HaRav, crossed into the restricted area of the Palestinian village Sebastia in the Northern West Bank near Nablus. Following negotiations with officials led by Perez were seen as the recognition of *Gush Emunim* by the government. This view became dominant with the following agreement that allowed the activists to stay at the neighboring IDF base¹⁰⁸¹ – a decision that effectively led to the establishment of the settlement, despite some opposition within the Israeli government led by Yitzhak Rabin.

According to the NRP's political manifesto of 1999, the party would act to formalize the relations between religion and state relations through a widely supported legislation which would secure the Jewish character and biblical heritage of the state¹⁰⁸²: That is Greater Israel (*Eretz Yisrael*) with its borders at the East Bank of the River of Jordan, Gaza and the West Bank (*Judea and Samaria*). Therefore, a disengagement from these very regions meant the reversal of the principal achievement of the national-religious position and its ideological core. Since most of the Jewish settlers living in these areas, had participated in the settlement enterprise for ideological reasons, NRP and *Gush Emunim* situated themselves in the political and public arenas as guardians of the settlements and the population living in the Occupied Territories. From 1977 to 1988, the number of Israeli West Bank settlers increased from 7.000 to 100.000. The Bloc of the Faithful found prominent support-

1077See Peleg, 1987, p. 45-47. For the *Likud* revolution (*Mabapakb*) and the transformation of Israeli society, see Eisenstadt, S. N.: Explorations in Jewish Historical Experience. The Civilizational Dimension. Leiden (a.o.): Brill, 2004, p. 139-204.

1078See Lustick, 1988, pp. 40, 46/47.

1079See Cohen, Asher: Political Partners: Relations between Religious and Non-Religious in One Political Party, pp. 132/133. In: Liebman, Charles S. (Ed.): Religious and Secular. Conflict and Accommodation between Jews in Israel. Jerusalem: Keter Publ., 1990, p. 131-150.

1080See Shalev, Nir: The Ofra Settlement. An Unauthorized Outpost. Jerusalem: B'Tselem, 2008, p. 7/8.

1081 “[...] a decision that effectively led to the establishment of the settlement, despite some opposition within the Israeli government led by Yitzhak Rabin.” Cit. Inbari, Motti: Fundamentalism in Crisis. The Response of the Gush Emunim Rabbinical Authorities to the Theological Dilemmas Raised by Israel's Disengagement Plan, p. 698. In: Journal of Church and State, Vol. 49, No. 4, 2007, p. 697-717.

1082See also Lee, 2007.

ers in Israeli society with songwriter Naomi Shemer and Gen. Ariel “Arik” Sharon, the future prime minister.¹⁰⁸³ Openly, Sharon who at that time was named the “father of the settlers”, it is said, told the settlers of his dream of bringing one million Israelis into the occupied territories. Accordingly, national-religious circles declared Sharon's coma only six months after his plan for a Gaza withdrawal was implemented – like the assassination of Rabin¹⁰⁸⁴ –, a divine punishment for his abandonment of his former promise and the fatal blow he had given to the vision of a Greater Israel. Earlier in 1993, the Oslo peace agreement and the reversal of Israel's post-1967 legitimization for its territorial conquests¹⁰⁸⁵ had been perceived by the settlers and religious Zionists as treachery. Prof. Yosef Ben-Shlomo from the Tel Aviv University wrote: “This was not a crime of treason against the State of Israel (the legal punishment for which would be death if Greater Jerusalem was also handed over in Oslo) but against the Land of Israel and against the future of our existence in the Land for years to come.”¹⁰⁸⁶ Ben-Shlomo, who became an important theorist of the settler movement, accepted the security argument according to which Oslo had made the state vulnerable, an argument that had been shared later even by leftist groups and the peace movement in the face of the Second Intifada. But beyond that, he claimed that

The fate of the Zionist enterprise and the State of Israel will be sealed, in the last analysis, by abandoning parts of the Land of Israel, because a political entity will not last long without a moral basis [...]. Colonialism is no longer acceptable at the end of the twentieth century, and by removing the moral basis of Zionism, we transform it into merely colonialism, and with that goes the moral right of the people of Israel, the Jewish People, to live anywhere in 'Palestine' they choose. [...] Ours is a net moral right independent of UN decisions or even the consensus of most citizens of Israel or the support of Diaspora Jewish leaders. Nor even on the basis of the agreement of the Palestinian Arabs and the Arab states achieved only through military *force majeure*; and by no means via the justice of our claim to a part of Land conquered from them. The source of validity of this claim, and not of a mere given reality, is located here, in Judea and Samaria, not in Tel Aviv. Therefore, the moral justification of the Jewish people's ownership of the Land of Israel, in part or in whole, will stand or fall in Judea and Samaria.¹⁰⁸⁷

The first settlements in the Yesha region were initiated by *Gush Emunim* activists. Though the organization formally vanished, *Eretz Yisrael* remained the main ideological pillar of the settlers' worldview and the successor organization *Yesha Council*.¹⁰⁸⁸ The Council is the local administrative body of the West Bank settlements and coordinates municipal and security issues. It provides a political channel through which the settlers' interests are communicated to the Knesset. Another organization which was founded by Gush activists in 1978 is *Amana* which launches PR campaigns to encourage Israelis and the Jewish communities abroad for settling into the West Bank. An *Amana*-sponsored ad says:

Settlement in Yesha has served as the Zionist horse pulling the State of Israel's cart up the hill. [...] The purchase of a home, which is then rented out to a family wanting to make its home in Yesha, is a giant step forward in your love of Israel in the very areas where our forefathers walked this land. It is an ideological gesture of love of the Land of Israel, as well as *emunah* in *Kadosh Baruch* [covenant between God and Israel and “the holy one, blessed be he”, M.G.] that our future is indeed bright. Such a step is a fulfillment of the prophecy of Yirmiyahu:

1083See Inbari, 2007, p. 698.

1084After the Hebron Goldstein massacre, Rabin had described the settlers as an “contaminant”, as something not belonging to Israeli society.

1085See Map Israel, Oslo II in Annex, Abbildung 2.

1086Cit. Ben-Shlomo, Yosef: The Beginning of the End?, pp. 308/309. In: Stav, Arich (Ed.): Israel and a Palestinian State: Zero Sum Game? Shaarei Tikva: ACPR, 2001, p. 308-312.

1087Cit. Ibid., pp. 309/310.

1088Literally, *yesha* means redemption.

'This is what the Lord Almighty, the G-d of Israel has said: Once again will there be houses, fields and vineyards in this Land.' (Jeremiah 32).¹⁰⁸⁹

Amana had been the main force behind the establishment of the Ofra, Mevo Modi'in, Kedumim and Ma'aleh Adumim settlements. In addition, some organizations are responsible for housing and infrastructure support and the establishment of para-military frontier units in the communities. This is in close collaboration with the IDF and the Ministry of Defense. In turn for armament and training, Yeshivot and secular schools in the settlements provide one-year preparation courses for school graduates, preparing them "physically, spiritually and religiously" for the army service, which by many students is not perceived as an obligation but rather as a "religious duty".¹⁰⁹⁰ The commitment to the state's Zionism, especially to its army is documented by the high number of recruits from the West Bank settlements, who join – after having completed the three-years of compulsory service – the elite units of the IDF and officer candidate courses. Serving in these units, especially in the higher ranks of the legendary Golani and Paratrooper Brigades, was during the period of the socialist pioneer spirit which marked the 1950s and 1960s, strictly limited to the *Kibbutz* youth. From the 1970s to the present, more and more graduates from the settlements serve in the units and reflect a social and ideological change.¹⁰⁹¹ Beyond Hebron, from where cases are reported according to which the settlers enjoy full protection by the soldiers who in turn conveniently overlook acts of violence by the settlers against Palestinians¹⁰⁹², potential for violent escalation exists in all occupied parts of the West Bank. Such cases and Palestinian retaliatory actions occur frequently. Recent Palestinian casualties where youngsters were wounded or killed by Tavor army rifle fire, reflect deepened relations between local West Bankers and parts of the IDF.¹⁰⁹³ On the political level, it is said, that the appointment of a new IDF Chief of General Staff reflects the current governments orientation towards the settlement issue with army chiefs with an infantry background being interpreted by the security community, the settlers and the international community¹⁰⁹⁴ as much more familiar or even sympathizing with the settler society vice versa, while the appointment of former marine or air force generals is aimed at signaling a clear break.¹⁰⁹⁵

6.1.1.1 Disengagement

The strategy of disengagement and withdrawal had created serious turmoils in Israel's society and its political system when Prime Minister Sharon presented it as an unilateral step to the nation in December, 2003. Based on the evaluation of Israel's ongoing conflict with Palestinian groups in the Second Intifada, Sharon concluded that without a partner in the Palestinian Authority (PA) for peace negotiations – thereby dismissing Yassir Arafat as a "non-partner" whom cannot be trusted – the talks were a dead end for the Road Map which

1089Cit. *Amana Settlement Movement: Buy a Home in Yesha!* Booklet, Jerusalem, 2007.

1090Interview with Rabbi David Ben Meir, educator and teacher in Jewish Studies, Settlement of Eli, 10 January, 2010.

1091Interview with Gideon Spiro, Founder Yesh Gvul, Tel Aviv 11 January, 2010; and Arian, 2005, pp. 88/89.

1092Interview with Adli Daana, Secretary General International Palestinian Youth League, Hebron, 20 June, 2010.

1093In May, 2012, a Palestinian was wounded by settler fire with IDF soldiers standing by. This incident that had been filmed by a *B'Tselem* team provoked harsh international criticism. See BBC News: Settlers filmed shooting at Palestinian protesters, 21 May, 2012. URL: <http://www.bbc.co.uk/news/world-middle-east-18149573>, 27 May, 2012.

1094Since this highest army post is primarily a political post, the appointment of a new chief is also aimed to send a clear message and statement to the US-administration.

1095The current IDF Chief of Staff, Lt.-Gen. Benny Gantz served in paratrooper and air force units.

was initiated by the USA. In this diplomatic stand-off, which was considered as a harm to Israel's security, he decided to act unilaterally within the framework of the Road Map on which Israel had principally agreed. An Israeli disengagement from Gaza meant to get rid of the security threat at the Western borders and the financial threat, meaning to relieve the financial pressure which the poor economy in the Gaza area and the costs of Israel's occupation laid on the state budget. And last, the cabinet aimed to improve Israel's international status with this unilateral step since the Palestinian side had signalized the possibility to cease all kinds of violent actions against Israel in the framework of the Geneva Initiative which had been launched in 2003.¹⁰⁹⁶ In response to the Sharon Plan, NRP resigned from the government in October, 2004, and Sharon offered funds from the budget to the ultra-orthodox *United Torah Judaism* and convinced them to join the government as a successor of NRP. The initiation of the Disengagement Plan gave rise to defense expenses which resulted in a budget cut in almost all ressorts. Shortages in the haredi education system and child allowance had been initiated in 2001 when the Intifada began. Education and allowances for the large haredi families are on the top of the religious parties' agenda and combined with the political and legal perspective that the implementation of the Sharon Plan was inevitable, UTJ joined the coalition. The NRP attacked this decision as an immoral selling out of the Gaza settlements (*Gush Katif*)¹⁰⁹⁷

In August 2005, only few weeks before the official date of the withdrawal, marking a climax of a series of protests and marches against the plan¹⁰⁹⁸, between 70.000 and 250.000 Yeshiva students, Rabbis and religious settlers gathered at the Western Wall in Jerusalem's Old City for a joint prayer, asking for divine intervention which should stop the planned disengagement. This event was attended by the highest leaders of ultra-orthodox Judaism in Israel and the Diaspora and MKs of the religious bloc.¹⁰⁹⁹ The national-religious leadership had to make a decision: Accepting the authority of the decision of an elected secular government to evacuate Jewish settlements meant to dismantle Jewish villages and communities in *Eretz Yisrael*, a territorial entity given to them by god in order to prepare the “ingathering of the exiles”. Denouncing state rule meant calling into question the legitimacy underlying the elected government's decisions and the democratic will of the Jewish people. The outright opposition of the settlers – some of them had lived in Gaza for four decades¹¹⁰⁰ – made clear that a confrontation with the soldiers who had the order to evacuate Gaza would be unavoidable. Religious-Zionist activists were joined in their opposition and protests against the plan by the right-wing parties. In the Knesset, Sharon defended his initiative against a broad opposition including his own party. Labor voted against Sharon in different referendums, the NRP left the government and refused, like many *Likud* members, any kind of support for the Plan.¹¹⁰¹ During several protests and a march from Jerusalem to Gaza, right-wing

1096 See Knesset: Publ. Division: Address by PM Ariel Sharon's to the Knesset prior to the Vote on the Disengagement Plan, October 25, 2004.

1097 Interview with MK Rabbi Menachem Eliezer Moses (United Torah Judaism), Knesset, 11 January, 2010.

1098 The plan envisaged Israel renouncing to any claims to the entire Gaza Strip. All Israeli settlements and military bases had to be evacuated, demolished and relocated. In addition to these, four West Bank settlements were added and as a result a total number of between 8.000 and 10.000 Jewish settlers were transferred back into the jurisdiction of Israel.

1099 See Arutz Sheva: Mass Prayer Against Expulsion Fills Jerusalem's Old City, 10 August, 2005.

1100 After the 1967 war and the recognition of Gaza as occupied Israeli administrated territory, the first settlement, Kfar Darom, was established in 1970. See Inbari, 2007, p. 698.

1101 Right-wing politicians submitted at least 12 petitions against the plan and the compensations for the settler families to the Supreme Court, trying to declare the plan unconstitutional. Ruling that the Gaza area was not part of Israeli jurisdiction, the Court disagreed.

rabbis of the religious Zionist camp lined up behind the protesters, asserting that the Torah forbids the relinquishing of portions of the land to non-Jews: Citing the decree of the Lubavitcher Rebbe according to which “It is good for the non-Jew not to hold the Land of Israel so that he may live” also different hassidic sects got involved in the protests which were organized by the Yesha Council which ought to influence the political negotiations by creating a nation-wide resistance of civil society against the plan.¹¹⁰² However, the rabbis generally did recommend non-violent resistance against the soldiers according to the rabbinical decree on the sanctity and preservation of life (*Pikuah Nefesh*). In order to face the protests in an adequate manner, the Ministry of Defense provided a special training for the units involved in the disengagement and selected the soldiers on the basis of their religious observance in order to avoid too strong commitment to the protesters' cause. Combat units, where religious soldiers are most prominently represented, were selected and instead stationed in the outermost cordon of the area of operation. The cabinet tried to prepare for every possible scenario, including violent uprisings in the settlements and Jerusalem. Eventually, due to the ability of the religious leaders, to control and influence the protesters, they enabled the disengagement which launched on September 12, 2005, without too much casualties and repressive measures.

With regard to radical religious Zionism, the willingness to act against state institutions violently, as it had been demonstrated by the Hill Top Youth in protests against security forces in recent years, and even attacks on army bases in the West Bank, indicates a deep identity crisis: Growing radicalization of individual and collective modes of disobedience after the traumatic withdrawal from Gaza – from sit strike tactics to throwing stones and garbage at security forces, attacks on Palestinians, in 2010/11 intensified as part of their “price tag” campaign¹¹⁰³, and the placement of handmade explosive devices at bus stations, has made clear that government initiatives like compensation packages for those who had to abandon their homes did not eliminate feelings of humiliation and loss. Dialogue between settlers and government, at a certain point, became conflictual. While settler society as a whole learned that it cannot stop government decisions, a particular percentage seems to be willing to articulate its opposition and resistance to disengagement with physical violence. The lack of proper political representation of the settlers' interests makes it more difficult to deal with those who see violence, even when it targets the State of Israel directly, as a legitimate means of resistance while the majority might see violence as a great sin due to their statist orientation and loyalty.¹¹⁰⁴ Especially attacks on IDF bases¹¹⁰⁵ were seen in Israel as the escalation between Israeli mainstream society inside the 1967 borders and the national-religious settler society in the occupied territories. More than before, the antagonism between ori-

1102See Arutz Sheva: 250,000 Attend Kotel Prayer to annul Pullout, 11 August, 2005.

1103Its underlying aim being the retaliation for curbs on settlements and illegal outposts by the government. In response, settler activists, believed to have links to the Hill Top Youth, destroyed and vandalized Palestinian buildings and property. See Reuters: Factbox: “Price Tag” attacks on Palestinian property blamed on Jewish settlers, 3 October, 2011. URL: <http://blogs.reuters.com/faithworld/2011/10/03/factbox-on-price-tag-attacks-on-palestinian-property-blamed-on-jewish-settlers/>, 15 March, 2012.

1104This is the majority which composes a core group in the military and which is, because of its elitist orientation in education and career much more committed to the state.

1105In September, 2011, rioters infiltrated an IDF base near Beit El in the Binyamin region of the West Bank. In December, the base of the Ephraim Brigade and IDF and Palestinian vehicles in the Samaria region had been attacked in response to the demolition of the illegal Ramat Gilad outpost. These incidents and harsh reactions also from the settler society showed that the young attackers are increasingly acting autonomously and bypass local power groups such as the Council of Jewish Communities of Judea, Samaria and Gaza. See Lazaroff, Tovah/ Katz, Yaakov: Right-wing extremists attack IDF base in West Bank. In: The Jerusalem Post, 14 December, 2011.

entations of cooperation and disassociation in religious Zionist ideology became apparent. The first orientation is that the national-religious public, at present, is and will remain an integral and active part of Israeli society and the process of collective Jewish redemption. Further, national-religious strata not only see themselves as an active part of the whole Israeli-Jewish entity but as the spearhead how will lead the Jewish People in the State of Israel along this process. Part of that thinking is that, whatever wrong decisions and whatever sins the government has committed in the past, the survival and the unity of the state, at any cost, has to be preserved. Asked if he would sanctify a physical attack on Israeli soldiers in order to stop the government's order to abandon Jewish homes in the West Bank, an American rabbi from Ofra replies: "Like in every army in the world, our soldiers follow orders which might not fit into their own personal or religious belief. But at the end, we are all Jewish brothers. Maybe not in this world but in the world to come."¹¹⁰⁶ As a result, settlers would accept democratic norms and the decision to withdraw from settlements against which they would negotiate through their representative organs. In contrast, the second orientation, represented only by a tiny minority, is that despite the state's holiness, despite the Jewish law to not hurt or kill other Jews, and despite the belief that the return to Zion and the redemption of the Jewish People is possible only collectively, individual violent action is sanctified in order to preserve the State, the People and the Land from wrongdoing and sin which, finally, would endanger the whole process of redemption. Further, facing the fact that they were abandoned by the state and excluded from its public policy of expanding Israel's borders for the sake of settling and defense, opens the alternative which is to completely disassociate from the rest of society and to contribute to the process of redemption either actively or passively, similar to the *Haredim's* point of view. Class material provided by the NGO *Yesodot – Center for Torah and Democracy* which dealt intensively with the divide on this issue after Gaza between the national-religious public and secular Israeli society, introduces students into prominent rabbinical rulings that emphasize peaceful attempts to harmonize the territorial dimension with those of traditional Judaism and modern secular mainstream society.

6.2 Ultra-Orthodox Movements / Haredim

*Haredim*¹¹⁰⁷ count as a minority within orthodox Jewry whose most distinctive and conservative interpretation and lifestyle they represent as a homogenous bloc. Further, *Haredim*, much more than their religious Zionist counterparts have strong communities outside of Israel where they represent 8 to 10 percent of the society¹¹⁰⁸, and in the US and Europe. The *Haredim* have, beyond their real participation in politics, gained the status of an immanent political and demographic threat to the state as envisioned by secularists. Derogatorily called "black hats"¹¹⁰⁹, "messiah's donkeys" or BMOs ("black moving object")¹¹¹⁰, the relationship between both society groups is determined by a deep mistrust, only little knowledge about the other and strict separation in public

1106Interview with Rabbi David Ben Meir, educator and teacher in Jewish Studies, Settlement of Eli, 10 January, 2010.

1107"Those who fear", see Isaiah 66:5.

1108See Ingber, 2005, p. 104.

1109See Arian, 1998, p. 133.

1110Referring to IDF and US army jargon as it has emerged after the invasions of Lebanon and Iraq where the code was used for Muslim women wearing a *burqa*.

life. Apart from sectarian lines which include issues of religious service and life-style, the various haredi group's interpretation of the Holocaust and their stance towards Zionism and the State of Israel is important.

In their view on the Second World War and the Holocaust, the rabbis and Torah sages had difficulties to explain the murder and genocide of millions of Jews, apparently with the will of the Lord for whom, according to Jewish traditional thought, nothing is more important than human life. The Satmer Rebbe stated that the European Jews deserved divine punishment for the evils of Zionism. Similarly, the spiritual master of the *Shas* party, former Chief Rabbi Yussuf Ovadia – known for his controversial rulings¹¹¹¹ – interpreted the Shoah as the result of the sinful secular way of life of European Jews and their assimilation. Others, like *Habad's* Rabbi Schneerson said that „the tragedy of the Holocaust is an unanswerable question. There is no human rationale whatsoever that can explain such indescribable suffering. [...] Any attempt to cast blame, for whatever reason, upon those who perished is shocking.“¹¹¹² Rabbi Eliezer Schach, the Dean of the Ponevezh Yeshivah of Bnei Brak, Tel Aviv, saw the Holocaust as the expression of God's anger toward the Jews for their failure to abide by the *mitzvot* and their falling under the spell of Zionism and the Jewish enlightenment.

With regard to its acceptance of the State of Israel, the Agudat came into terms with the Zionist project of independence. Since 1948 and as a reluctant partner of Ben-Gurion's status quo agreement, the party has shown its neutrality to the state which it continues to condemn as an illegitimate human intervention in the divine process of redemption but which it accepts in principle. Because of this ambiguous loyalty, the party has been able to participate in subsequent government coalitions with the aim to preserve its control over the state subsidies for the ultra-orthodox education system. Symbolically, the rabbis who compose the party leadership with the Council of Torah Sages as an advisory body composed of their eldest, have direct influence on parliamentary decisions. Their recommendations are binding for Aguda Members of Knesset who vote and act accordingly. Arian in his political diagnosis of Israeli society stated:

Although religious motifs, groups, and leaders were affiliated with Zionism from its inception, the most vociferous opposition to Zionism among Jews came from religious circles. It is therefore not without its irony that these religious parties are growing and certainly are the most stable organizationally of the groups competing in Israeli politics.¹¹¹³

While most of the haredi groups claim to be apolitical expressing their refusal to be part of the Zionist-led state, it seems that their second claim, to prepare Israel's redemption against secular resistance without violent means has to be seen in terms of a generational change. In recent years, ultra-orthodox protests, especially in Jerusalem, were accompanied by coordinated street violence with the police and security forces having a hard time to appease the mostly young violent haredi protesters. Being the minority, it seems that radical elements, similar to the violent strata of settler society, are more and more able to bypass the decrees of their rabbis and to hijack peaceful demonstrations. Hence, from the perspective of the security forces, messianic and anti-Zionist ideology contribute negatively to existing internal security threats; clear indicators for this transformation of traditional state-religion tensions were the spread of militant-terrorist ideology combined with Jewish-

1111Ovadia and other *Shas* politicians had declared that earthquakes and other natural disasters in Israel were a just punishment by God for the vicious and sinful life of homosexuals in Tel Aviv. Similarly, Ovadia blamed Hurricane Katrina to be the divine response to the expulsion of Jews from Gaza in the context of the 2005 disengagement.

1112Cit. Jewish Week: Schneerson Assails Claim that Holocaust was God's 'Punishment', 4 January, 1991. Cit. In Mintz, p. 51.

1113Cit. Arian, 1998, p. 127.

Israeli ultra-nationalism by groups and activists that followed the path of Rabbi Meir Kahane¹¹¹⁴ and the assassination of Prime Minister Rabin in 1995 in which the Shin Beit acted disastrously because of its underestimation of the security threat by national-religious extremism to Rabin.¹¹¹⁵

Another cleavage that has sharpened in recent years is the sectarian struggle between Jewish groups from the *Haredim* sector. In April, 1998, *Shas* and NRP presented a proposal to the Knesset which was aimed to give them more control over appointments to the local religious councils. This legislative proposal had been preceded by a strong engagement by the leftist *Meretz* party within the nomination process for the Jerusalem city council when representatives of the Jerusalem city council named a female Rabbi from the Reform stream of Judaism as one of its council delegates which illustrates the shared attempt of secular and non-ultra-orthodox Jewish representatives in Israel and abroad to allocate financial and political support for synagogues, seminaries and schools belonging to Reform or American Judaism.¹¹¹⁶ As Arian pointed out, the latter groups are simply not “in the picture” of the political arena¹¹¹⁷, however, their efforts at winning acceptance in orthodox circles in Israel and primarily their court cases gave liberal communities like *Beit Tefilah Israeli*, founded in 2004 and comprising today more than 90 families, new forms of articulation. Especially in Tel Aviv, and also in some settlements, these groups respond to the increasing problems that large parts of the secular public feel who cannot identify with the clear definitions of religious and secular but feel themselves connected to Judaism spiritually.¹¹¹⁸ Preventing non-orthodox Rabbis and activists from the selection to religious bodies marks the polarization between secular and religious forces in society and especially in Israel's institutions.¹¹¹⁹ Another cleavage which increasingly attracts the attention of Israeli public in large, is the non-acceptance and discrimination of orthodox or Haredi Jews that abandoned their religious life and left their communities (*Chozrei Be'She'ela*).¹¹²⁰ Prominent cases of community members that broke away from their group (“runaway Haredim”), like that of *gossit*¹¹²¹ Sarah Einfeld in 2008 have provoked harsh reactions in both the secular and the ultra-orthodox public. Einfeld belonged to the Ger community of Ashdod but left it and since, has be-

1114 Killed in 1990 in New York by an Arab activist. Kahane was the founder of militant organizations and served as a MK with his *Kach* party from 1984 to 1988 until *Kach* was banned for its extremist and anti-Arab agenda. Jewish militancy refers extensively to Kahane's ideology; e.g. Baruch Goldstein, responsible for the Hebron massacre of 1994, had been a disciple of Kahane.

1115 In this context, the term “Jewish radicalism” has been used more often in official language. For instance by Yuval Diskin the former director of Shin Beit when presenting current threats to inner security: “[...] we have to realize that, without ignoring the external scenario, from within, Jewish radicalism knocks at the door of Israeli society.” Cit. Diskin at the 3rd Annual Conference on Security Challenges of the 21st Century, INSS, Tel Aviv, 15 December, 2009.

1116 For appointments to a religious council members of political parties, as represented in the municipal council, are chosen in proportion to their seats. See Sharkansky, Ira: Religion and State in Israel: Another Round of an Ancient Conflict among the Jews, p. 233. In: Safran, William (Ed.): The Secular and the Sacred. Nation, Religion and Politics. London (a.o.): Cass, 2003, p. 217-240.

1117 See Arian, 1998, p. 127.

1118 Interview with Shira Levine, Beit Tefilah Israeli, Tel Aviv, 11 November, 2010.

1119 In this context, it has been said that Jerusalem became the increasingly contested sacred space in which competing sects are involved in a proxy war which includes the allocation of houses and land on a large scale. Similarly, more conservative sects try to abandon practices at the Western Wall plaza they consider as being too liberal. For instance *Habad's* promotion tours at the wall in which even non-Jewish tourists are offered *tefillin* belongs to these discourses.

1120 Similarly, the issue of secular Jews who join a sect and adopt ultra-orthodox lifestyle (*Baalei Teschuvah*) and especially the question of their acceptance by their new community, appears to be controversial. Often, new members are not able to fully integrate into the community. The fact that most newcomers are married by their new rabbi master to another *Baal Teschuvah* indicates that full integration is not wanted. See also Jerusalem Backyard (German blog): Wieviele Rabbiner gibt es in der Chassidut Belz?, 26 November, 2009.

1121 Yiddish term for haredi woman.

come prominent as a blogger and model.¹¹²² Well known in Israel is also *Footsteps*, a New York-based NGO supported by various Jewish foundations which offers educational and career services to former *Haredim* and *Hassidim* who wish to enter American mainstream society.¹¹²³ Another line of conflict is drawn by missionary activities by “messianic Jews” or *Yeshuistim* (Disciples of Yeshua)¹¹²⁴ becoming stronger in Israel: Because of their intensive distribution of messianic pamphlets and rumors about their funding by the government, groups like the Evangelistic Messianic congregation *Dugit*¹¹²⁵ in Tel Aviv have provoked harsh reactions by conservative orthodox circles and by the local administration authorities and are considered by many as a foreign Christian movement that falsely claims Jewish tradition.¹¹²⁶ However, the *Haredim* seem to hold a neutral stance towards these developments or even sympathize with the new messianic missionaries who in turn are offended by the orthodoxy and religious Zionists on the grounds that they “snatch Jewish souls”. Conflicts between the *Haredim* communities occur frequently. On the basis of their theological reasoning, the borders within the *Haredim* communities are constructed around key values of their respective ideologies and theological worldview such as *hesed* (benevolence to help others) in the case of Satmar, *ahavat Yisrael* (love for the Land of Israel and the Torah) as advocated by the Rabbi of Vishnitz and his followers, or the supremacy of *emet* (truth and sincerity) with which the Ger *Hassidim* are identified.

Similar to the religious parties of Pakistan who have a keen interest to preserve their control on their own institutions of education, the case of Israeli religious parties trying to maintain the status quo agreement and beyond that, to demand more state subsidies for their Yeshivot, shows that in the Israeli system religious parties were much more able to win key positions in the cabinet and the important parliamentary committees than their Pakistani counterparts. Arian has correctly stated that „religious parties have usually served as coalition partners with the biggest winner. To the big winner this makes good sense. It is better to pay the smaller price demanded by the third-biggest winner than to pay the higher price that the second-biggest winner could demand.“¹¹²⁷ Accordingly, *Maftal* has always been a coalition partner in ruling left- and right-wing governments, like the ultra-orthodox parties who could ensure their strong position.¹¹²⁸

6.2.1 Ashkenazim

The various movements with Ashkenazi and Russian ethnic roots are increasingly present especially in their countries of origin which constituted the Grand Duchy of Lithuania¹¹²⁹ until the 16th century when it began to merge with the Polish kingdom as a confederation, and developing countries worldwide due to their mission-

1122After fashion photos of her were published in *Yedioth Ahronoth*, members of the Ger community and other sects threatened Einfeld who now lives in Tel Aviv.

1123See *Footsteps* website. URL: <http://footstepsorg.org/about.php>, 7 March, 2011.

1124See *Israel Today: The Yeshuistim - A New Identity*, July, 2011, p. 22.

1125See *Dugit* website. URL: <http://www.dugit.org>, 6 March, 2011.

1126*Dugit's Messianic Outreach Center* runs a coffee shop in the center of Tel Aviv which is highly frequented by young secular Israelis. In Nazareth Elite, Galilee, poster campaigns in Russian language targeted Russian immigrant neighborhoods whose residents had converted after arrival in Israel at the beginning of the 1990s. It is believed that, with the exception of some hardline politicians, the authorities are trying to avoid public perceptions of a Jewish-Christian clash. From the government's viewpoint, overemphasizing the Christian nature of the Messianic Jewish movement and to restrict its activities could have a negative impact on tourism. In 2010, 69 percent of international visitors to Israel were Christians.

1127Cit. Arian, 1998, p. 129.

1128With short oppositional interplays in 1958/59, 1974 and during the 1990s. See Arian, 1998, p. 129.

1129Such as Poland, Belarus, Ukraine, Russia, Moldova.

ary activities. It is essential that the conflict between the *Haredim* and orthodox or secular-oriented Jews in the European diaspora had been transformed into the context of Palestine from where it entered Israeli society. Although most of the rabbis' followers and disciples were murdered or sent to the concentration camps during Second World War, in the cases of some groups, the leadership survived. Bribing German officials, Zionist leaders from Hungary were able to organize a transport of Jews to Switzerland.¹¹³⁰ This is how the hassidic Satmar Rebbe happened to flee via Switzerland to Jerusalem, from where he emigrated to the US in 1946. There he founded the Congregation *Yetev Lev D'Satmar* two years later. Those few Satmarer that had survived the camps followed the Rav's call and emigrated to New York where they settled in Williamsburg. As far as the Satmerer in Israel are concerned, one can find their communities in Jerusalem with the Mea Shearim neighborhood as the strictest center barred to traffic, Bnei Brak in Tel Aviv and in distinctive areas in most of Israel's cities. Mea Shearim, the most prominent ultra-orthodox areas has been a stronghold of Satmerer Jews, followed by the Braslow followers of Rabbi Nachmann, the radical *Neturey Karta* which not only refuses to accept the Zionist state but also has expressed its willingness to cooperate with the PA and anti-Zionist Jewish and Christian movements.¹¹³¹ Today, because of the isolation of Mea Shearim, it can not clearly be stated which of the groups dominates the area. Further, haredi expansion beyond the post-1967 borders of Jerusalem has increased drastically, thus, dividing the city and surrounding areas into the "orthodox North" and the more secular-liberal South.¹¹³² On 17 June, 2010, the hassidic *Slonim* dynasty – its Mea Shearim chapter formerly known for its liberal approach and its Bnei Brak organization being more conservative – mobilized one of the biggest haredi demonstrations in the country's history and since then, has reinforced its claim of leadership in Mea Shearim. Despite the security forces' fear of violent clashes¹¹³³ around 120.000 protesters articulated their demands peacefully. The *Slonim* reacted to the Supreme Court's decision to imprison 40 families from the Emmanuel settlement in the northern West Bank for a two-week jail sentence after they had refused to let their children further visit a ultra-orthodox girls' school with mixed Sephardi-Ashkenazi classes. A pamphlet distributed among the protesters condemned the hegemony of state schools as bastions of racist discrimination against *Ashkenazim*:

These institutions [public schools, M.G.] are teaching in a language called "Hebrew" established for the Zionists and their teachings.

On the day of their calamity they leave from their studies for their calamity and boast. You have hung a flag of rebellion and heresy to Rachel's great-grandchildren!

Learn the books of national apostasy and heresy and praise Zionism and the history of the leaders of heresy, etc., etc..

Since the foundation they [public schools, M.G.] produced generations to be loyal citizens of the state and national trust.

¹¹³⁰See Rubin, Israel: Satmar. Two Generations of an Urban Island. 2nd Ed. New York: Peter Lang, 1997, pp. 46/47,

¹¹³¹With only a few hundred families being members of the group. See Arian, 1998, p. 128; Ingber, 2005, p. 105-108.

¹¹³²See Lehmann/ Siebzeher, 2006, pp. 13/14.

¹¹³³In the side streets which the protest march passed until it finally ended at the plaza in front of the police headquarters of the Russian Compound, thousands of security forces and *Magen David* personnel were put on high alert. In the early morning hours following orders by the government, Israeli radio stations broadcasted warnings to not enter the ultra-orthodox neighborhoods of Tel Aviv and Jerusalem.

And upon the senders and directors of this impure education, the world's greatest decision was sealed, the Lord will not wish, forgive him, outcast and distanced from the People of Israel, and we shall pursue it with all our will.¹¹³⁴

Another pamphlet targeted the state authorities and Zionism more decisively:

We are neither bound to the estate partners and uniformed bad Zionists nor to send representatives to this species of Knesset men and to the municipality because they are part of the Zionist devastating treason against the Kingdom of Heaven.

We do not need to follow their call, be aware! Be aware!

We don't need them. We are no part of their protests and their troubles, and winding staffs, quarrel and fighting over the state heresy's kosher altar and Israel's peace.¹¹³⁵

Similar to the ethnic discrimination of Sephardim which has significantly decreased after the 1970s, descent and loyalty to a dynasty which itself represents a specific ethnic and regional setup, indicate a strong ethnic divide in haredi society.

6.2.2 Sephardim

Diversification in *Haredim* society caused by the rise of new competitors in the religious sector is most impressively illustrated by the emergence of *Sbas*, the *Sephardic Guardians of the Torah* in 1984: The autonomy of the religious education system, which is run independently of the state school system, but with state funds, and veto power on religious legislation had always been part of coalition agreements which in return implied a non-involvement in the government's decision on war and peace.¹¹³⁶ *Sbas'* claim was the restoration of the “crown of the Sephardim”¹¹³⁷, the renaissance of their ancient spiritual and intellectual hegemony in world Jewry. However, in the Ashkenazi-dominated haredi world, the newcomers from *Edot HaMitzrayim* – the entire orthodox and non-orthodox oriental Jewish community from Northern Africa and the Middle East – were soon perceived as a serious threat and competitor as they claimed the same political benefits in return for joining the ruling coalition.¹¹³⁸ While, generally speaking, Sephardi politicians until Begin's rise in 1977 were more closely affiliated with the adversaries of the Ashkenazi-oriented Labor parties and organizations from the conservative camp despite their alignment with the leftist-socialist parties, *Sbas* was, at the beginning, an ethnically homogenous formation but accelerated the ethnic fragmentation of the political sphere in general. While there was cooperation between *Sbas* and the NRP, the national-religious party lost some of its Sephardi members like Aharon Abu Hatzeira of Moroccan descent in 1981 due to minor splits on the basis of the ethnic cleavage from which *Likud* and *Sbas* profited.¹¹³⁹ NRP and its ultra-orthodox counterparts *Agudat Yisrael*, *Degal HaTora* (Ashkenazi Lithuanian stream)¹¹⁴⁰ and *Sbas* also shared substantial power in various ministries as well as eco-

1134Cit. Haredim, flyer a): What is 'pure' education? From: Protests, Jerusalem, 17 June, 2010.

1135Cit. Haredim, flyer b): Tea for us and them? From: Protests, Jerusalem, 17 June, 2010.

1136See Bradley, C. Paul: Parliamentary Elections in Israel: Three Case Studies. Grantham, N.H.: Tompson & Rutter, 1985, p. 20-26.

1137See election poster, 1984, in Annex, Abbildung 3.

1138Beside the new political arrangement of the religious bloc, the supremacy of Ashkenazi orthodox scholarship which was based on the traditional education system of the Yeshiva, formed in Eastern Europe, had to compromise with an emerging Sephardic scholarship. See The Jerusalem Post: Rising Star, 22-28 April, 1984.

1139See Arian, 1998, pp. 129/130.

1140*Agudat Yisrael* and *Degal HaTora* represent traditional Eastern European (Ashkenazi) Haredi society. Until 1990, when the two streams united in the Knesset, they were historical rivals, due to personal clashes between their leaders. At that time, their spiritual leader from the smaller Lithuanian wing, Rabbi Eliezer Schach, was seen by both streams as the ultimate rabbinical authority on Jewish law (*Posek HaDor*). His successor, Rabbi Yosef Sholom Elyashiv lacked Schach's charisma and was much less appreciated by the *Hassidim*. He died in July, 2012.

nomic and political institutions, much more than the *Agudat Yisrael* which had been given responsibility for the Ministries of Labor (1988), Housing (1996), and Health (since 1999)¹¹⁴¹ and the Chairmanship of the Knesset Finance Committee.¹¹⁴² In this context, the control of the Ministry of Religious Affairs and Israel's Chief Rabbinate – constituted by an Ashkenazi and a Sephardi Rabbi – became one of the main issues in religious politics.¹¹⁴³ *Shas'* share of power has, since its inception in 1984, increased visibly with four cabinet posts in the current Netanyahu government.¹¹⁴⁴

6.3 Hassidism

The Hassidim trace their origins back to the times of Rebbe Israel Ben Eliezer (1700-1760) – the *Baal Shem Tov* (BeSHIT, Master of the Good Name).¹¹⁴⁵ In Hassidic tradition, the founder was a man of extraordinary skills and reputation, a *tzaddik*. In a *Habad* chronicle it is written that “anyone who believes that all the stories ever told about the Baal Shem Tov actually happened is a fool. At the same time, anyone who says that it is impossible for any particular story to have taken place is a non-believer, for nothing is beyond the potential of a *tzaddik*.”¹¹⁴⁶

Main distinctions among the various groups can be made with respect to their leadership. It is the *rebbe* or spiritual leader who determines the community's way of life and its position towards fundamental Jewish religious issues and the State of Israel. Beyond *Habad* as the only case of a hassidic movement which declared its rabbi to be the Messiah, the attachment of messianic authority to a studied man and community leader is not exceptional. According to the imagination of most haredi groups, the Moshiah will be a human being who lives among the Jews. He is already present in this world but “out of sight” and did not yet expose himself to this followers. In every generation a person will be born that descends from the house of King David, a „perfect person, wiser than King Salomon. The only thing he cannot do is prophesy with Moses.“¹¹⁴⁷ According to Hassidic imagination and thought „man is the language of God“ and man and God are connected through love (*debekut*).¹¹⁴⁸ Similar to the power of *baraka* in Folk Islam, a believer tries to connect himself to a *gadol*, a wise man considered holy similar to a *tzaddik*, in order to create a spiritual force that “takes a willing reader from who he is to who he can become.”¹¹⁴⁹ Reflecting the cults of personality that is part of *Haredim* move-

1141 „[...] since it declined having a minister participate in cabinet meeting, the portfolio was formally held by the prime minister [Netanyahu, M.G.], and an Aguda deputy minister was appointed to handle the day-to-day operations of the ministry.“ Cit. Arian, 1998, p. 128. MK Ya'akov Litzman, now UTJ, has the Deputy post since April, 2009.

1142 See Ibid.

1143 See Unna, 1987, p. 100-105.

1144 Ariel Atias as Minister for Housing and Construction, parliamentary leader Eli Yishai as Interior Minister and Deputy Prime Minister, Rabbi Yitzhak Cohen as Deputy Minister of Finance and Rabbi Meshulam Nahari as a Minister without Portfolio in the Finance Ministry. Ya'akov Margi leads the Ministry for Religious Services. Another influential Shas personality, Rabbi Emil Haim Amsalem was ousted from the party but founded his own *Whole Nation Party*.

1145 See Buber, 1908, Introduction.

1146 Cit. Touger, Eliyahu/ Touger, Malka (Eds.): To Know and To Care. Quoted in Marcus, Joel: The Once and Future Messiah in Early Christianity and Chabad, p. 387. In: New Testament Studies, Vol. 46, 2000, p. 381-401.

1147 Cit. From Mintz, 1992, p. 353.

1148 See Haumann, Heiko: Geschichte der Ostjuden. München: DTV, 1990, p. 52.

1149 Cit. Lifschitz, 2003, p. 12.

ments and central to the conception and acceptance of authority and leadership, students of competing Yeshiwot framed their “rebbe-god” in the light of a Messiah.¹¹⁵⁰

According to hassidic thought, the world is the arena of an ongoing struggle between the forces of darkness and evil – “the other side” described with the Aramaic term *Sitra Achra* – and the forces of light and good.¹¹⁵¹ The latter represents the divine presence and will of the *Ribbono shel Olom*, the master and creator of the universe, or God (*Hashem*). Like orthodox Judaism but much more stressing the difference between Jews and non-Jews, *Hassidism* differentiates between the soul of a Jew and a *goy*. While the Jewish soul, after leaving the dead body, seeks to unite with god, thus, with eternity, a non-Jewish soul is seen as stemming from the *Sitra Achra*, and therefore seeks to remain a separated individual entity after death. Jewish lives can be categorized, according to their struggle in the service of the good against the forces of evil: The majority of Jews applies as a *roshe*, a sinner who fails to live an exemplary life. In contrast, the *benoni* is the exception as someone whose deeds are exemplary but whose thoughts are uncontrolled. Finally, the *tzaddik* is a holy and righteous man who can control his heart and his thoughts. The *tzaddik*, it is said, is the greatest gift given to mankind by the *Ribbono shel Olom* and serves his cause as a messenger and fighter against the other side.¹¹⁵² He became the ideal type of a what a *Hassid* in his lifetime seeks to become.¹¹⁵³ Being an ordinary man, one from among the masses, he became a powerful authority whose followers not only accepted his spiritual but also his mundane leadership in terms of materialistic support.

In the relationship between the Jews and God man has to do the first step towards building a connection with the divine, only than the Lord will do the second step and approach the believer by widening the breach that separates the two. The process of bringing man and God closer is accompanied and actively accelerated by the hassidic emissaries, the *shlukhim*, who, after having been blessed by the Rebbe are sent on their mission to spread the message of *Habad* in the world.¹¹⁵⁴ Currently, *Habad* holds missions in about 100 countries worldwide.¹¹⁵⁵ Their task is to spread their rabbi's word and *yiddishkeit* which includes traditional Jewish thought and the wisdom of the Torah. The *shlukhim* have also the task to find new breaches through which God can be reached by the believers; the establishment of Yeshiwot as active community building supports

1150 *Habad* prayers and pamphlets that circulated in Israel end with the verse “Long live our Master, our Rebbe, King Messiah, forever and ever”. See Sadka, Saul: The Lubavitcher Rebbe as a god. In: Ha'aretz, 2 November, 2007.

1151 For the concept see Lurianic Kabbalah of Tsfad. URL: <http://tsafedkabbalah.blogspot.com/2008/09/sitra-achra-die-andere-seite.html>, 24 November, 2011.

1152 See Buber, 1908, p. 3.

1153 The conception of the *tzaddik*, as Haumann states, included the belief in the „hidden righteous“ *tzaddikim*. According to the legend, there are 36 *tzaddikim* in every Jewish generation. Their task is to protect the world from all evil. They themselves are not aware of the fact that they are considered holy. Theoretically, irrespective of his piety and faith, each Jew can be a *tzaddik* without knowing it. Among the 36 there will be one who will reveal himself as the Messiah at the time of redemption. See Haumann, 1990, p. 52-54.

1154 *Habad* has established an annual *Kinus HaShlukhim* (*shlukhim* convention) in New York, where all emissaries meet. See *Habad: The Shluchim Office, Global Chabad Lubavitch Resource Center*, website. URL: http://www.shluchim.org/main/inside_v2.asp?id=37661, 13 May, 2012.

1155 Interview with Prof. Alon Dahan, Hebrew University, Ramat Motza, Jerusalem, 14 November, 2010. They were often said to be the most active diaspora members in terms of organization of Jewish events which in principle are open for any Jews and non-Jews, contrasting the orientation of other Jewish groups abroad which often prefer disassociation.

their mission „to make the world civilized and a place for Godliness, in that to prepare the world for the Messiah.“¹¹⁵⁶

In its approach towards the outside non-Jewish and Jewish world, *Habad* differs from other hassidic sects only insignificantly. *Teshuvah*, the return to observance and spirituality is one of the key features of the *Habadniks'* mission but is also central for *Shas*. As Loeb in his study on the Yemenite community pointed out, *teshuvah* contains a concrete educational agenda for immigrants to Israel. The Kfar Habad in Israel serves essentially the same goal. Their *Habad* programs aim at educating the immigrant in a religious-traditional way with yeshiva classes, language classes etc.¹¹⁵⁷

Heilman made the point when describing the Hasidim as both ideological and physical survivors of the past but nevertheless as part of the modern world, a fact that is visible and very much felt in the American communities of New York, like in Williamsburg or in Bnei Brak, Mea Shearim, and Tzfat in Israel.¹¹⁵⁸ They were ideological survivors in the sense that they overcame the traditional structures of European Judaism, resisted secularization, reform and cultural assimilation. The latter is seen by them as the main evil and main threat to the Jews. As the attempt to be integrated and to gain acceptance by mainstream non-Jewish society like in Germany or in the US, assimilation is seen as temptation, something which belongs to the repertoire of the *Sitra Achra*. Facing the rise of Nazi Germany during the 1930s, the rebbes of the hassidic courts in Eastern Europe had warned their followers not to emigrate. With reference to the US, the *treyf medinah* (non-kosher country) and world of the *goy*¹¹⁵⁹ and *orl* (derogatory term for one who is uncircumcised) „where Jews might survive but Judaism would die“.¹¹⁶⁰ Most of their disciples accepted their advise and remained at the hassidic communities. The fear of active intervention in order to change what only God could change was seen as a taboo according to the Yiddish saying „So lang wi dos jiddischen Goles, so lang di jiddischen Tsores“¹¹⁶¹. The German attack on Poland in 1939 which was followed by total mobilization of the population, it was in fact the first time that Jews in Poland became fully integrated into the national discourse when rabbis and their students from the Torah Schools joined the trench digging for the defense of the cities.¹¹⁶²

The Hassidic movement came into being as a revolutionary force challenging 18th century Jewish life and the rabbinical authorities in Eastern Europe with a mix of purified mysticism and de-theologized Judaism, centering the common believer in their system of belief. This was a challenge to the traditional authorities such as the rabbi, the ritual slaughterer (*shohet*), the cantor (*hazan*) etc. Simplifying and liberalizing the strict traditions of Judaism was the goal of other religious movements and sects within orthodox Judaism as well. Here, historically, a continuous struggle between conservatives and new emerging revolutionaries has resulted

1156Cit. From *farbrengen* addressing shlikhim by Menachem Mendel Schneerson, New York, 01.01.1989. Cit. In: Mintz, Jerome R.: *Hasidic People. A Place in the New World*. Harvard: Harvard Univ. Press, 1992, p. 357.

1157See Loeb, Laurence D.: *HaBaD and Habban: „770's“ Impact on a Yemenite Jewish Community in Israel*. In: Belcove-Shalin, Janet S. (Ed.): *New World Hasidim. Ethnographic Studies of Hasidic Jews in America*. Albany: SUNY, 1995, p. 69-85.

1158See Heilman, Samuel C.: Foreword, p. 12. In: Belcove-Shalin, 1995.

1159The sinful life of the *goyim* in America had been portrayed as evil and, like assimilation as a threat to Jewish tradition; expressed in the Yiddish saying „Schiker iz er, trinken miz er, wajl er is a Goy“ („He is drunken, he is forced to drink because he is a non-Jew“).

1160Cit. Heilman, 1995, p. 13.

1161„As long as the Jewish exile lasts, Jewish suffering will continue.“

1162See Haumann, 1990, pp. 180/181.

in the emancipation of the latter and restrictive, isolationist or escapist reactions by the former. As for contemporary Israeli Judaism, the Bratzlower Nachman Jews gained an important momentum as a new force and re-formulator of traditional rabbinical Judaism. Their criticism of the orthodox authorities for their misuse of power is expressed in the words of one of their rabbis:

There are some kinds of people
Who think for a year and a day
And their heads become holy.
But they consider the body entire as dust made of dust.
They look into a holy book
And roll their eyes upward,
But they treat their lovely limbs
As if they were dust and ashes.
And everything over the belt
And under the cincture
Is unclean and then uncleaner.
They teach themselves verbal graces,
And are pilgrims to holy places,
But let a hungry man come begging a handout
And their hands close tight
And their hearts close tighter.
They've exiled their heads away from all reason
And their brains are dizzied, spinning with heavenly spheres
While the dear bit of humanity is lost
For all eternity.¹¹⁶³

In that sense, the break with tradition can be seen as a sanctified principle in *Hassidism*. When Rabbi Eliezer, the BeSHT, died in 1760, his disciple Dov Bär of Międzyrzecz¹¹⁶⁴ (1704(?)-1772), who became known as the *maggid* (the preacher) and as the main architect of the hassidic movement, was appointed his successor. The *maggid*, before he became a follower of Rabbi Eliezer, had been one of his strongest opponents and also after the death of his master, he promoted hassidic teachings that differed from the teachings of his master.¹¹⁶⁵ The Bratzlower are now widely accepted especially by the secular Israeli public and their performances and public services even in secular Tel Avivian areas attract ordinary non-observant and orthodox Jews alike. Like the Lubavitch movement that seems to enjoy increasing acceptance by Israel's secular public, the Nachmans represent an emotionalized and de-intellectualized Judaism with collectivist rituals of faith.¹¹⁶⁶ Instead of separating itself from the public, their missionary (*haftza*) activities aim at spreading traditional *torah* knowledge and their Rebbe's mystical mantra. Rabbi Nachman of Uman (1772-1810)¹¹⁶⁷, Ukraine, had been a *tzaddik* of fam-

1163Cit. Glatstein, Jacob: The Bratslaver to His Scribe. In: How, Irving (a.o.) (Ed.): The Penguin Book of Modern Yiddish Verse. New York: Viking Penguin, 1988, p. 444.

1164Town of Meseritz, Poland.

1165See Haumann, 1990, p. 52.

1166See Roy, 2005, p. 31.

1167See poster of Nachman *Hassidim* in Annex, Abbildung 4.

ous descent. Being a great-grandson of the BeSHT, his grave in Uman became the spiritual center for his disciples. The most noticeable attribute of the Na Nachs' *haffẓa* is the mantra-like singing (*niggun*) and dancing of the phrase *Na Nach Nachma Nachman Me'Uman* (Now to Nachman from Uman) through which all of Israel will be redeemed as a precondition for the advent of the Messiah. The strong emphasis on dancing “with joy and pride” is common to most of the hassidic sects, whereas the considerable proliferation of Hebrew and English literature, instead of the traditional Yiddish, together with an integrative approach to non-Jews and non-observant Jews seems to reflect a break with the tradition of hassidic isolationism.¹¹⁶⁸

The other group that had emerged in both world Jewry and Israeli politics was the *Habad* movement¹¹⁶⁹ under the guise of the Lubavitcher dynasty. Internationally, the portrait of Rabbi Menachem Mendel Schneerson, “the Lubavitcher”, is one of the most visible iconographic symbols in the Jewish world displayed in small shops and at synagogues from Williamsburg NYC to Indonesia. Together with the communities of the congregation *Yetev Lev D'Satmar*, first under its leader Rabbi Yoel Teitelbaum, “the Satmarer”¹¹⁷⁰, and later under his successor and nephew Reb Moshe Teitelbaum, *Habad* is also the leading hassidic court in America. It represents a future-oriented messianic worldview and sees itself as a pro-active member of Jewish and non-Jewish society to which it aims at bringing *yiddishkeit* and unity¹¹⁷¹ in order to re-awaken Jewish orthodox thought, education and Torah studies. In contrast, the Satmarer are more oriented towards the past, prefer isolation and disassociation and see themselves as the defenders of traditional customs. Their stance towards Israel is one of opposition and non-acceptance or even militant anti-Zionism. Both movements having settled in Williamsburg¹¹⁷² with about five miles in between their headquarters¹¹⁷³, are hostile towards each other with tensions becoming increasingly violent. Among the different reasons that separate both camps, is *Habad's* messianic claim that includes the belief of the late Rabbi Schneerson being the messiah.¹¹⁷⁴ Despite messianism having been banned from the center of religious thought in favor of „Serving God in exile“ – also due to the historical Jewish experiences with false messiahs like the Shabbtai Zvi (1626-1676) affair¹¹⁷⁵ – the idea of hastening the coming of the Messiah through adherence to the laws is still very present in hassidic thought. *Habad's* inner di-

1168 Surprisingly, at present there is no academic literature on the contemporary Nachman sect, notwithstanding its intensive performances in the secular public. See also Molner, Adam: Rolling with the Na Nachs, the most high-spirited and newest Hasidic sect. In: Ha'aretz, 19 May, 2008.

1169 *HaBaD* is an acronym for wisdom (*hokhmah*), understanding (*binah*) and knowledge (*da'at*).

1170 From the Rumanian city of Satu-Mare (Yiddish *Satmar*).

1171 For this aim and *Habad's* concept of a united Jewish people see *Habad Berlin: Unity a special concept*, website. URL: http://www.chabadberlin.de/library/article_cdo/aid/908651/jewish/Wir-sind-Eine-Einheit.htm, 12 April, 2011.

1172 Already between the two world wars, this neighborhood attracted Jewish orthodox immigrants. Mass influx started during World War Two with immigrants from the occupied countries and eastern Hungarian communities in particular.

1173 The Satmarer residence is located in 500, Bedford Avenue, *Habad* resides in 770, Eastern Parkway, both Brooklyn.

1174 According to Mintz, the Satmar movement in its battle against the Lubavitcher has been joined by the *M'lochim*. This purely US-based group was a general opponent of *Habad* and in particular against its fifth and sixth Rebbes. The *M'lochim*, most of them American-born, were guided by the *malach* (angel), Rabbi Haim Avraham Dov Ber Levine HaCohen. The *malach* was an Lubavitcher rabbi, highly respected by the fifth Rebbe, tutor of the sixth Rebbe and known for his extreme pietistic way of life. In the US, he became a central figure at the Yeshiva Torah Vadaat, Williamsburg, at that time one of the most important Yeshivot in America. Trying to bridge between religious traditional and secular learning in order to eliminate educational barriers to the acceptance of his graduates on the job market, the *malach's* puritanic teaching annoyed the board of the Yeshiva and he and his students were expelled in 1931 and refused to join the ranks under the leadership of Rebbe Schneerson when he arrived in the US in 1940. See Mintz. 1992, p. 21-26, 53-56.

1175 For this episode see Kunert, Jeannine: Der 'Juden-Könige' zwei. Zur Wirkung und Rezeption Sabbatai Zwis und Oliger Paullis. Dissertation, Max-Weber-Kolleg, University of Erfurt (work in progress).

lemma that arose with the new ideology of some factions according to which the Rebbe was himself the messiah, was, among several reasons and counter claims by other sects, the precondition for the advent of the Messiah: Only when chaos and a complete breakdown of social control would introduce the war of Gog and Magog¹¹⁷⁶, the Messiah would enter the world as the beginning of the messianic era. 1991 and the Second Gulf War had been interpreted by the Rebbe's messianic followers as an event that applied to the biblical scenario. However, despite the Iraq war forcefully entered *Habad's* narrative as an apocalyptic battle between Israel and Saddam's regime, the Lubavitcher himself saw the war as a contemporary variant of ancient wars between the rulers of Persia and Arabia.¹¹⁷⁷ Accordingly, the Rebbe disagreed with his disciples:

In fact, so strong was his confidence in this exegesis that he forbade his followers to pick up the free gas masks provided by the Israeli authorities. Moreover, at a time when many Israelis were flooding to Lod airport to catch flights out of the country for the duration of the war, the Rebbe not only vetoed such an exit, but also inspired hundreds of his followers from abroad to fly in to demonstrate their solidarity with Israel and their confidence in the Rebbe's prophecy that during the war the Jewish state would be the safest place in the world.¹¹⁷⁸

The fact that Israel survived the war with only marginal damage by Iraqi Scud missiles, contributed to the Rebbe's prophetic reputation and his messianic image.¹¹⁷⁹ And indeed, the Rebbe's life had been miraculously: In 1950, Rabbi Menachem Mendel Schneerson (1902-1994) succeeded his father-in-law, Rabbi Joseph Isaac Schneerson (1880-1950) who had become leader in 1920 after the passing of his father, as the seventh Rebbe of Lubavitch.¹¹⁸⁰ Not belonging to the dynasty by blood and elected while the old Rebbe's own relatives had been bypassed, his election manifested the first divine miracle that *habadniks* associate with his rise as "Rebbe-Almighty". It is said that Schneerson had been a learned man in subjects like engineering due to his studies in Berlin and Paris. However, he had no traditional Yeshiva education until he emigrated to the US in 1941. His journey to New York, according to the hagiographic account given by his followers, was possible only because he was able to bribe German officers, thus, because of the miraculous mercy of his enemies.¹¹⁸¹

In Israel, resistance by the orthodoxy against *Habad* and their campaign "We want Moshiah now!" had been formed soon. In January, 2000, the Israeli Chief Rabbinate, feeling the need to respond to the wave of popularized messianism, issued a declaration:

In recent days announcements and declarations are being publicized that can confuse and mislead simple people with messianic propaganda that a certain hassidic rabbi is the King Messiah and one should call to him with various proclamations. We have no intention, God forbid, of diminishing the greatness and the global activities of the Rebbe of blessed memory, but because we are dealing with the foundations of the faith and there is danger in this propaganda, it is necessary to warn against this approach. It is concerning such matters that the Sages said, 'Wise men, be careful with your words.' Individuals who are undesirable in the eyes of rabbinic scholars are exploiting the signatures of Rabbis and turning the simple faith in the coming of the Messiah into propaganda

1176See Ezekiel: 38-39. For the concept see Marcus, 2000, p. 381.

1177See Ibid., pp. 382/383.

1178Cit. Ibid., p. 383.

1179"The slogan 'We want Moshiah now!', which had already begun to proliferate in the late 1980s, before the main messianic period, now took on a new urgency. Yet, despite the Rebbe's thrilling announcements of eschatological advent, which increased messianic fervour to a burning intensity, he never explicitly proclaimed himself as the Messiah." Cit. Ibid., p. 392. His death in 1994 after a stroke in 1992 reinforced the belief in his future resurrection, comparable to that of Jesus. To this day, *Habad* has no new leader despite various claims by some of his followers. For instance Rabbi Shaul Shimon Deutsch claims to be the eighth Lubavitcher, but his claim, like others, have been rejected by most *habadniks*. See Ibid., p. 390.

1180The Lubavitcher dynasty was born in the town of Lubavitch in Belorussia with its first Rebbe Shneur Zalman of Liadi (1745-1813). His youngest son, Rabbi Moshe, converted to Christianity – a fact that is categorically denied by *habadniks* to this day. Sheleg, Yair: Chabad's lost son. In: Ha'aretz, 26 December, 2002.

1181Interview with Prof. Alon Dahan, Hebrew University, Ramat Motza, Jerusalem, 14 November, 2010.

whose end cannot be foreseen. One must be careful and warn people that one must believe in the straightforward faith that the Messiah will come as our Rabbis have taught us, and anyone who adds diminishes.¹¹⁸²

Eventually the most critical opponent of the Rebbe was Rabbi Eliezer Menachem Schach (1898-2001) who claimed *Habad's* messianism to be heretical and not authentic. Schach represented the Lithuanian Ashkenazi *Haredim* in Israel and aimed at breaking the political monopoly of the *Agudath Yisrael* on ethnic and theological grounds. For that reason he supported the foundation of *Shas* and the Ashkenazi *Degel HaTorah* to weaken the Aguda in the elections of 1988.¹¹⁸³ The Lubavitcher who since 1988 became involved into Israeli politics in order to support the Aguda¹¹⁸⁴, was, thus, a sectarian and political opponent of Schach with a growing popularity among Jews that was perceived as threatening Schach's authority in rabbinical circles. Personally, the Rebbe never visited Israel where his followers had build a replica of his residency at Crown Heights, *Habad's* temple¹¹⁸⁵ and, thus, a sacred space even after the Rebbe's death for it contained his divine spirit similar to objects he had touched during his lifetime.¹¹⁸⁶

Habad, like most of the other haredi sects cultivated a special imagery towards the Soviet union similar to that of the holocaust. The Lubavitcher, soon became the Jewish champion of the US establishment during the Cold War for his clear criticism of the Soviet regime and for his potential to mobilize American Jewish circles for elections, but he refused to be involved in world politics. Like Jews worldwide, the Soviet empire had been perceived by *Habad* as a land of the evil “other side” where Jews had been persecuted for decades and were deported into Gulag camps¹¹⁸⁷, their synagogues being demolished, and where hassidic sects like the Braslower and the Ladower were forced to establish illegal Yeshiwot during the 1920s and 1930s under permanent threat:

A Russian death
Is death of all deaths.
Russian pain,
Pain of all pains [...] ¹¹⁸⁸

Prior to the Soviet Union's implosion in 1991, the Rebbe had predicted the end of the empire built by “the man”, by Stalin whose name, similar to that of Hitler has been deleted from *Habad* texts. In fact as early as in the 1960s, the Lubavitcher had predicted the end of world communism and gave orders to prepare for the ab-

1182Quoted in Berger, David: *The Rebbe, the Messiah, and the Scandal of Orthodox Indifference*. London: Littman Library of Jewish Civilization of Portland, 2001, pp. 128-129.

1183With regard to the means used by the rabbis to influence voters during the 1988 elections, Arian writes: “[...] on television, for example, Shas presented the proceedings of a rabbinical court that absolved the oaths of potential voters who had promised to vote for the Aguda. [...] After that election, it became illegal in Israel to try to influence voters by promising to provide blessing or by threatening to withhold a blessing or to curse someone for voting (or not voting) for a specific party, just as it is a crime in Israel to buy votes with money or favors. In 1996, despite this legislation, the fierce competition for votes continued, and the use of amulets and promises of blessings for 'correct' voting were reported widespread.” Cit. Arian, 1998, p. 132.

1184See Arian, 1998, pp. 131/132.

1185See Marcus, 2000, p. 385.

1186Interview with Alon Dahan.

1187“He [the sixth Lubavitcher, M.G.] selected nine of his young pupils to battle with him. The one sent to Georgia, falsifying the KGB document, was my grandfather, Simon Yakabashvili, my father's father. He, together with hundreds of his colleagues, Chassidim throughout the Soviet Union, was arrested in 1938, tortured mercilessly and given a 25-year sentence in the Gulag. Most of his eight colleagues who accepted the oath never made it out of Stalin's hell. They perished in the Soviet Union.” See Rabbi Y. Y. Jacobson: *Stalin vs. Schneersohn*. URL: <http://www.theyeshiva.net/Article/View/24/Stalin-Vs-Schneersohn>, 11 October, 2011.

1188Cit. Kvitko, Leyb: *Russian Death*. In: *How*, 1988, p. 298.

sorption of immigrating Jews in the US and in Israel. The fact that the continuation of Cuba, North Korea and rising China proved his prophecy wrong, paved the way for intensive debates within the movement.¹¹⁸⁹

Habad was among the strongest supporters of Israeli governments especially when the security of the state was perceived as being threatened. The Lubavitcher Rebbe had also been a supporter and an ardent believer in Israel's doctrines of deterrence and offensive military operations. During the Yom Kippur War, Schneerson had send his Peace Corps and members of the Habad youth group (*Tzivos HaShem*), declared an "Army of God", to the military and civilian fronts in Israel. Another supporter of Israel was Rabbi Yekusiel Yehuda Halberstam, known as the Klausenberger (1905-1994), therefore an opponent of the Satmar Rebbe. Klausenberger who had founded a Yeshiva in New Jersey, left the US in 1959 and settled in Israel, where he established a village for his community.¹¹⁹⁰ In June, 1976, an Air France flight from Tel Aviv to Paris was hijacked by seven Palestinian fighters who forced the crew to fly to Uganda's Entebbe airport. The hijackers demanded the release of 53 Palestinian operatives in exchange for the lives of 250 passengers and the crew. Jerusalem, faced with the fact that Uganda's ruler Idi Amin, who at the UN had claimed the destruction of Israel, would not cooperate in any rescue initiative. Thus, Israel acted unilaterally and send special units for a rescue mission to Entebbe in which the commander of the *Sayeret Matkal* unit and brother of the current prime minister, Lt.-Col. Jonathan "Yoni" Netanyahu, was killed in action.¹¹⁹¹ After all hostages had been freed, Schneerson lauded the successful mission as a divine miracle that had manifested through every single Israeli soldier.¹¹⁹² During most of Israel's military operations, like those during the War of Attrition, the Lubavitcher who had been lauded by his Israeli guests from politics and the military for his impressive military-strategic knowledge, together with his disciples had not only adopted its theological concept of good and evil to the State of Israel and its enemies but had supported military missions spiritually with prayers for Jewish lives and blessings via phone to the responsible commanders.¹¹⁹³

This supportive stance towards the Israeli security establishment together with the Rebbe's hardline position to the issue of a withdrawal from the occupied territories was in opposition to the Satmar Rebbe's credo of not supporting goals, institutions or representatives of the State of Israel. Among the *Haredim*, from their very core organizations in the *Yishuv* to its modern Israeli and American variants, anti-Zionist orientations were strong in which the State of Israel is considered "a religiously unacceptable project but also as a hollowing of the religious meanings of the key religious terms [redemption and ingathering, M.G.], thereby putting a

1189Interview with Alon Dahan.

1190For his life until his emigration to New York in 1947 see Lifschitz, Judah: The Klausenberger Rebbe. The War Years. Southfield: Targum Press, 2003.

1191A detailed account is given by Arazi, Doron: Itzhak Rabin. Held von Krieg und Frieden. Freiburg: Herder, 1996, p. 131-138. Yoni became an Israeli hero with his brother Bibi declaring the fight against terrorism his personal mission. Accordingly, the current Prime Minister – called "Mister Security" in Israel – and himself a former high ranking officer of the *Sayeret Matkal* elite forces, has written intensively on the issue of terrorism and was the driving force behind the establishment of Israel's most important think tanks with focus on asymmetric warfare. The Netanyahu family's reputation as the role model of an Israeli-Zionist family had started with the career of the father, the well-known historian Ben-Zion Netanyahu who had succeeded the chief ideologue Vladimir Jabotinsky as the head of the New Zionist Organization in the US.

1192For Lubavitch and the Entebbe Operation see Mintz, 1992, pp. 57/58.

1193Interview with Alon Dahan.

major obstacle in the path of redemption.”¹¹⁹⁴ In Israel, haredi groups such as *Toldot Abaron*¹¹⁹⁵ lead by Rabbi Shmuel Pappenheim from Mea Shearim, declare themselves as being opposed to any policies that represent the Zionist state. *Toldot Abaron* and other groups are organized in the umbrella organization *Edab HaHaredit*.¹¹⁹⁶ In 2008, Nir Barkat became the secular mayor of Jerusalem.¹¹⁹⁷ It is said that his electoral success with 52 percent of the votes had been possible only because of the support from influential rabbis and their followers. In Barkat's case, his candidature had been supported by the Ger Rabbi who mobilized his followers against the competitor Meir Porush from the ultra-orthodox *Yabadut HaTorah* platform.¹¹⁹⁸ Barkat's initiative to open the parking lot in front of Jerusalem's town hall on *shabbat*, provoked violent protests by groups from the *Edab HaHaredit*. They can be seen as the ideological spearhead leading the haredi protests in the recent conflicts with the Municipality of Jerusalem on similar issues such as the opening of new shopping malls on shabbes, gender separation in public transportation etc.

1194Cit. Tepe, 2008, p. 108.

1195This group has its synagogue in Shivtei Yisrael Street, Jerusalem. Members wear a white knitted *kipah*, similar to the Nachman *Hassidim* but without tassel.

1196See German Hassidic Blog Jerusalem Backyard: Rabbi Shmuel Pappenheim: Spezielle Gebete in der Bar Ilan Street am Erev Schabbat, 24 June, 2009.

1197Barkat, a former paratrooper major and business man, and his party *Yerushalayim Tatzliyab* had been defeated in the 2003 elections by the ultra-orthodox candidate Uri Lupolianski with only 43 percent of the votes. Lupolianski had been the second religious-oriented mayor of Jerusalem after the term of Shlomo Zalman Shragai, a Polish religious Zionist who had served as a mayor for West Jerusalem from 1950 to 1952.

1198Until 2003 only secular candidates had served as mayors with Ehud Olmert being the last office bearer before Uri Lupolianski was elected mayor. However, as far as the Israeli Arabs of East-Jerusalem are concerned, the PA has called for boycotts of the elections with the goal to not recognize Jerusalem's municipality and, hence, Israel's occupation and annexation of East-Jerusalem after the 1967 war.

**Part III: REPRESENTATION AND EXTERNALIZATION OF STATE
IDEOLOGY**

7 The State's External Dimension - The National Self and the Other: Narratives of Conflict

The great regret is that the rest of the world is talking about this tragedy, this disaster, and our neighboring country, with whom we were trying to talk about peace and cooperation, is trying to defame Pakistan and Islam and harm it. If you look at their television, morning, evening and afternoon, a constant barrage is being launched against us. I want to tell them in English: Lay off! The Pakistan Army and every Pakistani are prepared to sacrifice their lives for the safety of Pakistan. At this moment, our full air force is on high alert, and they are ready for a do-and-die mission.

President Pervez Musharraf, Address to the Nation, 19 September, 2001.

Please don't forward any jokes that ridicule our army [...] We were there for you in 1948, 1965 and 1971. We were there on Indian Tiger Hills in Kargil. Be with us when we have been stabbed in the back.

SMS campaign by Pakistan Army in the aftermath of US Operation Geronimo, May, 2011.

We fight, therefore we are.

Prime Minister Menachem Begin, *The Revolt*, 1951.¹¹⁹⁹

Our hand is always extended in peace but its fingers are always on the trigger.

Prime Minister Yitzhak Rabin, Air Force Day, 30 June, 1994.

He who blessed our forefathers Abraham, Isaac and Jacob – may He bless the fighters of the IDF, who stand guard over our land and the cities of our God from the border of the Lebanon to the desert of Egypt, and from the Great Sea unto the approach of the Aravah, on the land, in the air, and on the sea. May the Lord cause the enemies who rise up against us to be struck down before them. May the Holy One, blessed is He, preserve and rescue our warriors from every trouble and distress and from every plague and illness, and may He send blessing and success in their every endeavor. May He lead our enemies under their sway and may He grant them salvation and crown them with victory. And may there be fulfilled for them the verse: For it is Hashem, your God, who goes with you to battle your enemies for you to save you. And may He bless, preserve and protect the captive and missing soldiers of the Israel Defense Forces. May He rescue them from captivity and speedily restore them in peace. Now let us respond: Amen.¹²⁰⁰

Prayer for the Israel Defense Forces, Chief Rabbinate of Israel.

The previous chapters made the attempt to differentiate between the various discourses that concentrate on the self-imagery and statist *raison d'être* of Israel and Pakistan. It has been argued that modern nationalism applied to specific sociopolitical environments and adopted a religious component. However, these attempts would not adequately reconsider the impact of security as another dominant component of state ideology which had striking psycho-political and economic implications on Pakistan and Israel, through which they evolved into “national-religious security states mired in a deep sense of insecurity which they cannot get rid of primarily due to the national narrative being frozen in history”¹²⁰¹, as Siddiqa put it. In Chapter 2 and 3, it has been stated that in both cases the nation's ethos as a seemingly unitary progressive narrative claims segregation. Emphasizing these insistent narratives of exceptionalism – Israel chosen by God as “a people who dwells

1199Cit. Begin, Menachem: *The Revolt*. Los Angeles: Nash Publ., 1951, p. 46.

1200Said on *shabbat* and holidays, along with the *Prayer for the State of Israel* in synagogues administrated by the Chief Rabbinate of Israel and some public institutions, e.g. the Jewish Agency. See Jewish Agency, website.

1201Cit. Siddiqa, 2 April, 2011.

apart, and will not be reckoned among the nations”¹²⁰², privileged and obligated to be “a light unto the nations” of exemplary morality, social justice and solidarity with the oppressed peoples around the world; and Pakistan, Land of the Pure and bastion of Islam, the struggle of its founding fathers often narrated as “a divine intervention or at least something that had divine patronage”¹²⁰³ – how did both states situate themselves within the international community? And given the fact that for decades Pakistani and Israeli history has been dominated by conflicts in a troubled neighborhood – how did both states defend and justify their roles when other states refused to accept them or when they became targets of delegitimization? In the same way in which religion, nationalism and self-imagery form an ideological backbone for both an established and an aspiring nation they can significantly influence a state's concrete policies. Thus, this chapter analyzes how views on history, religion, ideology and threats or their perceptions¹²⁰⁴ affected foreign and security policies and how in turn catalytic events in these domains were framed and rationalized in terms of ideology and seen through the ideological prism.

According to the theory of conflict, a single bilateral catalytic event and its perception and interpretation as a threat by one side has the potential to become a protracted multilateral conflict with a complex matrix that appears to be a dead end for any political solution as well as a psycho-political point of no return eliminating any perspective for future dialogue or reconciliation. Therefore, due to the manifold factors constituting a conflict, the analysis is based on a multidimensional approach. The analysis will concentrate on narratives of conflict and highlights the interplay of both military and economic *hard power* and political-ideological, cultural and religious *soft power* factors in the perception and interpretation of threats and mechanisms of response through which they are countered. Root conflicts have been transformed on the multilateral level of international relations where deficits of legitimacy aggregated such phenomena as the feeling of being abandoned by the international community or the fear of isolation and pariahization. Pariahization or the recognition as a “failed state” has often been directly linked to the Pariah's exertion of hard and soft power and resulting incompatibilities with international norms.¹²⁰⁵ De-pariahization or international rehabilitation – has been a result of both, changes in international public opinion, thus the changed perception of in principle unchanged policies, and of dramatic reversals in state policy, experienced by Pakistan immediately after 9/11 and by Israel during the 1990s Oslo Accord negotiations. A functional approach towards national narratives and the purposes they serve in addition to their potential to provide continuity through identity and legitimacy to state policies, is therefore central for this second dimension of analysis.

1202Cit. Fourth Book of Moses, Numbers 23:9.

1203Cit. Ali, Fahd: Our ‘Pakistani Muslim exceptionalism’. In: Daily Times, 28 July, 2010.

1204Scholars agree on a threat definition which highlights the declared or presumable use of coercion and force. But many approaches insist that a threat implies two dimensions: One being “material” – understood by Walt as factors such as defensive or offensive military capabilities, security doctrines and geopolitical factors, – the other “ideational” to which Walt added an “aggressive intention”. See Walt, Stephen M: *The Origin of Alliances*. Ithaca: Cornell Univ. Press, 1987, p. 23-26. Arguing on behalf of the traditionalist view on threats, he proposed a narrowed framework for the analysis of security and threats and linked threats primarily to their military and diplomatic origin. However, the perception of threats, be they real or more the expectation of an forthcoming hostile action, as “the decisive intervening variable between action and reaction in international crisis”, is based on a wider range of military, political-ideological, social and cultural factors and requires a wider definition of security and threats that can be applied to the specific cases. Cit. Cohen, Raymond: *Threat Perception in International Crisis*, p. 93. In: *Political Science Quarterly*, Vol. 93, No. 1, 1978, p. 93-107. A state's definition of its “national interest” is a case in point. Here I am following Buzan and Wæver. For the debate in the security studies between “wideners” and “traditionalists” see Buzan, Barry/Wæver, Ole/ de Wilde, Jaap: *Security: A New Framework for Analysis*. Boulder: Lynne Rienner Publ., 1998, p. 1-7.

7.1 Securitization

In the same way in which the perception of existential threats has an impact on foreign and security policies, on the political, the scientific and expert level and in public opinion, it has a strong impact on internal structures within a state and a society that feels threatened. Typical outcomes of this *process of securitizing* include institutional limitations to the political process and the liberal self-understanding of the state, and a shifting of civil-military balance in favor of the generals. Although they are not fully integrated into the normal legal order of state affairs, security policies require legitimation in cases where they violate the constitutional order. Rather than being only of a military nature, the most distinctive effect of an existential threat is its extension from the domains of security to more transparent fields like economy, taxation, emergency restrictions etc., but also to society in large. Focusing on society, securitization requires a redefinition of the society's identity and its values through which peace and war are interpreted.¹²⁰⁶ Thus, transforming the perception of a threat into an existential threat requires the acceptance of its logic of necessity and absolute primacy:

In principle, securitizing actors can attempt to construct anything as a referent object. [...] Traditionally, it has been state representatives who by saying 'security' declared an emergency condition, claiming a right to use whatever means are necessary to block a threatening development. But increasingly, this political move has been appropriated by other actors, and 'securitization' has become a more diverse phenomenon.¹²⁰⁷

As a possible outcome of diversification of state monopoly on the framing of security discourses, non-state individuals or groups can develop a discursive and framing power, which is disproportional to their effective participation in state and society, e.g. on the basis of electoral power. As the cases of catalytic core conflicts within a grand conflict, the Kashmir dispute and Israel's 1967 war, will illustrate, this brought into play minority groups from the political, the religious and the military sectors. Their discourses include conflict narratives which the majority of the domestic public could identify with but in addition they proposed their specific nationalist-religious variation of ideology as an alternative to the prevalent state ideology. Conflicts in which Pakistan and Israel were involved, indicate a number of territorial and security claims that could not be justified by the state solely with reference to statist ideology but required a synergy of religious and nationalist legitimacy. Diversification of securitizing in Pakistan and Israel and the rise of religious conflict groups implied various effects such as the open or hidden state-sponsoring of selected groups who were financed and trained as armed proxies deployed in disputed territory from where they acted as a force multiplier.

The process of selecting among various narrative options, and sub-narratives of wars in particular, challenges the national memory and its teleological meta-narrative. This is obvious when attempts to de-existen-

¹²⁰⁵According to this discourse, dominant in media, and increasingly in academia, a "failed state" is unable to perform a set of functions taken to be characteristic for a properly functioning state: To maintain secure boundaries, ensure the protection and security of its population, provide public goods and effective governance and to maintain law and order. While all of these preconditions apply to Pakistan and at least three to Israel, the discourse oversimplifies matters. For instance, The Fund for Peace (Washington) ranked Israel (and West Bank's Israeli sectors) 53th, Pakistan 12th out of 177 states. Indicators used include demography, movement of Refugees or IDPs, economic development, poverty and brain drain, as well as level of violence and state legitimacy. See The Failed States Index 2011. Similar rankings, for instance the European Commission's (EC) Eurobarometer in 2003, ranked Israel as the most serious threat to world peace (59%, followed by North Korea, Iran and US with 53%, and Pakistan 48%). As a reaction to the survey which shocked the Israeli public, especially due to Israel's high ranking by German respondents (65%), Israeli ministers accused the EC of "demonizing Israel" and of tolerating a new Antisemitism. See BBC News: Israeli anger over EU 'threat' poll, 3 November, 2003.

¹²⁰⁶This is especially true for the definition of what exactly is threatened: "Such a securitizing move involves a claim that the referent object is existentially threatened and that action according to the normal procedures will not be able to offset this in time, and therefore extraordinary measures are both needed and justified." Cit. Wæver, 2009, p. 21.

¹²⁰⁷Cit. Ibid., p. 22.

tialize a threat fail due to the powerful argument of consistent leitmotifs such as the eternal conflict, the cosmic battle etc.¹²⁰⁸ The narrative of protracted conflicts – seen as a self-reproducing dynamic – is to a high degree based on motives that themselves are strongly linked to, for instance, the claim of inevitability, in which conflict is accepted as an inevitable and insurmountable feature inherited in the nation's past, present and future. Again, this is an argument which goes beyond the *bellum iustum* narrative in those cases where peace is something which the nation in its past never fully enjoyed.¹²⁰⁹

7.2 Civil-Military Relations

The role of the military in decolonized development societies has been targeted by various studies that identified the military class socioeconomically as the substitute for an underrepresented urban business class and as a progressive and driving agency of change. The perception of the army as a “modernizing elite” and a central force in a transformation process that leads the nation and the people from the “traditional” and socioeconomically backward era into a modern, post-capitalist and post-colonial future was idealistic.¹²¹⁰ In a similar way utopian was the perception that the rise of democracy in the world would lead to a decline of authoritative military rule. Instead of withdrawing from the political arena, the army in a clear majority of decolonized new nations¹²¹¹ not only became the dominant force in cementing the colonial sociopolitical status quo but also expanded its influence in the civil-political and economic spheres drastically. Furthermore, in states such as Pakistan and Israel the military plays the role of a social agency and fabric. Its manifold activities in the civilian sphere and its strong participation in societal, government and security processes enables the military to contribute to national discourse and identity building and to emphasize images of nationhood, solidarity and collectivity that are borrowed from its own military culture, a process which is immensely favored and accelerated in times of war. In turn, the military is not immune against the ethnic-religious set of problems and societal cleavages deeply imbedded in the state since its birth which is illustrated by changing approaches of the military leadership to the inclusion of religion as a mobilizing element among the soldiers and as a part of military ideology. The same is true for the ethnic imbalance of representation in the civil sphere where distinct ethnic groups are over-represented while others are marginalized which is also reflected in the military ranks.

Finally, the military's exceptional position in state and society is legitimized by the powerful ideological narratives that were promoted during the struggle for independence by nationalist groups that finally succeeded in establishing the state. Their demand for an independent state was mainly based on two central thoughts: Firstly, the historical experience of victimization, suppression, persecution and violence led to the certainty

1208 Thus, de-existentialization of threats requires critical review and reevaluation of security politics, but also the deconstruction of its elements in terms of its non-political and non-military capabilities.

1209 Mufti has stressed this existential crisis of the minority being threatened. On the basis of his analysis of Western and Urdu literature Mufti comes to the conclusion that British India's Hindu-Muslim conflict had been interpreted along similar lines by Muslim intellectuals as a local variation of the European Jewish crisis in the light of colonial South Asia's rising ethnic and national movements. See Mufti, Aamir R.: *Enlightenment in the Colony: The Jewish Question and the Crisis of Postcolonial Culture*. Princeton, N. J.: Princeton Univ. Press, 2007.

1210 Though his study stresses only the cases of armies in Arab states, Tibi's model of the Egyptian army as a social agent can be applied to the cases discussed in this chapter. See: Tibi, Bassam: *Militär und Sozialismus in der Dritten Welt. Allgemeine Theorien und Regionalstudien über arabische Länder*. Frankfurt a. M.: Suhrkamp, 1973, p. 14-39.

1211 See Gutteridge, William: *Military Institutions and Power in the New States*. London (a.o.): Pall Mall, 1964; Janowitz, Morris: *The Military in the Political Development of New Nations. An Essay in Comparative Analysis*. Chicago (a.o.): Univ. of Chicago Press, 1964.

that peaceful coexistence within an ethnically and religiously divergent majority was impossible, and secondly, that protection and survival could only be guaranteed by the establishment of a sovereign state with its own security and defense capabilities recognized by the international community. This view was only confirmed by the immediate state of war and an atmosphere of hostility following independence which gave priority to the development and buildup of the army and the defense sector as compared to civil institutions. Different from other states that lack the troubled colonial past or the experience of foreign occupation, emerging in a more or less peaceful environment, the birth-narratives of Israel and Pakistan adhere to a highly militarized component which has a tendency to overcompensation in terms of countering the centrality of the existential threat faced by the fore-fathers. Accordingly, the national ethos tends to stress the new nation's and new natives' attributes and strengths such as military might, national grandeur and overwhelming superiority over adversaries or miraculous victory in situations of inferiority.

This chapter concentrates on exemplary key events in the early years of state formation, when the military acted as a crisis-manager in support of the civilian government and in which it could increase its popularity significantly. The educational attitude and a superior view to civilians underscores the military's claim to design a national image and to become a major force in the process of national integration. Ideal images within a military ethos, such as the self-sacrifice for the nation, play an important role in national imagining as Benedict Anderson has pointed out. In this context, death and self-sacrifice play an important role in national imagining and can be seen as the ultimate logic of modern nationalism that is by and large accepted by society who itself responds with expressions of national solidarity as the case of Israel's missing soldiers indicates.

The military is both an *institutional* interest group¹²¹² under constitutional law¹²¹³ that, beyond its natural sphere, formulates and expresses political demands, felt mainly in foreign affairs and defense policies, as well as an *associational* interest group due to its involvement in the defense sector.¹²¹⁴ According to Lasswell's concept of the "garrison state", mainly under the conditions of prolonged domestic tensions or the weakness of civil-political institutionalism and leadership and a constant threat of war, the military can maximize its control of resources and ensure the growth of its economic and political power.¹²¹⁵ Regarding future developments, the military, in an attempt of building bridges, will acquire skills of civilian management and will cultiv-

1212Almond and Coleman identified four types of major interest groups in the political system: 1. institutional, 2. associational, 3. non-associational and 4. anomic. Among these groups, the army applies to the first type due to its long-lasting formal organizational character and its formal authorization given by the state or the constitution. Its monopoly status ensures its ability to influence policy outputs. See Almond, Gabriel/ Coleman, James (Eds.): *The Politics of Developing Areas*. Princeton: Princeton Univ. Press, 1960, and for the Israeli case Arian, 1998, p. 286/287ff.

1213In Pakistan the constitution determines the status of the armed forces under National Assembly of Pakistan: *The Constitution of the Islamic Republic of Pakistan*, 5th Ed., 18th Amendment, Part XII, Ch.2, Art. 243-245. For Israel see *Basic Law: The Army*, passed by the Knesset on 31 March, 1976. The Israeli army was not subjected to a specific law until 1976 when the Agranat Commission, investigating the Israeli setbacks during the Yom Kippur War (October 1973) criticized the military's influence on political decisions through active and former senior officers with close ties to Knesset and cabinet members and recommended in its final report the enactment of a new Basic Law in regard of the army's status and role in the state.

1214For a recent study on the defense economy and the military business interests (Milbus) of the Pakistan Army see Siddiq, Ayesha: *Military Inc.: Inside Pakistan's Military Economy*. London: Pluto Press, 2007. Though somewhat out of date, the study by Mintz and Wardt analyzes the impact of Israel's high military expenditure in terms of its political-economic effects in boosting national economy and thereby affecting the electoral climate in favor of the responsible political decision makers. See Mintz, Alex/ Wardt, Michael D.: *The Political Economy of Military Spending in Israel*. In: *The American Political Science Review*, Vol. 83, No. 2, 1989, p. 521-533.

1215See Lasswell, Harold: *The Garrison State and Specialist on Violence*. In: *American Journal of Sociology*, No. 46, 1941, p. 455-468.

ate elements of its ethos of national duty within the civilian sphere. Changing conditions for access to the ranks of the armed forces will turn the elitist-exclusive image of the army and will emphasize a more meritocratic approach to the recruitment processes of officers. As a result, the military retains its organizational cohesion and independence which is only possible through its holding of unprecedented amounts of direct or indirect political and administrative power, e.g. budget autonomy.¹²¹⁶ Laswell's model emphasizes "a model of relations between the civil and military sectors, in which the boundaries between the two are fragmented" and permeable.¹²¹⁷ As a result, a partial *militarization* of the civilian sector takes place that allows the military to participate in the task of nation-building and to co-formulate policy agendas.¹²¹⁸ In return, to a certain extent, civilians try to increase their influence on matters of military and defense. They respond with a partial *civilianization* of the military structure which together with the military's expansion to the civilian sphere, provides ground for the model of a people's army.¹²¹⁹ This model, connecting civilians and soldiers as one national entity, that has the potential to be mobilized and transformed into a nation-in-arms, finds its opposing trend in a professional, closed and socioeconomically privileged military "caste", "based on the premise that the difference between the military and civilian sectors, especially in democratic societies, cannot be bridged."¹²²⁰ In an ideal democratic setup a balance of power, legitimated by the constitution, separates and isolates the military from the civilian culture. In response, the military cultivates its own ideological framework and distinctive framework of values through which it perceives domestic and international affairs and through which it in turn is perceived by the civilian sector.

7.2.1 Pakistan

Negotiations on the status of the colonial Indian army were a struggle of its own between India and Pakistan, both insisting on their full share of the Indian army in order to guarantee defense capabilities for their territories, and the British, who still hoped for a united independent India through political negotiations and, in case of partition, the establishment of a common defense arrangement between India and Pakistan in order to avoid law and order problems.¹²²¹ Unprepared for partition and facing the risk of a breakdown of military discipline and an administrative collapse, the three sides agreed on a formula which included a step-by-step process of reconstitution of the colonial armed forces.¹²²²

1216See Janowitz, 1964, pp. 4/5, footnote 4.

1217Cit. Ben-Eliezer, Uri: A Nation-In-Arms: State, Nation, and Militarism in Israel's First Years, p. 265. In: Comparative Studies in Society and History, Vol. 37, No. 2, 1995, p. 264-285.

1218See Ibid., 1995, pp. 265/266; Horowitz/ Lissak, 1989, p. 200-230.

1219For a systematic examination on different forms of legitimacy of people's armies see Fried, Robert C.: Comparative Political Institutions. New York (a.o.): Macmillan Press, 1966, pp. 85/86. The legitimacy of the military also derives from a doctrine of national salvation according to which the army will save the nation from external threats. Irrespective of their organizational models and ties with the civilian sector, this narrative can be found in in both cases analyzed in this chapter.

1220Cit. Horowitz/ Lissak, 1989, p. 204.

1221See Jalal, Ayesha: The State of Martial Rule. The Origins of Pakistan's political economy of defense. Cambridge (a.o.): Cambridge Univ. Press, 1990, p. 37-39.

1222Instead of full administrative control, the two dominions were given operational control preceded by a transfer of predominantly Muslim units to Pakistan, an exchange of personnel of the administrative services, the duplication of training facilities and the division of military equipment. The process of division was supervised by the Joint Defense Council, chaired by Lord Mountbatten and composed of the defense ministers Liaqat Ali Khan and Baldev Singh. See Ibid., pp. 40/41.

The post-partition Pakistan Army's evocative image and reputation exceeded its real size and military effectiveness. During the chaotic partition, between forced migration and massacres, most of the new Pakistani citizens, mainly those who came as refugees "had come to know the army before getting to know the nation." Having been called to aid the civil power with refugee rescue and support operations, the army in spite of its deficiencies, "was there while the nation was yet to take shape."¹²²³ Furthermore, during the flood relief operations in 1948, 1949 and 1950, the Pakistan Army could successfully link its initial military successes in fighting at the borders in its first war in Kashmir (1947-1949) with a professional crisis management in the country. Especially during the September 1950 Ravi floods that inundated several areas of Lahore, the officer in command, Lt. Gen. Azam Khan, later Governor of East Pakistan (1960-1962),

[...] with his natural flamboyance, energy and passion for publicity, turned the natural disaster into a PR bonanza. With the help of the PR outfit at his disposal, he had all his moves and actions connected with the relief operations covered in full. [...] The pressmen jokingly called the yearly visitation as the Lahore Annual Flood Festival or Parade with General Azam leading it. The role of the army *janans* in providing-relief to the uprooted earned them universal acclaim and recognition. Azam cultivated the Lahore press to the point of fraternization.

¹²²⁴

Based on these experiences the military enforced martial law, that had been declared on 6 March, 1953, to bring law and order to Lahore where the anti-Ahmadi agitation had erupted and where the heads of the riots in the Wazir Khan mosque had responded with violence to police action. Protests, boycotts and propaganda against the Ahmadis had been initiated in 1952 by a number of bodies such as *Majlis-i-Tabaf-fuz-i-Khatm-i-Nubuwwat*, *Majlis-i-Khuddam-i-Rasul* and *All Muslim Parties Convention* composed of the *Majlis-i-Abrar*, *Jama'at-i-Islami*, the *Islam League* and Shi'a clergy. In their countrywide *Khatm-i-Nubuwwat* (Finality of Prophethood) campaign¹²²⁵ they demanded the communal exclusion of the Ahmadis and initiatives by the government to remove Foreign Minister Sir Chaudhry Zafrullah Khan, representative of Pakistan to the United Nations and active member of the Lahore Ahmadi community, from his post.¹²²⁶ Until the middle of March, 1953, Lahore returned to normality after the army had put down mob violence. General Azam, as the Chief Administrator of Martial Law (CAML) did not end the emergency but started a press campaign in which the Lahore and national press were given only censored information. The military castigated especially the Government of Punjab branch responsible for public relations under its director Mir Nur Ahmad for its pro-active role in advancing anti-Ahmadi articles and large amounts of money to those local media that had heated up agitations against the Ahmadis.¹²²⁷ The initial strategy of the Martial Law command was to control and direct the reporting to prevent future misuse of media and religion by "trouble-makers and mullahs", seen as the root of all evil.¹²²⁸ Instead of removing martial law, the army, acting mainly under General Azam's personal or-

¹²²³Cit. Siddiqi, A. R. (Brig. Rtd.): *The Military in Pakistan. Image and Reality*. Lahore (a.o.): Vanguard, 1996, p. 1.

¹²²⁴Cit. *Ibid.*, p. 14.

¹²²⁵On the basis of this issue, similar campaigns against the *Ahmadiyya* still exist, see *Khatm-i-Nubuwwat*, website. For the Ahmadi theory of prophethood see Watt, 1988, p. 59ff; Jaffrelot, 2000 and Khalid, 1989, p. 386ff.

¹²²⁶For the most comprehensive account on the 1952/53 events, see Government of Punjab, 1954.

¹²²⁷See *Ibid.*, p. 83; Ahmad, 1976, p. 67-70; Khan, Fazal Muqem (Maj. Gen.): *The Story of the Pakistan Army*. Karachi: Oxford Univ. Press, 1963, p. 180.

¹²²⁸The resentments against the *mullahs* that were part of the anti-Ahmadi front during the sectarian riots became tangible when two prominent religious leaders, Maulana Abdul Sattar Khan Niazi and Maulana Maudūdi for their role in the agitations were sentenced to death by a military court. This decision created a public furor in which government members called on the army command to reverse the court's ruling but the military insisted on its right to try the defendants under martial law.

ders, maintained its presence and with the support of members of the central governments civil-service launched various educational campaigns, e.g. by assembling senior university and college staff members and advocating a new philosophy of education.¹²²⁹ Moreover, the army tried to integrate its civil agenda in public life:

He [CAML, M.G.] had launched an extensive clean-up campaign making fly-proofing of all provisional shops obligatory. Non-observance of the order carried heavy penalties. The ancient city looked a much better and cleaner place and the citizens were peaceful and orderly, in sharp contrast to the pre-martial law chaos. [...] Brigadiers and colonels formed the social elite, assuming highly condescending airs. They looked so superior to their civilian counterparts [...]. Officers were treated and projected as popular heroes and leaders. Every day news photographs showed them presiding over public functions, addressing people, touring city areas for on-the-spot surveys, opening new markets and public buildings.¹²³⁰

The Lahore Martial Law which was in force for 70 days implied mainly two long-term consequences on the national political and legal level. Firstly, the success of the Pakistan Army in the civilian sphere and the rise of its national image from the very beginning was a process that took place solely in West-Pakistan. Due to the imbalance in the numerical preponderance and the provision of equipment and facilities, from a military point of view, East-Pakistan was demilitarized and excluded from full participation in the armed forces.¹²³¹ The alienation of Bengali society to the Pakistan Army and the resentments within the army against the East Bengalis became obvious during General Ayub Khan's flag marches that aimed at bringing West Pakistani troops closer to the East Bengali population in an attempt to introduce the new defenders.¹²³² Rare insights into accounts by ordinary Pakistani soldiers and bureaucrats show that the shared belief in an Indian conspiracy became a popularized variant of 1971. Stereotypes – such as the “bread eaters” of the West as against the “rice eaters” in the East – were fed by physical-racist motives. In a political analysis of 1953, the author wrote:

If it is asked why there should be divergent or conflicting claims, the answer is that the racial, cultural and linguistic differences between the peoples of west and east are such that friction is inevitable. The Punjabis, the Pathans and the Sindis of the west are of Aryan stock, and tend to look down on the Mongoloid races of East Pakistan. The latter resent this attitude of superiority and the remote control of Karachi; they are also devoted to their language, Bengali, and fiercely resist proposals that Urdu, the language of the west, should be adopted as the sole state language of Pakistan. Successive administrations, from the days of the first Governor-General, Mr. Jinnah, and his great Prime Minister, Mr. Liaquat Ali Khan, onwards have failed to reconcile these differences and to weld the two wings into a harmonious whole. It is not that East Pakistan is any less patriotic than the other wing, or that it has the slightest desire to break away and rejoin India; but it just will not be treated as a colony.¹²³³

The failure in nationalizing the army was visible also on the political level with an under-representation of Bengali political participation, in the national economic system and psychologically in a way that left much room for resentments and prejudices canalizing feelings of martial superiority vs. non-martial inferiority and mutual stereotyping between West and East Pakistanis whose “only military image [...] was that of a police constable or of a political militant.”¹²³⁴ The racist overtones were mainly based on the British colonial recruit-

1229See Siddiqi, 1996, pp. 28/29.

1230Cit. Ibid., pp. 27/28.

1231Pakistan had inherited eight infantry regiments that were all barracked on West Pakistani territory. In addition to the two existing battalions in East Pakistan the East Bengal Regiment, mainly composed of Bengali Muslims but commanded by West Pakistanis, was raised in February 1948.

1232“‘The columns taking part in the marches consisted entirely of non-Bengali soldiers, of tall and light-skinned Punjabis and Pathans looking physically superior to the short, dark-skinned, non-martial Bengali pedestrians. [...] At the very outset, the national army thus acquired the look of a foreign military presence in Bengal.” Cit. Siddiqi, 1996, pp. 6/7.

1233Cit. Innes, F. M.: The Political Outlook in Pakistan, p. 3. In: Pacific Affairs, Vol. 26, No. 4, 1953, p. 303-317.

1234Cit. Siddiqi, 1996, pp. 5/6.

ment policy which was made the policy of the Pakistan Army, giving preference to the martial races of Punjabi Muslims and Sikhs and the Pakhtuns in the North-West Frontier Province to the disadvantage of the non-martial ethnic setup in East-Pakistan.¹²³⁵ More understated was the anti-British drive in the attempts of the West-Pakistani military elite to “pakistanize” the army. British officers still serving in the military of the Dominion of Pakistan were mainly targeted by the army's Rawalpindi press corps that reported on failures and mismanagement especially in the promotion processes in the army ranks in journals like *The Civil and Military Gazette*¹²³⁶ and *Mujahid* that after reorganization of the military press in 1952 was converted into the daily *Hilal* magazine.

Secondly, the Muslim League in West-Pakistan had experienced a serious backlash earlier, when Mohammad Ali Jinnah, serving a Chief-Governor of Pakistan died on 11 September, 1948, which was followed by the assassination of his political companion, Prime Minister Liaquat Ali Khan on 16 October, 1951. The death of the statesmen and figureheads of the Pakistan Movement sustainably weakened the civil-political sector in terms of authoritative and charismatic leadership. The political and bureaucratic elite of East-Pakistan was not spared by the deterioration of civilian rule when the Dacca-born successor of Liaquat Ali Khan, Prime Minister Khawaja Nazim-ud-Din, was dismissed by Governor-General Malik Ghulam Mohammad on 17 April, 1953. Nazim-ud-Din who had expressed dissatisfaction over the military's martial law rule in Lahore was succeeded by another Bengali, Muhammad Ali Bogra, who was dismissed by Ghulam Mohammad in October, 1954, together with the National Assembly. These interventions by the civil-bureaucracy backed by the military not only reaffirmed the distrust of the Punjabi West Pakistani establishment for their Bengali East Pakistani counterparts but were also legitimized by the Supreme Court with the sacred formula of the “Law of Necessity” which paved the way for the constitutional and military coups to come.

7.2.1.1 Islamization and the Army

Regarding the army's national task to defend the people, the territory and the ideology of Pakistan, especially the latter's interpretation by the military has been subjected to several changes in terms of its interpretation and adaption to the security doctrines of the state. What Siddiqi calls the “pragmatic-nationalist” character of the military privileges the army with the ability to swiftly shift between different ideological outfits.¹²³⁷ This crystallized under the rule of General Zia ul-Haq during the Afghan War when regime and army successfully involved religious groups and parties in the *jihad* against the Soviet Union. Zia who saw the army and the foreign service as “the nation's first line of defense”¹²³⁸ personally ordered the implementation of several Islamic elements in the legal structure of the army, such as an amendment to the oath of allegiance, obligatory for

1235An alternative approach to the British recruitment policy focuses on the British policy of granting agricultural land as a reward to communities for their services to the *naj*. The distribution of land by the colonial government, mainly in the Western Punjabi canal colonies, attracted the Punjabi peasantry for service in the army enabling them to improve their socioeconomic status. See Rizvi, Hasan-Askari: *Military, State and Society in Pakistan*. Lahore: Sang-e-Meel, 2003, p. 37-40.

1236See Siddiqi, pp. 9/10.

1237See Siddiqi, Ayesha: *The military's ideology*. In: *Dawn*, 25 September, 2009.

1238Conversation with Amb. (rtd.) Dr. Tanvir Ahmad Khan, Chairman Institute for Strategic Studies, ex-Member of Foreign Service, Islamabad, 29 March, 2011.

members of the armed forces¹²³⁹ and the introduction of the army's new slogan *Iman, taqwa, jihad fi sabil Allah* (Faith, Piety, Jihad for the sake of God), when being appointed COAS by Bhutto in 1976. Regarding institutional Islamization, most of the reforms are still visible and remained unchanged:

786: these three numbers represent the numerological equivalent of the opening sentence of the Quran, Bismillah ir-Rahman ir-Rahim [...]. 786 became the identification number for the GHQ of the new Pakistan Army when it took over the operations and offices of the British north command in India in Rawalpindi after independence. This numerical code was emblazoned on all gate posts and vehicles, as a reminder that this was the army of a Muslim country. But the Islamic identity was only in name at that stage. The senior echelons were still British officers who had opted to stay on, and they were in turn succeeded by their native clones [...]¹²⁴⁰

While making the appearance and outlook of the Pakistan Army more Islamic was primarily an infrastructural task, comprising army jargon and culture, the educational system, names and codes given to operations, weaponry and defense facilities etc., Islamizing the ethos and the *esprit de corps* as a means of mobilizing soldiers and bureaucrats by Islamic ideology and ideas was a more complex task colliding with the predominantly secular, pro-Western and liberal tradition in which the general corps had been educated:

Zia's Islamization over 11 years of his rule did affect the Army in that overt religiosity increased not significantly in my opinion, but somewhat perceptibly. It paid career-wise to be seen as an 'observant' or 'practising' Muslim. To give an example from another religion, if the Pakistan Army was Jewish, it would appear as if the number of Orthodox soldiers had increased, not preponderantly but noticeably. However the Army in the post-Zia period has maintained its largely secular ethos and this trend is not likely to change in the foreseeable future. This is true of the across the board spectrum of Pakistani society. [...] General Kayani and his post-Zia predecessors were all firmly in the secular camp. This trend will be maintained and perhaps increased when US forces withdraw from Afghanistan.¹²⁴¹

However, the Pakistani generation of officers that entered military life during the Zia period was subjected to the Islamization of army curricula and courses at the *National Defense Colleges* (NDC)¹²⁴² and the new military jargon. As an education officer of the Pakistan Air Force and NDC lecturer, himself an Aligarh graduate, put it:

It is my sincere faith that our best defense lies in the character training and we must cultivate Islamic moral and spiritual virtues to be successful in this world and in the hereafter. The officers in the armed forces have to be the most loyal, most patriotic and selfless members of our society. They can inspire others and build up national morale. I also believe that education plays the most important role as a non-military means of defense. National security depends on our noble ideas, trust in Almighty Allah and neatly ordered living. Our entire educational system must be reformed and Islamized if we want to progress and survive as a nation.¹²⁴³

In contrast to the policy of Islamization which ended after the Zia-period, the offensive educational approach combined with modest attempts to integrate traditional strata of society such as the graduates of the *dini madaris* and religious scholars¹²⁴⁴, was concentrated during the 1990s. While politicized Islamic elements were slowly pushed back under COAS Gen. Asif Nawaz Janjua, and the army chiefs succeeding him, the maintenance of the military ethos combining Islam and professionalism as part of the army's military ideology continued.¹²⁴⁵ Officers' biographies and textbooks distributed in the army seminaries and published for general sale

1239“May Allah Almighty help and guide me, A'meen.”, see *Presidential Order*, No. 14, 1985, Art. 2, National Assembly of Pakistan: *The Constitution of the Islamic Republic of Pakistan*, 5th Ed., 18th Amendment, Part XII, Ch.2, Art. 244.

1240Cit. Nawaz, 2008, Introduction, see also Haider, Ziad: Ideologically Adrift, pp. 120/121. In: Lodhi, 2011, p. 113-130.

1241Cit. Email by Amb. (rtd.) Azmad Hassan, 31 March, 2011.

1242Other educational institutions for officers include the *Command and Staff College* (Quetta), the *Pakistan Navy War College* (Lahore) and the *Air War College* (Karachi). In 2007, the *National Defense University* (Islamabad) was established offering classes in advanced strategy, conflict resolutions, nuclear politics and diplomacy for army officers and civil-servants and international applicants.

1243Cit. Haq, Inamul: Islamic Motivation and National Defense. Lahore: Vanguard, 1991, Preface.

1244See Malik, 1996, p. 278.

1245See Rizvi, 2003, p. 245-248.

indicate an explosion of literature on Pakistani and Muslim military history, where issues of warfare, leadership and *jihad* embedded into traditional Islamic frameworks and values are contrasted with international conventions of war as well as Christian and Jewish traditions.¹²⁴⁶ Central concepts such as the *jihad* and *shahadat* find their place also in current army literature and periodicals together with expressions of cohesion and solidarity between the *mujahid* and his comrades in poems and songs – for instance *Ghazi ya Shahid, here we go the Heaven's Way*¹²⁴⁷ – that form the ideal image of military heroism and martyrdom¹²⁴⁸ referring to a glorified past.¹²⁴⁹ In a wider context, patriotism and the willingness to self-sacrifice attributed to a military ideology in which religious and nationalist overtones are closely linked to the mechanisms and processes in which national images are produced.

7.2.1.2 Current Developments

An army's attributes and ideological outlook are mainly influenced by its leadership's directives and its recruitment patterns that, due to the strict but permeable hierarchical structure allows social mobility and provides privileges that employment in the economy cannot. Indicating social change, service in the officer corps more and more attracts the lower middle class and goes hand in hand with the withdrawal of the upper middle class. Regarding an ethnic change in the Pakistan Army, the traditional recruitment areas are still the main pool for recruiting but recruitment from the formerly underrepresented areas has been increased: Within Punjab, the number of recruits in general and from the traditionally favored districts, Rawalpindi, Attock, Chakwal and Jhelum, in particular, has declined, regarding the soldier ranks¹²⁵⁰ and has also changed in regard of the new officers' home districts in Punjab shifting to the urban centers in Central and Southern Punjab. The rising trend of recruiting soldiers from other provinces¹²⁵¹ reflects the increased requirements of personal resources given Pakistan's internal security situation.¹²⁵² Though the quoted data reflects a limited degree of ethnic re-arrangement in the army, it is questionable if changes in the recruitment policy will bring a fundamental and

1246 See Haq, 1991; Rahman, Afzalur: Muhammad as a Military Leader. Lahore, Islamic Publ., 1990; Qureshi, M. M. (Lt. Gen.): Landmarks of Jihad (first Ed. 1970). Lahore: Ashraf Press, reprint, 1996; Yousaf, Mohammad S. (Brig.): Silent Soldier. The Man behind the Afghan Jihad. Lahore: Jang, 1991; Ali, Laiq (Brig.): Concept of Islamic State in Islam and Applicability to Pakistan. In: NDC Journal, 2002, pp. 77-91.

1247 See Khan, Junaid (Cpt.): Here we go the Heaven's Way. In: Hilal. Pakistan Armed Forces' Magazine, No. 2, 2011, p. 17.

1248 See also Pakistan Army's Shuhada's Corner, website.

1249 As for instance cultivated in the army's *Hilal* magazine: "Captain Bilal Kamran, exemplifying the extreme courage and comradeship, willingly opted to help his comrades strangled at Ahmed Khel. When this Quick Reaction Force reached at Shina Khawar, it was also ambushed. In such a precarious situation Captain Bilal decided to fight back the ambush under intense fire. Such was the ferocity of ambush that the soldiers could hardly come out of the vehicles. Captain Bilal gathered all his guts in dismounting to charge on the terrorists. In that process he received a volley of bullets in chest being daringly exposed to embrace Shahadat. There in the remote areas of FATA he performed an act beyond call of his duty to ascend another step on the ladder of excellence. [...] In 2008-09, his unit was deployed in Congo in support of peacekeeping operations. [...] In Congo, Muslims is a marginalized community. On his own, he started working to renovate the mosques. He would visit remote villages, hutments and people to find out how he could help with renovation or constructing a mosque, and then would do it till completion. [...] Bilal and many like him are the sons of great regiments and proud parents who lived a life of total commitment, selflessness and sacrifice to enrich the great heritage of Pakistan Army. The nation is proud of the families who offer their sons for the defense of the country." Cit. Amin, Arshad (Col.): In Pursuit of Excellence. A Tribute to Capt Bilal Kamran Shaheed. In: Hilal, No. 2, 2011, pp. 26/27.

1250 From 63.7% in 1991 to 43.3% in 2005.

1251 Sindh: 8.9% to 23%, KPK and FATA: 20.9% to 22.4%, Azad Kashmir and Northern Areas: 5.9% to 9.7%, Balochistan: 0.5% to 1.5% and since October, 2010, the induction of additional Baloch soldiers to be increased up to 10.000. See recruitment data provided by the GH in Nawaz, Shuja: Army and Politics. In: Lodhi, 2011, p. 79-94.

1252 According to the army the losses count 2.800 killed soldiers and about 9.000 wounded since 2001 as of April 2011. See The News: Pakistan rejects US Report, 8 April, 2011.

long-term turn towards full national integration of peripheral provinces. In addition, the change that the army will have to deal with is likely to influence also the composition the future high-level officer ranks. Stephen Cohen's periodization¹²⁵³ highlights a British generation of officers that served in the army's leadership posts until 1953 followed by an "American" officer generation (1953-1971) in which the close US-PAK military co-operation provided the army with extensive military aid and officer-exchange programs that made them one of the most international-oriented group in Pakistan. The era of this generation ended with a humiliating defeat and the defacto state collapse through the loss of East Pakistan and the independence of Bangladesh. Especially the higher command posts came under severe criticism and were accused of "corruption arising out of the performance of Martial Law duties, lust for wine and women and greed for lands and houses" and of being an army that "had not only lost the will to fight but also the professional competence necessary for taking the vital and critical decisions demanded of them for the successful prosecution of the war."¹²⁵⁴ One outcome of the war in East Pakistan (25 March to 17 December, 1971) was a world opinion strongly condemning the Pakistani military and political leadership similar to the criticism in the final report of the investigating judicial commission, classified until 2000, that tattered the army's professional and moral image and stigmatized the institution as a whole. What followed was a "Pakistani" generation of officers that entered military life at a time when about 90.000 Pakistani POW's were still held captive in India.¹²⁵⁵ Pakistan's foreign policy under Zia was mainly characterized by the involvement in the Afghan Jihad that brought the army back to the international spotlight, lifted military sanctions¹²⁵⁶ and resulted in a supportive military cooperation with the US which gave rise to the consolidation of a nontransparent intelligence subculture (ISI and MI). The fact that the Zia *bharti* will succeed the current general officers and will be promoted to the highest officer ranks within the next years implies the potential for new changes within the military.¹²⁵⁷ The role of the Pakistani military in politics, however, can not be overestimated: Being the most important political and economic player since the country's birth, an Indian analyst, correctly, stated: "Changes in army chiefs of staff in Pakistan are as important as changes in heads of governments."¹²⁵⁸

1253See Cohen, Stephen P.: The Pakistan Army. Karachi: Oxford Univ. Press, 1998.

1254Cit. GoP: Hamoodur Rahman Commission Report, 1974, Ch. 1, Introductory.

1255Both, the official numbers of Pakistani citizens and "collaborators" held in India and Bangladesh and the number of Bangladeshi war dead vary enormously, from the official Bangladeshi figure of 3.000.000 to the Pakistani figure of 26.000. See van Schindel, 2009, p. 161-174.

1256The 1965 and 1971 IndoPak wars resulted in an US- and Western European-military embargo against both Pakistan and India that was lifted in 1975. Responding to Pakistan's nuclear program that had been initiated in 1965 in Parr, Rawalpindi, by Foreign Minister Zulfikar Ali Bhutto, the US-administration again stopped all military aid in 1979. In the *Pressler Amendment* of 1985, the harmlessness regarding Pakistan's nuclear ambitions certified by the US-president on a yearly basis was made a precondition for further military aid. On the basis of this mechanism, President Bush imposed new sanctions in 1990 followed by the embargo as a response to the nuclear tests in 1998 which were lifted in October, 2001. The politics of sanction and the effect of international isolation, according to Reetz, can be identified as the two main sources for anti-Americanism in Pakistani society and the upper classes including the officer corps. See Reetz, Dietrich: Antiamerikanismus in Pakistan. In: Faath, Sigrid (Ed.): Antiamerikanismus in Nordafrika, Nah- und Mittelost. Formen, Dimensionen und Folgen für Europa und Deutschland. In: Mitteilungen, Vol. 68. Hamburg: Deutsches Orient-Institut, 2003, p. 261-278.

1257With regard to the lower ranks, the army remains silent on the issue of deserters. In the context of Pakistan's operations in the tribal areas, there has been much speculation about cases of soldiers who questioned orders and who displayed solidarity with their TTP enemies whom they considered to be Muslim brothers. However, with Taliban attacks on army bases since 2009 and cases of soldiers taken hostage – some of which were beheaded after sentenced guilty by Taliban tribunals – such cases might have vanished.

1258Quoted in Krepon, Michael: Important personalities. In: Dawn, 18 January, 2012.

7.2.2 Israel

The formation of the Israel Defense Forces (IDF or *Zahal*) as ruled out by the law of the Israeli military service in August, 1949, required restructuring of the existing Jewish underground armies of Palestine. This process which was completed until the end of the year, was based on an integrative and consensual approach, making the new army an umbrella organization covering all of the ideologically divergent armed groups. *Haganah* (1920), the defense organization of the Jewish population in Palestine and coordinator of the clandestine illegal immigration from Europe to Palestine (*Haapala*) through its branch *Mossad L'Aliya Bet* – later known as Israel's secret service – became the main body of the new IDF. The *Haganah*, comprised of diaspora organizations such as *Hashomer*, founded 1909 in Russia for the protection of the Jewish local communities facing violent pogroms, beyond its military approach was active in the construction of settlements through its Planning Department. The number of the cooperative villages (*Moshavim*) and the *kibbutz* settlements that at the time of independence drew substantially the territorial border of the evolving state, grew massively during the 1940s and were exposed to violent resistance and attacks by the Arab local population. Following the countrywide riots and Arab-Jewish clashes in 1929 and 1936-1939, the *Haganah* recruited a storm troop (*Palmach*) among the settler communities to counter the attacks in the countryside but also in the urban areas of Haifa, Yaffa and Jerusalem. The strategy of guerrilla warfare against the Arabs and since 1939 against the British presence in Palestine, was mainly achieved through sabotage and terror operations by the armed groups *Etzel*, *Lehi* and *Irgun*. The latter rose to prominence because of its bomb attack on the King David Hotel, the Headquarter of the British Army Command, in Jerusalem on 22 July, 1946, under the leadership of the future Prime Minister Menachem Begin.¹²⁵⁹ Loosely organized but closely linked on the personal command level, the underground armies operated mainly autonomously with their own command structure and were not transformed into one independent body, as leading Zionists such as Ze'ev Jabotinsky, David Ben-Gurion and Yitzhak Tabenkin had voted for after World War I and against the model of a Jewish Legion incorporated in the British Army for the defense of the Mandate. Nevertheless, the fragmentation of defensive and military power in the pre-state period facilitated the establishment of the IDF on the basis of a four-tier military system including a career army, a regular army; the reserves and paramilitary border units from the settlements.¹²⁶⁰

In the period of state consolidation, beginning in 1950, the IDF became a basic agent of Israel's immigration policy. The IDF organized the on-the-spot absorption of the new immigrants that were housed in the *ma'abarot*, squalid camps near the airports and along the coast line. The IDF's main tasks involved education, *Ivrit* (modern Hebrew) teaching classes, geography and history, dispensing medical aid and supplying food and clothing. The order to “teach the new immigrant that the army and the uniform he sees are in fact his”¹²⁶¹ had been clearly formulated by the founding father in a speech addressing the Knesset:

¹²⁵⁹Similarly, *Lehi* was headed by the future Prime Minister Yitzhak Shamir. To achieve its political goals, the *Lehi* group applied both military and terrorist tactics. This included the assassination of Swedish diplomat and UN-mediator on the Palestine dispute, Count Folke Bernadotte, on September 17, 1948, whom it suspected of lobbying for a return of British rule at the expense of an independent State of Israel. *Lehi* and *Irgun* were banned subsequently after the Bernadotte assassination on the basis of a new anti-terrorism law but the groups' arrested members were released soon after their trials. See Byman, Daniel: *A High Price: The Triumphs and Failures of Israeli Counterterrorism*. New York: Oxford Univ. Press, 2011, p. 270.

¹²⁶⁰See Ben-Eliezer, 1995, p. 273.

¹²⁶¹Cit. (IDF Journal) Bamachane, 23.11.1950. Cit. In: Ben-Eliezer, 1995, p. 272.

I have been a Zionist all my life and I do not deny the existence of Israel, heaven forbid [...] but [...] even the English nation was not always that nation [...] but was composed of different tribes [...] fighting one another. And only after a development of hundreds of years did they become one nation. We do not have hundreds of years, and without the instrument of the army [...] we will not soon be a nation [...] We must guide the progress of history, accelerate it, direct it. This requires a framework of duty, a framework of national discipline.¹²⁶²

Earlier, in 1949/50, the IDF and the Israeli Air Force (IAF) that had its roots in the air wing of the *Haganah* (*Sherut Avir*), with British support, assisted the Jewish Agency during the evacuation of Jewish communities from neighboring Arab countries. From June, 1949, to September, 1950, as a reaction to fighting and rioting between Muslims and the Jewish communities in the Aden region, 49.000 Jews from Yemen, Djibouti and Eritrea were airlifted to Israel (*Operation Messiah's Coming/ Operation On Wings of Eagles*).¹²⁶³ The humanitarian image built in these early days evoked solidarity in the Jewish communities abroad and created a positive public opinion on the international level which was essential for the new state. Far from Lasswell's model of the soldier as a “specialist in violence” – the IDF's soft image of an uniformed nation-building force and crisis manager in immigration policy resulted in institutional affiliations, collective solidarity and intimacy forged between the new immigrants and the army altogether attested to the new Israelis' mobilization to the security missions of the state.

7.2.2.1 Religious Disobedience in the IDF

In accordance and due to diplomatic pressure through the Obama administration, Prime Minister Netanyahu and Minister of Defense, Ehud Barak, by the end of 2009, decided to make an unilateral “painful step” and to freeze the construction of settlements in the West Bank in the interest of Israel's broader national security.¹²⁶⁴ The decision was part of Netanyahu's willingness to accept a Two-States solution, announced in his speech in June 2009 at the campus of the Bar-Ilan University.¹²⁶⁵ The speech, which marked an – at least rhetorical – turn in the history of *Likud*, provoked protests in the settler movement which escalated in November. Rabbis heading the Yeshivot in cooperation with the Ministry of Defense were in joint force declaring resistance against the government's plan to authorize the 10-month building freezing in the settlements beyond the borders of 1967. When the government became aware of the extreme resistance of settlers against the plan, it included several other settlements in the *National Priority Area* (NPA) which marks a zone for the favored development and tax benefits of selected communities. The definition of this particular area in the past reflects the ideological positions of left-wing and right-wing led coalitions. Labor tried to compromise and used to include Arab villages in the NPA, whereas cabinets, led by *Likud*, removed them. Moreover, the implementation of a discriminative legal framework hinders Israeli-Arabs to purchase or lease property distributed by the JNF.¹²⁶⁶

1262 See Speech by David Ben-Gurion. In: Knesset Protocol, 19 August, 1952.

1263 However, the romanticizing national narrative of the “ingathering of the exiles” and its adaption to Israel's immigration policies, ignores the various problems involved in the airlifting operations. The air transportation of the Iraqi Jews (*Operation Ali Baba*), with 113.000 passengers flown to Israel from May, 1950, to December, 1951, and communities from the other Arab states was more challenging in terms of the political consequences and the impossibility of overland transport given the state of war between Israel and the neighboring regimes. Agreements were mainly possible through clandestine negotiations and the involvement of mediating third parties as well as payments by the Jewish Agency. See Sachar, 2007, p. 395-403.

1264 See Yedioth Ahronoth/ Ynetnews, 25 November, 2009.

1265 See Netanyahu's foreign policy speech at Bar Ilan, 14 June, 2009. Full text in Ha'aretz.

1266 Interview with MK Hanna Swaid (Hadash), Knesset, 6 January, 2010; Interview with MK Sheikh Ibrahim Zarzur (Ra'am-Ta'al), 14 January, 2010; Interview with Michal Radoshitzky, Geneva Initiative, Tel Aviv, 14 January, 2010.

This marked a significant turn in the relationship between the rightist coalition and the religious leadership of the West Bank settlements. In a declaration, representatives of religious seminaries in the West Bank called collectively on religious soldiers to refuse any sort of order to evacuate settlements. Previously, rabbis in the West Bank and all heads of *Yeshivot Hesder* – schools for religious and military education – had joined the call of Rabbi Eliezer Melamed, head of the Har Bracha Hesder Yeshiva, to disobey the government's order. Members of the religious parties supported the rabbinical declaration: Parallel to the protests in the settlements, Rabbi Ben Elon, a former military chaplain and MK from *HaBayit HaYehudi* and Rabbi Druckman attacked the construction freeze and the harsh responses to the cases of insubordination.¹²⁶⁷ Similar incidents had taken place within the IDF when reservists declared in public not to obey orders, because they were immoral and a violation to religious law. In December, following the rabbinical decree, a whole unit of soldiers declared solidarity with the Yeshiva leadership while attending an IDF ceremony at the West Bank Army Base, which was covered by national media.¹²⁶⁸ According to their assertion, Torah law is above any other law, meaning the laws of the Israeli state and international law. Therefore, soldiers have to refuse orders which command them to evacuate Jewish settlements and which they interpret as being opposed to religious teachings.¹²⁶⁹

For the first time, the IDF, considered the nation's most moral and loyal institution, became involved in a new cleavage of the society – somewhere in between a politicized confrontation of contrary ideological camps within the new rightist government coalition and the settler movement and an existentialist clash between a secular Zionist *raison d'état* and a religious-nationalist interpretation of the status of settlements. Since most of the supporters of the rabbinical order belonged to the higher ranks and elite units of the military echelon, the paralyzed Israeli public questioned the loyalties of the army which seemed to be more and more committed to national-religious ideals than to their loyalties towards state and nation. Moreover, the conflict of loyalties between military duties and Jewish religious obligations can be considered a mirror of numerous conflicts, other institutions were confronted with in the history of Israel.¹²⁷⁰

Since the last four decades, when the army was dominated by secular *Kibbutzniks*, the IDF's policy towards the role of religion has drastically changed and became highly ambivalent. Always, the army had pronounced its non-political and non-religious position in the framework of a Jewish democracy.¹²⁷¹ Cooperations between the IDF and religious institutions, Yeshivot and rabbis have to be authorized by the Chief Rabbinate, the Ministry of Religious Affairs and the Ministry of Defense. Created as a people's army unifying all Jews in Israel and therefore forming an Israeli identity, was the vision of Ben-Gurion, when the underground army *Haganah* was transformed into the IDF. This concept of integration was exactly what the haredi communities tried to

1267See Ha'aretz: Barak orders IDF to cut ties with far-right yeshiva, 13 December, 2009.

1268See Ha'aretz: IDF reservists declare solidarity with ousted Hesder Yeshiva, 21 December, 2009.

1269In response to the mutiny in the IDF's ranks, Defense Minister Ehud Barak (Labor Party) ousted the Yeshiva of Rabbi Melamed from the *Hesder* cooperation.

1270For instance, the ban on *El-Al* flights on Shabbat which was passed by the Knesset in 1981.

1271Especially the insufficient Kashrut observance together with general anti-religious resentments created a serious dilemma for religious recruits. The religious parties *Agudat Yisrael* and *HaPoel HaMizרחי* intervened for the first time during the Second World War, when Jews from the *Yishuv* enlisted for the service in the British Army and later for the Jewish Brigade. When observant soldiers tried to organize a kosher kitchen in the Brigade, the majority of the Jewish soldiers voted against it. Issues like kosher food, and the order to shave everyday remained issues which were intensively discussed in the religious sector until the 1980s. See Unna, 1987, p.94-97.

avoid since they were founded on the principles of isolation and disassociation from mainstream society. The army was seen as a vehicle by which secular Zionism was attempting to eliminate the cultural autonomy which separates the haredi community world of Mea Shearim and Bnei Brak from the secular world of most Israelis. Ultra-orthodox *Haredim* theoretically and according to the secular Israeli press, refuse to make any contribution to the Zionist state and society but receive the benefits of money and protection from the state.¹²⁷² Numerous belief-based and structural obstacles prevent young haredi men from transitioning from their traditional environment into most spheres of secular Israeli life, including job market and military service. After a long legal debate (1948-2002) about refusal and deferments claimed by the religious parties and the haredi authorities, the Knesset passed a law that legalized a practice of granting deferments to all Yeshiva students while allowing them to study and join the workforce after completing one year of civil service. An answer to the haredi refusal to serve in the IDF and to some objections of orthodox Jews was provided by the establishment of *Nahal Haredi* and *Nahal Hesder* programs, two alternatives for encouraging *Haredim* to serve in the armed forces. The latter drafts religious soldiers for a five-year duty, of which all but one and a half years are spent studying in a yeshiva which as a post high school institution of religious studies is part of the religious education system. Although, there is an administrative body, the curricula are not prescribed. Launched in 1999, the organization works in cooperation with the IDF and the Ministry of Defense. It claims, according to its slogan “guarding the Torah, the Land and the Nation” to bridge the social gap between secular and religious Israelis.¹²⁷³ *Haredim* constitute only a minority of the soldiers in these units, a great majority being religious-Zionist, most of them living in the West Bank settlements.¹²⁷⁴ According to Cohen, a growing religiosity in the army is mainly expressed by the fact that IDF Education Centers in cooperation with military rabbis, run the most successful conversion centers in Israel, due to the growing number of converts to Judaism, of whom many after their graduation have ascended to command positions.¹²⁷⁵ Conversion in the IDF has been in the center of a debate between government, the Ministry for Interior, the Jewish Agency and religious groups in the Diaspora and in Israel. In 2010/11, the *Military Conversion Bill*¹²⁷⁶ had led to speculations about a breakdown of the *Likud*-led coalition. Until then, conversions in the army had been organized by the *Nativ* program, eight-week study courses on Jewish identity and *mitzvot* funded by the Jewish Agency in which soldiers are prepared for their formal conversion through the military rabbinate.¹²⁷⁷ The question of responsibilities had exposed a com-

1272For an analysis of secular media campaigns against the *Haredim* see Heilman, Samuel C.: Religious Jewry in the Secular Press. Aftermath of the 1988 Elections. In: Liebman, 1990, p. 45-65; for the ultra-orthodox press in Mea Shearim see Levi, Amnon: The Haredi Press and Secular Society. In: Liebman, 1990, p. 21-44.

1273The original *Nahal* was founded as a strategic defense tool by Ben-Gurion in 1948 who intended to integrate the first battalions' mixed activities of agricultural work and military training into the border hinterlands. See Ze'ev, Drori: Between Faith and Military Service: The Haredi Nahal Battalion. *Floersheimer Studies*, No. 4/22, 2005; Nahal Haredi, website.

1274Interview with Aliza Herbst, Director Foreign Affairs Yesha Council, Jerusalem, 4 January, 2010.

1275See Cohen, Stuart: Tensions Between Military Service and Jewish Orthodoxy In Israel: Implications Imagined and Real. In: *Israel Studies*, Vol. 12, No. 1, 2007, p. 103-126. Although the IDF's files and data-sets are inaccessible and the religious and ethnic composition of its personnel is not released, these findings seem to be reliable as they are also reflected by epistolary exchanges between soldiers and rabbis. Further, the re-vitalization of army ceremonies and rituals during the last years (e.g. public blessings for the army, joint prayers at the Western Wall and the Tomb of King David) are performed in public.

1276Authored by MK David Rotem and MK Robert Ilatov, both from *Yisrael Beitenu*.

1277According to the Jewish Agency, about 1.000 soldiers per year participate in the program for which the agency, together with the Genesis Fund contributes 2.5 Million USD per year. See Jewish Agency for Israel: Press Release: Update on IDF Conversion Law, 19 December, 2010.

petition between the IDF rabbinate and the Chief Rabbinate and as a result all parties involved in the conversion debate agreed to an extended moratorium to solve the issue.¹²⁷⁸

The discussion in public and in the Knesset – whether to close the seminaries for combined religious and military education or to expand the *Hesder* cooperation – stalled after the Gaza Disengagement, caused by an escalation of Israel's military policy from 2006 to 2009. Israel went into war against Lebanon and Hezbollah in 2006 and entered Gaza in December, 2008, in order to remove the *Hamas* regime. In the case of the latter (*Operation Cast Lead*), reports and testimonies of units involved in the fights were published in March, 2009, and created controversies in the Israeli and international public. Brigade Commanders and the military rabbinate were accused of having promoted a religious Jewish war against non-Jews. Several booklets and Halachic commentaries, which highlighted the importance of serving in this “holy mission” to defend Greater Israel against “Arab invaders”, were authorized by the chief military chaplain Avichai Rontzki and distributed to the troops.

1279

Since the war of 2006, the IDF intensified its recruitment and expanded the existing programs. Founded in 1923 by Vladimir Jabotinsky, international branches of the *Betar* Movement offer a broad range of activities for young Jews from Israel and abroad including Hebrew classes and lectures on Judaism, Zionism and Israel. Additionally, the recruitment for para-military training in the IDF programs *Marva* and the one-week course *Gadna* at schools have been intensified after the last wars.¹²⁸⁰ The Jewish Agency offers similar courses for international volunteers in the army (*Sar El*) where they serve on bases and in hospitals with a non-combatant status.¹²⁸¹ The incidents within the IDF, which is supposed to be a people's army and the country's most powerful social fabric of national integration and religious conversion of non-Jewish immigrants¹²⁸², reflect a growing potential for conflict in the ultra-orthodox and national-religious strata of Israeli society and thereby contradict integral elements of Zionist ideology. However, they express the transformation of traditional domestic state-religion tensions into a composite of religious and political interpretations of a genuine territorial issue, thereby re-conceptualizing the existing cleavage secular vs. religious.

7.2.2.2 Current Developments

The IDF's religious factor only recently became one of the most heated debates among politicians, officers and experts when discussing models for Israel's army of the future. The development of Israel's political system in which labor-Zionism, *Mapai* and later *Avoda* party ruled the country until Menachem Begin's “ballot box revolution” in 1977 through parliamentary majority or coalitions of national unity, strongly affected the ethnic and social composition in the IDF units. Since the political turn, the 1967 war and the intensification of

1278 See Jewish Agency for Israel: Press Release: Natan Sharansky's Statement on Agreement With Israel's Ministry of Interior Regarding Conversion, 16 June, 2011.

1279 Rontzki is himself a prominent figure in the national-religious circles of the West Bank, especially in Hebron, where *Gush Emunim* activists under Rabbi Moshe Levinger built a Jewish settlement in the middle of a Palestinian neighborhood. See The New York Times: A Religious War in Israel's Army, 22 March, 2009. The Hebron settlement and Rabbi Levinger who served in the Knesset for the NRP during the 1970s and promoted a “Jewish Renaissance” became the ideological backbone of the religious settler movement and a hotspot of confrontations between settlers and Palestinians.

1280 See Ingber, Michael: Friedenserziehung und Militärdienstverweigerung in Israel als Prüfsteine für die Entwicklung einer Friedensperspektive mittels gesellschaftlicher Veränderung. Unpubl. manuscript, Vienna, 2008, pp. 11/12.

1281 Interview with Pnina Schreiber, Jewish Agency in Austria, Vienna 8 March, 2007; Sar El volunteers for Israel, website.

1282 *Olim*, based on the Law of Return (*Aliyah*), passed by the Knesset in 1950.

military conflicts since 2000, especially the prestigious combat and special units face increasing numbers of orthodox and haredi recruits:

[...] you have four groups of people who will go on to be generals in the IDF. The first component of the IDF is the *Kibbutznikim*. They no longer have the image of admiration and prestige in Israel, and they want to get it back. Secondly, you have the group that historically was excluded from the IDF..Jews of North African and Middle Eastern background, who are increasingly becoming an important factor in the officer corps and in the combat units of the IDF. Thirdly, 20 percent of the population is immigrants from the former Soviet Union who have come over since 1990. These are people who want to become the establishment of Israeli society. They want to get into the mainstream. The way to do that is through the IDF and its fighting units. And fourthly, the IDF ranks are increasingly filled by religious recruits. If you look at who got killed in the last Lebanese war you would see these groups, all of which were formerly excluded and now have a chance to get in. For the religious it means a way to lead Israeli society. We have a group here that has a vision of how Israeli society, as an integral religious national division, should be run. That's why they invented the *Mabina* programs. For a long time people thought that the *Hesder* programs were the spearheads. The *Hesder* movement got its cache in the 1973 war and the 1982 war in Lebanon. In my *Hesder Yeshiva* in 1973 we had 250 students. In the Yom Kippur War we had 11 dead and 50 wounded. This is a pretty high casualty rate for one institution. The other *Hesder Yeshivas* looked the same. And in 1982 it repeated itself. I had four sons who served in *Hesder* and they all served in combat units. That's very much in the ethos.¹²⁸³

From the government's and the military's point of view, this development has the potential to generate future scenarios in which religious soldiers and those who identify themselves with the settlers' religious-Zionist ideology could harm Israel's long-term strategic and political interests by disobeying orders, e.g. with their refusal to evacuate Jewish settlements in the occupied areas. Within its training curricula in public and religious schools, the IDF and civil-society groups try to target students participating in preparation courses for the IDF service (e.g. *Gadna*) and units with predominantly religious soldiers which are likely to participate in future disengagements operations with special courses dealing with democratic values, human dignity in Jewish tradition and *halachic* law or rabbinical decrees.

The issue of prayer services in the IDF has been subjected to reforms under Chief of Staff Gantz in 2011: As part of the IDF order of 1962, memorial prayers for the fallen and imprisoned IDF staff had been introduced and were, legally, binding to all units but were recited in different ways with one original version and the verse "May the People of Israel remember" (*Yizkor Am Yisrael*) and a version introduced by Military Chief Rabbi Shlomo Goren after the 1967 war with the verse "May God remember" (*Yizkor Elohim*). A military committee appointed by Gantz demanded the banishment of both versions in order to not deepen the secular-religious divide in Israel's oldest institution par excellence. The committee admitted that the Judaization of military ceremonies, until than accepted by all army commanders, had not been determined by the IDF laws and was, thus, a potential risk for further cleavages in the army.¹²⁸⁴

Though the access to empirical data is limited due to the restrictive information policy of the IDF, there is evidence that the IDF command in accordance with the Military Rabbinate has widened its links with selected religious groups. One example of these non-institutional cooperation are the visits at the front in order to raise the morale of the troops and to provide religious services. The support of the troops was formerly a privilege of the Lubavitch Habad sect who in the 1967 war sent a *Peace Corps* and *Habadnikim Lamplighters* to the front lines and invited the IDF generals to personal audiences with their spiritual leader in New York.¹²⁸⁵ In

1283Cit. Fischer, Shlomo at Round Table Discussion "Who are the settlers and what do they want?" on 16 December, 2009.

1284See Katz, Yaakov: IDF panel keeps God out of Yizkor prayer. In: The Jerusalem Post, 4 August, 2011.

1982, Habad activists "followed hot on the heels of the invading Israeli army in its incursion into Lebanon".¹²⁸⁶ During the Second Intifada (2000-2005) and later in the Lebanon War¹²⁸⁷ the Military Rabbinate cultivated new ties between the units in the field and religious groups, including relatively new sects such as the Breslav disciples of Rabbi Nachman (*Na Nachs*). The *Hassidim's* activities and their educational and missionary approach underscores the ambivalent position of the Rabbinate that officially refuses to have links to orthodox Rabbis, especially after the critical opposition role they had played during the Disengagement.¹²⁸⁸ Furor was also created by incidents in 2011 in which female soldiers, under the eyes of IDF Chief Rabbi Rafi Peretz and a regional Division Commander were separated from their comrades at the occasion of *Hakafot Shiyot*¹²⁸⁹ and during other religious celebrities on the basis of conservative orthodox halachic interpretations.¹²⁹⁰

7.3 Catalytic Conflicts

7.3.1 Pakistan: The Kashmir Conflict

Separating and differentiating themselves from each other and at the same time avoiding a complete breakdown of bilateral relations remain key features of IndoPak relations. Seeing the other over decades as distinct from the bloc of South Asian states has generated continuity of hostilities, animosities and deep mistrust interrupted only by periodical gestures of goodwill. Since the year of independence, two wars (1947/48, 1965), the war of 1971 with limited ground operations in Kashmir, several low intensity conflicts like the Siachem glacier crisis (1983) and the Kargil conflict (1999), mobilizations at the border and nuclear threats deepened the rift between the two countries. As in the case of Israel, a normalization in terms of stable diplomatic relations and linked to these, images of peace remain abstract for different reasons: Firstly, compared to the Middle East which had always been a focal point of international conflict mediation and prominent peace initiatives – although until today apart from the Israeli-Egypt and the Israeli-Jordan peace only limited progress has been made in the Israeli-Palestinian conflict which remains the region's diplomatic Gordian knot – South Asia lacks the historical experience of an exemplary peace that could serve as a symbol and role model. Secondly, the nature of the Kashmir conflict, in which international mediation and intervention by the UN with resolutions and a permanent mission on the ground¹²⁹¹ did not change the situation as such. Since then,

1285At the outbreak of the Six Day War, *Habad* initiated an international *tefillin* (set of black leather boxes containing religious verses) campaign as "a means of ensuring divine protection against Israel's enemies". After the war, *Habad* established committees to raise funds for its *War Orphan Program*. See Habad: Challenge. An Encounter with Lubavitch-Chabad in Israel. London: Lubavitch Foundation of Great Britain, 1977, pp. 200/201.

1286Cit. Marcus, 2000, p. 385.

1287See 'Na Nach hafatza during Lebanon war', on Youtube.

1288Interview with Dr. Yaacov Yadgar, Dept. of Political Studies, Bar-Ilan University, Tel Aviv, 09.12.2009.

1289Marks the end of the *Simbat Torah* holiday with dancing and music while the Torah is presented by the rabbis. In contrast, gender separation has been widely accepted in Hebron where the celebrities for soldiers and inhabitants from the local settlements have been institutionalized.

1290See Pfeffer, Anshel: Female soldiers leave IDF event after ordered to sit in separate section. In: Ha'aretz, 23 October, 2011.

1291UNMOGIP (*UN Military Observer Group in India and Pakistan*) as a permanent mission was established in March, 1951, following the IndoPak ceasefire in July, 1949. After the outbreak of the Second Kashmir War, the UN Security Council (UN SC) authorized UNIPOM (*UN India-Pakistan Observation Mission*) in September, 1965, as a temporary one-year mission to observe bilateral disengagement and withdrawal of troops as agreed on in the Tashkent Agreement on 10 January, 1966. See UN Peacekeeping, India-Pakistan, website.

international attention paid to the “lost paradise” and the high numbers of people being killed in the conflict¹²⁹², remains very low. In this context, Ahmar writes: “[...] the absence of war in South Asia is like a no-war and no-peace situation. Unlike the Middle East, where tremendous pressure was exerted by the United States on Israel and the Arab countries to establish normal ties, no such factor exists in the case of India and Pakistan so far.”¹²⁹³ It has been argued that the conflict on Kashmir can be seen as one of the main obstacles for an improvement of IndoPak relations “because the dispute over Kashmir recurs in nearly every catalytic event during and after the partition in 1947 and each event in turn has been shaped by the Kashmir dispute.”¹²⁹⁴ An argument in favor of the approach on the centrality of Kashmir is the limited success of conflict resolution initiatives such as the Tashkent Agreement following the 1965 war and the Simla Accords after the war of 1971 in East Pakistan/ Bangladesh. Both mechanisms were, as Ahmar emphasizes, short-limited and did not prevent subsequent wars between India and Pakistan as they did not significantly affect the situation in Kashmir.¹²⁹⁵

In 1947, at the eve of partition, Jammu and Kashmir (J&K) under the Dogra rule of Maharaja Hari Singh, together with 561 other autonomous principalities and kingdoms was confronted with the decision to join one of the two dominions of Pakistan and India or to declare itself independent. Like most of the other princely states, J&K had owed allegiance to the British through the acceptance of the British “paramountcy” through which they enjoyed the right of self-administration and several privileges. Given the religious heterogeneity of his state with the Muslim majority valley of Kashmir, the Hindu-dominated Jammu and predominantly Buddhist Ladakh with a share of Shi’a Muslims, the ruler fearing the partition of his state due to the Muslims’ claim of joining Pakistan and the Hindus’ preference of joining India, claimed independence for J&K.¹²⁹⁶ In October, 1947, Pakistan’s Governor-General Mohammad Ali Jinnah ordered an attack on J&K aimed at putting military pressure on the Maharaja that would force him to give up autonomy and to join Pakistan. In contrast to India that had forced the princely states of Junagadh and Hyderabad by the force of its army to accede to India, Pakistan, for the first time, made use of the deployment of non-state proxies – a strategy which allows denial before the international community if an operation fails – to substantiate its political and military goals.¹²⁹⁷ Facing an attack by Pakhtun and irregular troops on Srinagar, the Maharaja requested Indian military

1292According to Bose, Indian numbers estimate 50.000 killed whereas anti-Indian Kashmiri factions claim a toll almost double that figure. See Bose, Sumantra: *Contested lands: Israel-Palestine, Kashmir, Bosnia, Cyprus, and Sri Lanka*. Cambridge (a.o.): Harvard Univ. Press, 2007, pp. 154/155.

1293Cit. Ahmar, Moonis: *The Road to Peace in South Asia: Lessons for India and Pakistan from the Arab–Israeli Peace Process*. ACDIS occasional paper, 1996, p. 27.

1294Cit. Fair, Christine C.: *Islam and Politics in Pakistan*, p. 248. In: Rabasa, Angel: *The Muslim World after 9/11*. Santa Monica (a.o.): Rand, 2004, p. 247-296.

1295See Ahmar, 1996, p. 26ff.

1296This step met also the demands of his opponent, Shaikh Abdullah, leader of the Muslim National Congress and strong proponent of self-rule and land reforms for J&K. In 1946, the “Lion of Kashmir”, who in 1948 became the first prime minister of J&K and later its chief minister, launched a massive campaign (Quit Kashmir) against the Maharaja which contributed to the state’s political instability at the time of partition. The Abdullah family could assert its influence on Kashmiri politics based on its dynastic dominance in the Jammu and Kashmir National Conference (JKNC), currently with Umar Abdullah as chief minister.

1297At that time the Pakistani troops were still commanded by British officers due to interim nature of the dominion statute. Following an agreement with the British, Pakistani commanders selected troops for the Kashmir operation which in turn received vacation from their British officers and were sent as irregular forces into Kashmir. See Rothermund, Dietmar: *Krisenherd Kaschmir: Der Konflikt der Atommächte Indien und Pakistan*. München: C. H. Beck, 2002, p. 25.

support and acceded his state to India. With the use of regular Indian and Pakistani troops, the conflict escalated in the first war between the two countries (1947-1948/49), in which India referred the Kashmir issue to the UN in January, 1948. The Security Council issued Resolution 47 on Kashmir, and several modified resolutions until 1957, emphasized the right of self-determination of the people of Kashmir and their empowerment to decide through a plebiscite either to join Pakistan or India.¹²⁹⁸

Pakistan's territorial claim derived from the principle of the impossibility of harmonic coexistence of Muslims and Hindus in one state as enshrined in the Two-Nation Theory.¹²⁹⁹ This ideological view on Kashmir which soon dominated over its perception as a "regional dispute between two newly sovereign states over rightful ownership of land"¹³⁰⁰ reinterprets the unresolved conflict as the root of distrust and hostilities in IndoPak relations and the nuclear armament in the region as its causal outcome.¹³⁰¹ Therefore, in the past, Islamabad made a breakthrough in the stalemate a precondition for the progress of talks on the official level.¹³⁰² Since 1947, Pakistan has held that a political solution could only be found under international auspices on the basis of the UN resolutions. Furthermore, Pakistan frequently expressed doubts about the existence of the Instrument of Accession that was signed by India and the Maharaja.¹³⁰³ The same applies to a territorial renegotiation of borders which, due to Pakistan's position, could only be made with reference to geographical factors. For instance, according to the Chenab Formula a division of J&K would be based on the natural flow of the Chenab river, with Jammu and some districts of Jammu province as part of Indian territory and Srinagar and most parts of the Kashmir valley together with parts of Jammu region transferred to Pakistan.¹³⁰⁴ While Pakistan defines the Kashmir issue as the core conflict between the two countries, India sees Kashmir not linked to the general peace discourse and refuses to accept the Pakistani view on Kashmir as a disputed territory.¹³⁰⁵ However, these positions prove more and more to be inconsistent with the indigenous Kashmiri claim of self-determination.

As a means for improving ties confident building measures (CBMs) were taken by both sides, such as the establishment of the trans-Line of Control (LoC) bus service from Srinagar to Muzaffarabad in April, 2005¹³⁰⁶, and "cricket" or "mango diplomacy".¹³⁰⁷ In October, 2005, an earthquake with its epicenter near Muzaffarabad destroyed large parts of Azad Kashmir (AK) controlled by Pakistan and claimed deaths also in Indian-held Kashmir's northwestern areas. Although India's initial offer for disaster relief was accepted by

1298See UN Security Council Res. 47, The India-Pakistan Question. 21 April, 1948. Subsequent resolutions corrected the demand for a unilateral withdrawal of Pakistani troops and replaced it by the formula of a synchronized withdrawal of both sides.

1299See Bose, 2007, p. 167.

1300Cit. Ibid., p. 163.

1301See Ahmar, 1996, p. 27.

1302See Ibid., p. 28.

1303See website Pakistan Mission to the UN.

1304This solution, proposed in the 1960s was also favored by Gen. Pervez Musharraf and, hence, since 1999, when prime minister Nawaz Sharif via secret track II diplomacy sent a special envoy to New Delhi to offer the Chenab model in March, 1999. See Waslekar, Sundeep (Ed.): *The Final Settlement: Restructuring India-Pakistan Relations*. Mumbai: Strategic Foresight Group/ICPI, 2005, p. 47-54. Again, after the 2001 attack on India's parliament and the hold of the talks, Chenab formula and similar proposals like the Dixon plan were favored by the Pakistani side. For instance, when leader of JUI leader Maulana Fazlur Rahman visited India in 2003, he advocated a formula based on these geographical arguments. Interview with Mawlana M. Khan Shirani, Senator (JUI-F), Chair CII, Islamabad, 17 July, 2009.

1305With reference to the document of accession signed by Maharaja Hari Singh in 1947.

1306See Bose, 2007, pp. 156/157.

Pakistan in principle and seen by some observers as a positive stimulus for the peace process¹³⁰⁸, bilateral disaster management and cooperation on the ground failed due to inadequate coordination and, among other reasons, the unwillingness on the Pakistani side to allow Indian army helicopters to cross the LoC.¹³⁰⁹ The earthquake episode showed that beyond the positive feedback from both sides and the international community, CBMs and declarations of goodwill earned only limited success and did not affect the basic elements of the dispute, highlighting a psychological milieu in the political and military sectors on both sides which still struggles with ideological mindsets:

The Pakistani military does capitalize on the feeling that we are constantly threatened by a much stronger neighbor who has not psychologically accepted Pakistan. They have not accepted that Pakistan has the right to become an independent state. I mean mentally. [...] The feeling is that there are elements among the Indian strata, the civilian and the military, who do not accept it yet. And therefore they have feelings of enmity and therefore we have to guard ourselves. And that is why the military plays a role as the guardian of Pakistan's territorial frontier as well as Pakistan's chief formulator and chief conceptual thinker of strategic security policy.¹³¹⁰

Between 2004 and 2007/08 the prospect of a composite dialogue and a peace initiative was opened but remained volatile and peace dividends diminished over night when the bilateral reconciliation came to a halt following the Mumbai attacks between 26-29 November, 2008.¹³¹¹ Nevertheless, apart from relations on the political-military level, ties on other levels, like in media cooperation, cultural exchange¹³¹² etc., remained close and were not negatively affected by the political hick ups. Recent meetings on secretary and minister level during June/July, 2011, and subsequent talks indicate a more positive atmosphere in which the focus has been shifted from Kashmir to aspects of economic and trade cooperation with the perspective of a final agreement regarding the reciprocal grant of a Most-Favored-Nation¹³¹³ trade status (MFN).¹³¹⁴ In addition, in 2012, informal

1307Pakistan made headlines when former Prime Minister Gilani on the invitation of his Indian counterpart Manmohan Singh attended the 2011 World Cricket Cup's semi-final in Mohali. After visits of Gen. Zia ul-Haq in 1987 and General Pervez Musharraf in 2005 it was for the third time that Pakistani leaders and their Indian counterparts exchanged gestures of goodwill and discussed selected aspects of IndoPak. Nevertheless, while the positive atmosphere of Mohali was extensively covert by the media, it was overshadowed by spy-affairs within the High Commissions and contrary positions towards the formulation of a road map during the parallel secretary-level talks in which Pakistan wanted to discuss a range of issues including Kashmir. India, however, insisted on "talks about talks" and the problem of terrorism. Similarly, as Ahmar points out, "mango diplomacy" – the exchange of seasonal fruits between Indian and Pakistani leaders as a gesture of good will – refers to the very idea of CBM's.

1308See Basrur, Rajesh/ Kassim, Yang Razali: Pakistan, India And Kashmir: Will Nature Force An Aceh Effect? Analysis, S.Rajaratnam School of International Studies, 21 October, 2011.

1309See Bose, 2007, pp. 161/162 and The Economist: Kashmir's earthquake: A humanitarian failure, 27 October, 2005.

1310Cit. Interview with Amb. (rtd.) Azmad Hassan, DG Prime Minister's Office for Afghanistan, Lahore, 27 March, 2011.

1311The attacks, in which 170 people died, were carried out by LeT activists against ten targets in the Mumbai city area. In an attack against the Nariman Jewish Community Center, coordinated by *Habad* emissaries, the rabbi and four other Jews were killed. The attack was extensively covered by Israeli and Jewish media and security measures at hundreds of Israeli and Jewish institutions worldwide were advanced. See Susser, Leslie: Mumbai attacks mean new challenges for Israel. In: Jewish Journal, 4 December, 2008.

1312Private partnerships, exchange programs etc. between Indian and Pakistani cultural sectors have in fact never been interrupted. This might be due to the well-connected figures behind these programs, as well as their use of digital technology for distribution. For instance *Aar Paar* launched in 2000 as a partnership between artists from Mumbai and Karachi, whose works thematized the search for peace and mutual understanding beyond political-ideological borders. See Wille, Simone: Contemporary Art from Pakistan: A continual Process of reconstructed Pasts and anticipated Futures. Unpubl. PhD thesis, University of Vienna, 2011, pp. 191/192.

1313Despite the *World Trade Organization's* (WTO) principle of equal treatment for all trading partners, MFN regional trading agreements are allowed on the basis of the *General Agreement on Tariffs and Trade* (GATT, 1994) to be set up as a special exception, provided certain strict criteria are met. See WTO: Trade without Discrimination, website.

1314This positive trend has been reflected during the 17th SAARC summit and Pakistan's willingness to give up its hardline stance towards the grant of the MFN status to India at the end of 2011. This step in which Pakistan agreed to the grant only in principle, came 16 years after India had offered the status to Pakistan. Since, various nationalist and religious parties had opposed reciprocity because of the unsolved conflict. See for instance Ahmar, Moonis: Looking Beyond Conflict. In: South Asia Global Affairs, December, 2011.

discussions took place between Zardari and Singh with regard to future revitalization of talks on Pakistan's military presence at the Siachen Glacier.¹³¹⁵

Internationally, Pakistan blames India for human rights violations in J&K whereas India counters with accusing Pakistan of supporting militants and jihadis in Kashmir. Through what it sees as an extended arm of Islamabad's foreign policy, India suffered heavy losses and diplomatic isolation in the Muslim world, when its efforts to contain extremist jihadi forces and to maintain military law and order in J&K became more and more repressive.¹³¹⁶ The jihadi factor linked to the issues of cross-border infiltration and terrorism since 1989/90, became a dominant element of the international discourse on Kashmir, or even the principle cause of tensions as some authors claim.¹³¹⁷ However, the way how the Kashmir conflict is framed has been transformed from a secular locally based struggle, initially associated with the *Jammu Kashmir Liberation Front* (JKLF) whose symbolism emphasizes identification with the Palestinian struggle, to one that for the last years has been largely carried out by non-Kashmiri militants, rationalized in pan-Islamic religious terms. Kashmir, being referred to with a similar narrative as the Palestine issue in the Middle East although not so extensively covered by international attention, experienced a new climax of violence in 2010 in what became known as the “Kashmir Intifada” between stone throwing young Kashmiris whose central demands were more focusing on political rights and economic reforms by the Abdullah government than on sovereignty, and Indian security forces, killing more than hundred protesters.¹³¹⁸ In October, 2010, the European Parliament, for the first time, held a committee hearing on Kashmir and delegated a fact finding mission to the region. Beyond the symbolic value of these signs of international concern, from the Kashmiri point of view, focusing of world attention is a clear success.¹³¹⁹

The religious scholars contributed to the national claim on the princely state and thereby initiated a discourse on the legitimacy of Pakistan's war and the Kashmiri militant resistance against India in which they soon became cosponsors of the *jihad-e-Kashmir* as a just war. Sayyid Abul A'la al-Maudūfī introduced the concept of *jihad* into the rising conflict by stating that the war did not apply as a *jihad* whereas ‘*ulamā*’ of the

1315See The Economist: Working Lunch, 14 April, 2012, p. 52.

1316See Ahmar, 1996, p. 28. In statements, Indian prime minister Manmohan Singh pointed out to the domestic opposition by Hindu nationalists and militants that would be provoked in case of a plebiscite for Kashmir. Although there exists no Islamic and anti-Indian bloc, regarding protests and criticism in the Islamic world, single events indicated that India's relations with the Islamic world suffered significantly. For instance, in the aftermath of the destruction of the Ayiodhya mosque in 1992, an event which caused widespread negative perceptions of the country, India's relations with the Gulf states – important for the country for its need to access to oil – were on the brink of being downgraded. See also Gordon, Sandy: South Asia after the Cold War: Winners and Losers, pp. 886/887. In: Asian Survey, Vol. 35, No. 10, 1995, p. 879-895.

1317See for instance Ishtiaq, Ahmar: Towards a Kashmiri Settlement Beyond Jihad. In: Perceptions, Journal of International Affairs, Vol. 9, 2004, p. 29-44.

1318See for instance Kumar, Aband: Fair Elections needed for Peace. Article No. 857, 12 September, 2002. In: IPRI Factfile No. 34: Election in Indian held Kashmir, pp. 41/22. Pakistan was accused by Indian officials of taking advantage of the uprising by trying to mobilize international opinion against India, mainly in the US Obama administration. For the “Kashmir Intifada” see Sajjad, Mohammad Waqas/ Hafeez, Mahwish: Contextualizing Kashmir in 2010. Paper, Institute of Strategic Studies Islamabad, 2010.

1319Recent developments indicate signs of warming in the relations between Pakistan and India in general and in the Kashmir issue in particular: In September, 2011, Chief minister J&K, Umar Abdullah, announced to ease the restrictive security laws and to remove the repressive *Public Safety* and *Armed Forces Special Powers* acts providing legal immunity to Indian soldiers involved in cases of killing, misuse or extrajudicial disappearances of civilians. Moreover, prominent hardline separatists such as Syed Ali Shah Gilani, founder of *Tebreek-i-Hurriyat* and part of *All Parties Hurriyat Conference* (APHC) agreed to reenter talks with the national government. In the past, the highly heterogeneous APHC – an alliance of secessionist parties and leaders formed in 1993 – had shown unity with its uncompromising denial of holding talks with India. See The Economist: Season of Cheer? 29 October, 2011, p. 60.

Deobandis and Barelwis argued in favor of a *jihād* and issued several *fatāwa* in which they distanced themselves from the Jama'at's position.¹³²⁰ As the driving force behind the Barelwi *fatwa*, Mawlana Abu'l Hasanat Qadiri, *amir* of *Jam'iyat 'Ulama'-i-Pakistan*¹³²¹ and its *nazim-i-a'ala*, Allama Ahmad Saeed Kazimi, supported the collection of funds in Lahore for the Kashmiri refugees. The welfare work which was extended to Karachi in 1949, won the support of Azad Kashmir's first government. After visits at the Kashmir front in which the JUP delegates expressed their solidarity with the Pakistan Army and the irregular Pakhtun troops, subsequent JUP sessions on Kashmir were joined by Pakistani generals on a frequent basis.¹³²² Later, in the aftermath of the 1965 War, Barelwi support for Kashmir went further when a JUP faction from Gujranwala opened the organization's first office from which workers, *mujahidin* and “thousands of volunteers and necessities of daily life were sent to the battlefield”¹³²³ The JUP, which enjoyed state patronage by the Ayub Khan regime and received strong support from AK officials, became, together with *Jama'at-i-Islami*, the dominant religious force in Kashmir until the take-over by Deobandi groups.¹³²⁴ On the part of the Deobandis, *amir* of *Jam'iyat-e 'Ulama'-e Islam*, Allama Shabbir Ahmad Uthmani, like the Barelwi scholars had issued a pro-*jihād fatwa* for the war against India. However, the party's support of the Pakistani state and its army materialized not before the 1965 war, when members campaigned for the establishment of a defense fund while its leaders reconfirmed their 1948 *fatwa* for the *jihād*. Like the JUP, the Deobandis insisted on the inclusion of a clause regarding plebiscite in Kashmir, as a main element of negotiations with India.¹³²⁵

7.3.2 Israel: The Arab-Israeli Conflict and the 1967 Six Day War

Beyond its centrality to the Israeli-Arab-Palestinian conflict, 1967 is a key event with regard to three main processes it initiated: Firstly, the Israeli conquests determined the current territorial-political scenario in the region; secondly, the Israeli state and Zionist self-consciousness was confronted with an ideological dilemma which, until today, includes the state's democratic nature and international norms, domestic civil-military antagonisms, and the discourses on colonialism and illegal occupations. Thirdly, its outcome impacted Jewish discourses including identity concepts, the re-discovery of traditional Judaism and the rise of religious Zionism.

In the weeks before June 1967, Israel and Syria were involved in border clashes.¹³²⁶ President of Egypt Gamal Abdel Nasser tried to remove the pressure from Syria and ordered the closure of the Straits of Tiran

1320 Later, Maudūdi in his correspondence with the '*ulamā'* who tried to convert him to their opinion, recalled his position. See Pirzada, 2000, p. 15.

1321 At that time *Markazi Jam'iyat 'Ulama'-i-Pakistan* (MJUP). In this text reference is made only to West Pakistan's JUP.

1322 See Ahmad, 1993, p. 5-7.

1323 Cit. Ibid., p. 26.

1324 According to Rana, most of AK's 5.000 mosques are Barelwi while the Deobandis dominate the much smaller *madāris* sector. See Rana, 2009, p. 102.

1325 See Pirzada, 2000, pp. 27/28.

1326 In 1964, an Arab summit approved plans to divert the headwaters of the Jordan River from flowing into Israeli territory. Attacking Syrian construction units involved in the diversion project, Israel also involved its air force forcing the Syrian government “to choose between abandoning the diversion project and risking war”. In addition, in early 1967, Israeli cultivation of land in the settlements near the border was demonstratively resumed “in a manner calculated to provoke clashes”. In turn, Syria's new Ba'th regime (1966) shifted the parameters of its military doctrine against Israel and began to support Palestinian *Fatah* irregulars in their guerrilla war for the liberation of Palestine while Egypt and Jordan refused open support for *Fatah* operations in Israel. See Shlaim, Avi: *The Iron Wall. Israel and the Arab World*. New York: Norton, 2001, p. 228-232.

on 22 May.¹³²⁷ Until 1956, when Israel seized it in the Sinai Campaign, the Strait had been closed for Israeli ships.¹³²⁸ While there was no dissent in the Eshkol cabinet to see Nasser's move as an aggressive act, there was significant resistance among the ministers against Rabin's demand of a direct military response against Egypt and to regain military strength, in Israel and in the eyes of the world.¹³²⁹ In anticipation of an armed clash with Egypt – according to the Israeli intelligence analysts this was not likely to happen prior to 1970¹³³⁰ – and a military victory over the Egyptian army and a political blow against Nasser's legitimacy in the Arab world split not only the cabinet but also Israeli public in large. The discussions in the cabinet reflected the dissent between politicians who insisted on waiting for diplomatic alliance support by the US or a European power in order to not to be the first to attack. The military who insisted on the security argument that in any case a war with Egypt was inescapable and unavoidable, pressed the Eshkol government to show strength and to launch an immediate all-out retaliation strike.¹³³¹ The domestic pressure and the call for a war cabinet under a strong leadership became stronger when public life was paralyzed while the economy suffered significant losses due to the general mass mobilization of Israeli citizens as a direct impact of the reserve system. The public demand for a government of national unity under David Ben-Gurion reflected a growing mistrust against Levi Eshkol, although Ben-Gurion himself – calculating a disastrous outcome of a war with the Arab states with about 10.000 killed out of two million Israelis¹³³² – showed little support for the military response envisaged by the military.¹³³³ The crisis of legitimacy of the Eshkol government resulted in the appointment of Moshe Dayan as defense minister.¹³³⁴ The fall of Eshkol and the rise of Dayan during the 1967 crisis can also be seen as the epitome of a cultural conflict between two generations of Israeli leaders and as a change in the mindsets of the political and military echelon where hawks and military commanders, especially those from the *sabra* generation, offended the old generation of European Jews, many of them being religious. In this sense, the crisis during May/June challenged the state's self-understanding as a democracy with separated political and military spheres, when, responding to the weakness of the doves in Eshkol's government putschist ideas in the public and in the cabinet became stronger and were only countered by influential personalities like Ben-Gurion. It is important to contrast the call for war with Israel's “depression” at that time.¹³³⁵ The polarization of Israeli public manifested politically in new alliances between hawks across various ideological party boundaries with Golda Meir from *Mapai* as a leading force of the hawks from *Mapai*, Moshe Dayan's *Rafi*, Menachem Be-

1327From 1958 to 1961 Egypt and Syria had been united under the flag of the United Arab Republic (UAR).

1328See Segev, Tom: 1967. *Israels zweite Geburt*. München: Siedler, 2005, pp. 292-295.

1329See *Ibid.*

1330See *Ibid.*, p. 296.

1331Among the arguments of the supporters of an open war was also the fear of an Egyptian air strike on Israel's nuclear facilities in Dimona and the fear of solidarity between Israeli Arabs and the Arab armies. See *Ibid.*, p. 297, 317.

1332Other leading figures shared this view. For instance Chief of Staff, Yitzhak Rabin, who suffered a nervous breakdown at the end of May, calculating tens of thousands of deaths, gave order to prepare public buildings as hospitals and morgues. Rabbis from the Chief Rabbinate blessed public parks to prepare them as potential mass graves. See *Ibid.*, p. 344.

1333See *Ibid.*, p. 301-303.

1334Dayan's appointment was both an attempt to restore the public trust in the government and the result of a political intrigue in which the fall of Eshkol was the price for the participation of *Rafi* and *Gabal*, a party represented by Menachem Begin and Yosef Sapir, in the new government. Dayan enjoyed strong support in the media. For instance the newspaper *Ma'ariv* and its editor, Arie Dissentchik, lobbied Eshkol to give up the defense resort. Similarly, prominent columnist Efraim Kishon mobilized public support for Dayan. See *Ibid.*, pp. 306/307.

gin's rightist *Gabal* and the old *Abdut HaAvodah*.¹³³⁶ As a side effect and reaffirmed by the success of the 1967 war, the military gained an influential role in the political decision-making on the cabinet level at the cost of the foreign service.¹³³⁷ The camp of the doves though in a minor position during and after the 1967 war, was still represented by prominent names such as the highly respected foreign minister from *Mapai*, Abba Eban, Yaacov Shimshon Shapira, Elias Sasson and Levi Eshkol but refused to overcome the ideological rift between them and smaller moderate parties.

The Israeli perception of being abandoned by the international community and especially by the U.S. was mainly based on the assurance of support given earlier by Secretary of State John Foster Dulles to Abba Eban, than Israeli Ambassador in Washington, that had reaffirmed and granted Israel's right of free passage into the Gulf of Aqaba. Before this background, Israel, whose Eilat port was cut off from the Red Sea without free passage through Tiran, launched a full scale air strike on Egyptian air bases in Suez and Sinai on 5 June which destroyed the full Egyptian air force on the ground. The perception that the air force had prevented an Egyptian attack on Israel became the dominant narrative in Israel and internationally. In a second step, armored divisions pushed into the Sinai where Egyptian troops were defeated after heavy fighting. In a booklet, published shortly after the war, Division Commander for Sinai Gen. Israel Tal is quoted addressing his armored units with the words:

Today we are going to crush the hand that was sent to strangle our neck. Today we will go to open wide the gates of the south that the Egyptian aggressor closed. Our armor shall bring the war deep into enemy territory. We are not pleased to go to battle. The enemy wanted it. The enemy started it. The enemy will get it once and for all. We shall remember: It's for the third time that the Egyptian dagger had been raised upon us. It's the third time that the enemy is mistaken in his insane illusion: Seeing Israel kneeling. In blood, in fire and iron we will rip this skin from his heart. We must also remember: We are not fighting the Egyptian civilians. We do not want their land and their property. We do not come to destroy their land or inherit it. We jump forward to crush the enemy forces that are threatening our peace. We jump forward to take down the gates of the Egyptian blockade. We jump forward to stop the skim of destruction. Today the Sinai desert will know the power of the Iron Division. And the earth shall shake underneath it!¹³³⁸

In the first hours of the war, Israel, through third parties sent out warnings to King Hussein to keep Jordan's army out of the war.¹³³⁹ King Hussein, personally informed by Nasser about a successful Egyptian counter attack, together with faked reports by Egyptian media portraying the loss of Egypt's air force as a total defeat of the Israeli army, the information forwarded by Cairo to its Arab allies encouraged Hussein to join the attack on Israel.¹³⁴⁰ Although Eshkol's position coincided with the Chief of Staff's and the intelligence's view that Jordan would not join the war, Jordanian forces and the Arab Legion – at that time under Egyptian command

1335When in 1963 David Ben-Gurion resigned from his second tenure as prime minister in the aftermath of the Lavon Affair, the country had lost its dominant leading figure and founding father but also the main architect of the Israeli socialist-Zionist model. Prior to that, in 1961/2 during the Eichmann trial, for the first time, Israelis were confronted with the horror of the Holocaust. Before that, the Holocaust had been abstract to the majority and “a focus of polemics”. The kidnapping of Adolf Eichmann from Argentine and his trial and execution in Jerusalem “provided a catharsis, after which the destruction of European Jewry became a topic that united Israeli society.” Cit. GoI: Prime Minister's Office: General Introduction to the Eichmann Trial. Fifty Years After, Israel State Archives, n. d.

1336“She was a disciple of David Ben-Gurion and shared his views about the implacable hostility of the Arabs and about the need to deal with them from a position of strength”. Cit. Shlaim, 2001, p. 286.

1337See *Ibid.*, p. 287-289.

1338Quoted in Military Photos: Six Day War, website.

1339The Arab states relied on the wrong Egyptian reports on 5 June. BBC news correspondent Michael Elkins who reported on the defeat of Egypt's air force only hours after the war began, was censored by the Israeli officials. See Gorenberg, Gershon: *The Accidental Empire. Israel and the Birth of the Settlements, 1967-1977*. New York: Times Books, 2006, p. 35.

– attacked parts of Jerusalem and seized areas in the West Bank: “Had King Hussein heeded Eshkol's warning, he would have kept the Old City of Jerusalem and the West Bank. No one in the cabinet or the General Staff had proposed the capture of the Old City before the Jordanian bombardment began.”¹³⁴¹ Eshkol's authority and his refusal to give the order for a military response to the Jordanian attack, was bypassed by the new appointed war minister Dayan. Though he had given the order to surround the Jordanian-held east of the city on 6 June, but to “keep out of all that Vatican”¹³⁴², on June 7, when rumors circulated about an cease-fire to be called for by the UN, Dayan ordered the capture of the old city which was unlike the Golan Heights or the Sinai impossible to capture and hold after a definite UN cease-fire agreement.¹³⁴³ At the Eastern front units pushed into the West Bank and, after the Syrian air force had been destroyed, Israeli forces took the Golan Heights. On June 10 a ceasefire was signed under UN mediation.

As a common focal point of statist Zionism and other religious-political streams of Israeli Judaism, the Jerusalem episode deserves a more detailed analysis. Two days before the war began, mayor of Jerusalem Teddy Kollek, in a conversation with international journalists presented a plan in which he argued for the construction of a new traffic system connecting all parts of Jerusalem.¹³⁴⁴ Kollek's plan, seemingly impossible to implement due to the division of the city in Israeli West-Jerusalem and East-Jerusalem, administrated by the Hashemite Kingdom of Jordan since the war of independence in 1948, gave expression to the national mood. Through Naomi Shemer's *Yerushalayim shel Zahav* (Jerusalem of Gold), a song that was presented at the Israeli Song Festival on Independence Day, about three weeks earlier, Jerusalem and the lost holy sites had powerfully returned into the public consciousness:

The trees and stones there softly slumber,
 A dream enfolds them all.
 So solitary lies the city,
 And at its heart – a wall.
 [...] Alas, the dry wells and fountains,
 Forgotten market-day
 The sound of horn from Temple's mountain
 No longer calls to pray,
 The rocky caves at night are haunted
 By sounds of long ago
 When we were going to the Jordan
 By way of Jericho.¹³⁴⁵

1340When on the first day of war, Jordanian artillery shelled Western Jerusalem, prime minister Eshkol as one of the strongest advocates of peaceful relations with the Hashemite kingdom, prevailed with his argument that King Hussein, having been forced to join the war against Israel by its Arab allies without wanting it, only tried “to uphold Jordanian honor” but would not start a full war.

1341Cit. Shlaim, 2001, p. 244.

1342Cit. Gorenberg, 2006, p. 36.

1343See Teveth, Shabtai: Moshe Dayan. The Soldier, the Man, the Legend. New York: Dell, 1974, pp. 408-435.

1344See Trost, Ernst: David und Goliath. Die Schlacht um Israel 1967. Wien: Molden, 1967, pp. 182/183.

1345For the full lyrics see Tsur, Avi (Ed.): Landmarks: Resource Material, Poetry, Songs, Games and Activities. Jerusalem: Ministry of Education, Culture and Sport, 1998, p. 103; Jerusalem of Gold, website.

The song suffused with classical Jewish and Talmudic motifs told about the unfulfilled marriage between the Jews and their holy city pointing out to the connection between the land, symbolized by Jerusalem wearing a bride's golden *tiara*, and the people's promise never to abandon it and to return to its holiest site. Shemer's song which became Israel's unofficial national anthem, re-centered East-Jerusalem, deserted and uninhabited only waiting for the Jews to return, into the national context.¹³⁴⁶ Similar to the Masada myth, the conquest of the Temple Mount and the Western Wall was immediately transformed into a historic turning point, commemorated and institutionalized with the establishment of the Jerusalem Day, the day marking the city's liberation and unification. The fact that this unexpected and surprising event, not included in the military and political goals which were in general not narrowly defined by the leadership, required an immediate formula that would appease critiques and therefore an legitimizing argument. Accordingly, Israel's PR bonanza started the moment when its troops seized the area – most prominently with the movie clips and David Rubinger's photos of the paratroopers praying at the Western Wall. The image of members of the paratrooper unit which soon became an iconic image of Jewish-Israeli might and power, had specific significance for Israelis and the religious-nationalist public in particular: In contrast to other units such as the Golanis, considered a domain of military life with a predominance of Sephardim, soldiers serving in paratrooper units were traditionally identified with the elites of Ashkenazi European descent politically raised in the socialist-Zionist movements and stand for the secular native Israeli *sabra*. Accordingly, the photographs, covering the front pages of international newspapers were seen as the proof for the young generation's return from secular Israeliness to religious Jewishness.¹³⁴⁷

In an “atmosphere of spiritual elation”¹³⁴⁸ the statements and speeches given by the military leaders on the spot emphasized the re-turn to the place from where the Jewish people by force had been spread around the world: “You have been given the great privilege of completing the circle, of returning to the nation its capital and its holy center. Jerusalem is yours forever.”¹³⁴⁹ Like Gen. Uzi Narkiss, Moshe Dayan who appeared with Chief of Staff Rabin at the wall, underlined the Israeli permanent claim for the city and at the same time, expressed Israel's desire for peace:

This morning, the IDF liberated Jerusalem. We have united Jerusalem, the divided capital of Israel. We have returned to all that is holy in our land. We have returned never to be parted from it again. [...] To our Arab neighbors we extend, especially at this hour, the hand of peace. To members of the other religions, Christians and

1346Naomi Shemer (1930-2004), honored with the Israel Price in 1983, was a main figure in the musical integration of Zionist and Hebrew themes, like the kibbutz life, the element of nature and romanticized scenery of the land, into Israeli folklore art, poetry, literature and music. Her main works can be counted to the corpus of *Shirei Eretz Yisrael* – the songs of the land of Israel. Until the 1960s/70s, this genre was disseminated in the education sector, the national radio programs and in the army's music ensembles. See Regev, 2000, p. 229-231. Shemer's style and use of symbols and language which provided ground for the nationalist ideological canon, together with her sympathies for the post-1967 *Gush Emunim* movement, aroused suspicion in the political leftist camp. See Haußig, Hans-Michael: "Ha-Chagiga Nigmeret" - Naomi Shemer 1930-2004, p. 48. In: *Pardes*, No. 9, 2004, pp. 48/49.

1347The images can also be seen as imitations of other world famous conflict scenes. For instance, a picture showing soldiers raising the flag with the Star of David on the top of the Temple Mount or at a military post near Eilat were often linked to the scene where four American soldiers raise the US-flag after the Battle of Iwo Jima. For the symbolism of the 1967 war see also Presner, Todd Samuel: *Muscular Judaism. The Jewish Body and the Politics of Regeneration*. New York (a. o.): Routledge, 2007, Introduction.

1348Cit. Shlaim, 2001, p. 245.

1349Quoted in The Israel Forever Foundation, *Yom Yerushalayim*, website.

Muslims, I hereby promise faithfully that their full freedom and all their religious rights will be preserved. We did not come to Jerusalem to conquer the holy places of others.¹³⁵⁰

Foreign journalists covering the event shared Israel's euphoria and adopted Dayan's justification.¹³⁵¹ Military chief rabbi Gen. Shlomo Goren, after he gave a blow into the same *shofar* which he had sounded on Mount Sinai when it came under Israeli control in 1956¹³⁵², was keen to stress this sacral moment with reference to biblical quotes according to which "to the sound of trumpets the Temple fell, to the sound of trumpets it will be restored."¹³⁵³ The IDF operation in which Israeli soldiers crossed into the holy area of the Temple Mount became a stumbling block among the rabbis and ultra-orthodox circles: According to one prominent view, the entry into the site of the destroyed Second Temple was strictly prohibited for those who have been rendered ritually unclean by contact with the dead. The fact that troops directly involved in fighting were entering the holy center or the forbidden area of the site of the ancient holy of the holiest, the sanctuary and its surrounding courts, was seen as a theoretical violation of halachic law. Thus, Rabbi Goren and other rabbis upheld that the armed forces were acting on the basis of a security necessity in which the failure of their mission or disobedience to the orders given by their commanders could threaten the safety of Jewish lives. Thus, *pikkua'ah nefesh*, one of the highest rabbinical commandments calling for the necessity of the preservation of life, justified the capture of the Temple Mount area.¹³⁵⁴

The army's image in Israel and abroad became mystified: Its one-eyed defense minister and commander Moshe Dayan whose adventurism had bypassed the political leadership's vote regarding the capture of the Old City and the Golan Heights and who "symbolized the national and military rebirth and the revitalization of Jewish strength, the myth of the Jewish fighter", represented the new image of the IDF.¹³⁵⁵ The symbolism of return that hijacked the narrative of the 1967 war and the battle of Jerusalem readjusted also the old connection between the people and God and the holy land and corrected what was seen as Israel's historic mistake not to have taken the Old City and the West Bank during the War of Independence. In 1948/49, Israel had won the war but lost its holiest site: Although Transjordan had guaranteed free access for Jews to their holy

1350 Quoted Ibid.

1351 For instance Trost, 1967, p. 196.

1352 The *shofar* is a ram's horn which has been introduced into Israel's political culture, for instance when being used at the inauguration of a new president at the Knesset. Traditionally, it is sounded on Rosh HaShanah, the Jewish new year or the day of judgment and commemorates Isaac's sacrifice.

1353 Cit. Encyclopaedia Judaica, 2nd Ed., Vol. 18, 2007, p. 508. After that Goren addressed the soldiers: "The vision of all generations is being realized before our eyes: The city of God, the site of the Temple, the Temple Mount and the Western Wall, the symbol of the nation's redemption, have been redeemed today by you, heroes of the IDF. By doing so you have fulfilled the oath of generations, 'If I forget thee, O Jerusalem, may my right hand forget its cunning.' Indeed, we have not forgotten you, Jerusalem, our holy city, our glory. In the name of the entire Jewish people in Israel and the Diaspora, I hereby recite with supreme joy, Blessed art Thou, O Lord our God, King of the universe, who has kept us in life, who has preserved us, and enabled us to reach this day. This year in Jerusalem – rebuilt!" Quoted in: Israel Forever Foundation website. The traditional phrase, "next year in Jerusalem" with which each Passover Seder ends, had been the expression of the Jews' desire to return to Zion during exile. On 7 June, Goren tried to persuade Narkis to blow up the Dome of the Rock in order to eliminate Arab-Muslim memory from the holy city. See Shlaim, 2001, p. 245. The same demand can be found in the attempts by religious groups in Israel to "free" the complete length of the Western Wall (ca. 465m) at the cost of non-Jewish architecture in the area. See Ricca, Simone: Historical Features. Nationalism and the Shifting Symbolism of the Wailing Wall. Jerusalem Quarterly, No. 24, 2005, p. 45.

1354 Furthermore, Rabbi Goren argued that the location of the original forbidden area surrounding the holy of the holiest differed from the location of the Dome of Rock. In fact he located the center of the Temple in an area south of the Temple Mount.

1355 Quoted in Fishbein, Einat: The shattered myth of Moshe Dayan. In: Ynet News, 10 October, 2010.

places, for 19 years Jews were prohibited from visiting the Western Wall, hence, the grave of King David, located on the Jerusalemite hill of Zion became the surrogate for the wall.¹³⁵⁶

The centrality of Jerusalem and its new place in the “reborn” nation's imagery required the Western Wall's transformation into a concrete sacred space where hundreds of thousand of visitors and pilgrims, streaming into the city, could perform the commemoration of both past and present. On 10 June, the day of cease fire, Teddy Kollek, former mayor of West-Jerusalem, now representative of united Jerusalem, after consultation with the IDF and the prime minister's office ordered the demolition of the Moghrabi (Moroccan) Quarter opposite the Western Wall.¹³⁵⁷ The quarter had been built by Salahuddin's son in 1193 and had been the seat of Jordanian *waqf* endowment and of Al-Aqsa scholars since.¹³⁵⁸ Lying across the way of the Prophet's nocturnal journey from Mecca to Jerusalem's *al-haram aš-šarif* on *al-burāq* it is considered holy by Muslims. After forced evacuation of more than 650 Arab residents, the area demolition was hastily completed until 12 June for fear of international protest and an additional road was built to connect the area with the Western city.¹³⁵⁹ At the end, the pavement in front of the wall had been extended to today's Kotel Plaza, a 20.000 square meters area accommodating 400.000 people.¹³⁶⁰ Since, the Kotel plaza occupies a special place in the Israeli-Jewish-Zionist imagery and became “the central altar of the Israeli state” and the “representation of Israeli 'civic religion'” with the religious events, parades and swearing-in ceremonies by the IDF.¹³⁶¹ But as Ricca states, the pre-occupation of the area with the symbolism of Zionist Israel had to compete more and more with what she calls “new religious communities” who religiously re-appropriated the Wall area.¹³⁶² This was linked to the paradox that the Western Wall, represents only the very surrogate idea of the Second Temple, built as an external separation and protection wall to the inner holiest areas, and is, hence, connected to the commemoration of the past and the destruction of the temple. The messianic notion of a reconstruction of the temple, gained momentum with the fading of Zionist model of civil religion which tried to compromise between the past and the future – between the tradition embarked on the centrality of the destructed temple and the Jewish telos

1356See Israel-Jordan Armistice Agreement, Art. VIII, 3 April, 1949. Free access to the Al-Aqsa mosque and the Temple Mount was also denied to Israeli Arabs.

1357This has been interpreted by some as the intentional erasement of Arab memory of the city with the goal of replacing it by a new Jewish-Israeli memory. Indeed, there are only few photographs showing the quarter before its raze in 1967 and those rare images one can find in some Arab Old City shops date back to the beginning of the century.

1358See Abowd, Tom: The Moroccan Quarter: A History of the Present. Jerusalem Quarterly, No. 7, 2000.

1359The UNESCO accused the Israeli government of disregard towards preserving the historical features of the city which in turn emphasized that the Moroccan Quarter had been a “slum” and was therefore demolished for the purpose of a better access to other historical and archeological sites in the area which the Israeli authorities planned to conserve. This official description for the non-Jewish heritage in the Old City was used by the authorities also as a justification for the excessive excavations during the 1970s in which the Ministry of Religious Affairs, international archaeologists and Chief Rabbinate emerged as the major conflict parties. See Ricca, 2005, p. 46.

1360See Kollek, 1992, p. 308-310.

1361Cit. Ricca, 2005, pp. 47/48.

1362“The 'master commemorative narrative' that created the Wall plaza and the new Jewish Quarter as the symbol of continuity between the ancient past and the modern Jewish state persists, but is now shared by a different constituency. This new 'Jewish' community (including a large group of foreign born-again Jews) that has developed within the quarter itself no longer pays much attention to archeology or to celebrating the heroism of the quarter's defenders in the 1948 battle. Rather, it longs for the 'dream' of a new temple.” Cit. Ricca, 2005, p. 50.

“that will be in the rebuilding of the Temple however theoretical that may be and however delayed it may be till the arrival of the Messiah.”¹³⁶³

On June 10, 1967, the territory that the IDF had conquered was more than three times the size of Israel itself. The Israeli military success and the total defeat of Egypt's, Syria's and Jordan's armies came close to the feeling of Arab humiliation that had accompanied the *nakba* of 1948. Israel's attack on Egypt, referred to as *al-udwan* (the aggression), marked “the crisis point in the personal and collective memory of the Arab nation and *umma*. [...] The war had proved the bankruptcy of the dominant nationalist and socialist agenda.”¹³⁶⁴ In Israel, the victory created an euphoria and led leftists and rightists, doves and hawks, to the acceptance of military power as the legitimate means of responding to Arab claims.¹³⁶⁵ On the international level, Israel's elite noticed what it described as a “reversal of causality”¹³⁶⁶, in which the dominant Western view on the conflict switched from the perception of Arab-Palestinian hostilities only hours after the Jewish state's creation into the perception of Jewish expansionist policies of colonialism as the precondition of what became a Zionist settler state in 1948.¹³⁶⁷ 1967 marked Israel's turning into a militaristic nation, a “little Sparta” whose aggressive, shameless and brutal policies clashed with international norms of warfare, law and morality.¹³⁶⁸ As Shlaim points out, “The speed and scale of Israel's military victory led some observers to suspect that Israel launched the war not in self-defense but in order to expand its territory.”¹³⁶⁹ The '67 war catapulted the Israeli-Palestinian conflict on a new international focus and polarized international public opinion in which the Arab world together with the international left coined the phrase of a colonial settler regime or Zionist entity in the Middle East.¹³⁷⁰ In Israel the two synchronous processes of ultra-nationalization and a rediscovery of Jewishness and Judaism took place.¹³⁷¹ Golda Meir who succeeded Levi Eshkol after his death as prime minister in March, 1969, reemphasized the principle of only engaging in territorial concessions after separate bilateral peace accords with the Arab states as a result of direct negotiations and ergo the defacto and de jure acceptance of Israel as a state including its security needs. Even despite negative international opinion and high diplomatic costs, Israel would insist on this formula:

1363 Cit. Ben-Dov, M./ Aner, Z.: *The Western Wall*. Tel Aviv: Ministry of Defense Publ., 1983, p. 165. Quoted in Ricca, 2005, pp. 50/51.

1364 Cit. Haddad, 1992, p. 267. During the first days of the Yom Kippur War of 1973, initial Egyptian successes during *Operation Badr* – the crossing of the Suez Canal and the Israeli defense line in Sinai – were depicted as the restoration of Arab honor as a response to the collective feeling of shame and humiliation after the 1967 war. See *Ibid.*, p. 269.

1365 The same feeling was present in the public even prior to the war. When the war broke out and the army called for its reservists abroad, American and Canadian Jewish volunteers in New York and Washington besieged Israeli consulates, at London airport British Jews rioted when *El-Al*, the only airline flying to Israel during the war, appeared to be unable to transport all volunteers. See Meir, 1976, pp. 300/301. And Gorenberg writes: “[...] men feared they would be left out of the war that was approaching by the minute”. Cit. Gorenberg, 2006, p. 34.

1366 See Netanyahu, Benjamin: *A Durable Peace: Israel and its Place Among the Nations*. New York: Warner, 2000, p. 142ff.

1367 See Meir, 1976, p. 312; Freudenstein, Roland: *Welches Israel hätten wir denn gern?* In: *Die Politische Meinung*, No. 1, 2011, p. 73-75.

1368 The UN General Assembly condemned Israel's operations as an “invasion of Africa”. Pakistan asserted that it was a “[...] nefarious and naked aggression [...] against the territorial integrity of the United Arab Republic and the adjoining Arab States [...] Israel is an illegitimate child born of fraud and force.” Quoted in *Pakistan Horizon*. PIIA, Vol. 20/21, 1967, p. 324.

1369 Cit. Shlaim, 2001, p. 241.

1370 Anti-Israeli and pro-Palestinian interpretations of 1967 are expressed in the slogans of American student unions: “Hoh, Ho, Ho Chi Min, al-Fatah will win!”. See Ullrich, Peter: *Die Linke, Israel und Palästina*. *Nahostdiskurse in Großbritannien und Deutschland*. Rosa-Luxemburg-Stiftung, Texte, No. 48. Berlin: Dietz, 2008, p. 91ff.

1371 See Aran, 1995.

After the Six Day War, Israel's leading satirical writer, Ephraim Kishon [...] published a book called *So Sorry We Won*. It was a bitter title, but not in the least ambiguous to its Israeli readers. In fact, it summed up rather succinctly the way we were beginning to feel, by 1968, which was that the only recipe for improving Israel's rapidly deteriorating image was to forget all about peace. Our crime appeared to be that we kept saying to the Arabs 'Let's negotiate.' Not, as we were entitled to do, 'This is the new map; sign on the dotted line,' [...] ¹³⁷²

Further, the international critical front evoked solidarity in Israel – in society and between former political adversaries – which was based on the assumption that only a hardline stance towards the regional Arab powers, even at the cost of Western sympathies, would allow Israel to survive and to formulate a future Middle East policy according to its strategic goals:

But neither Eshkol nor I, nor the overwhelming majority of other Israelis, could make a secret of the fact that we weren't at all interested in a fine, liberal, anti-militaristic, dead Jewish state or in a 'settlement' that would win us compliments about being reasonable and intelligent but that would endanger our lives. ¹³⁷³

Meir's reflections indicate also the growing awareness of the need to explain the government's policy and to justify the war's territorial outcome internationally. According to Aran, “the secular, statist ideology found it hard to justify Israel's position in the territories without recourse to once-rejected principles deriving from the religious heritage.” ¹³⁷⁴ Facing negative international reactions to the conquest of the Temple Mount, on 27 June, 1967, the Knesset passed a law in which it ensured “the freedom of access of the members of the different religions to the places sacred to them [...]” ¹³⁷⁵ However, this step was rejected by all Arab states and only recognized by Pakistan and Great Britain. ¹³⁷⁶ When the Knesset adopted the Basic Law on the status of Jerusalem in 1980 which made the city the capital of Israel, the international community protested against the law which it perceived as a violation of international law and post-'67 UN resolutions claiming Israel's withdrawal. This demand had been articulated at the UN SC, at the request of Pakistan, which acted on behalf of the members of the OIC. ¹³⁷⁷ Pakistan's permanent representative at the UN, Niaz A. Naik, justified this move with what he identified as a lack of international will to condemn Israel's illegal capture of the city in 1967 which gave rise to subsequent violations of international norms. ¹³⁷⁸ Israel's permanent representative to the UN, Yehuda Zvi Blum spoke after Naik:

[...] The law adopted last month assures yet again due consideration to the concerns of all religions in Jerusalem and to the sentiments of their adherents. I must reiterate 'due consideration to the concerns of all – I repeat, 'all' – religions in Jerusalem'. It also stands in stark contrast to the situation which prevailed under the Jordanian occupation of a part of the City, between 1948 and 1967. Thus, complete freedom of access to and worship at the shrines sacred to the adherents of all faiths has been guaranteed and maintained by Israel in a manner unprecedented in the history of the City. Jerusalem should be approached, in every sense, with veneration and respect, with reverence and dignity. As I said at the outset of my remarks, the initiators of this debate seek to exploit it for incitement, both religious and political. In fact, these shrill voices of religious fanaticism have been heard sabre-rattling in recent days and weeks, in this chamber and beyond. Israel would hope that all the members of

1372 Cit. Meir, *Golda: My Life*. London: Futura Publ., 1976, pp. 311/312.

1373 Cit. Meir, quoted in Shlaim, 2001, p. 284.

1374 Cit. Aran, 1995, p. 199.

1375 Cit. *Protection of Holy Places Law*, passed by the Knesset on 27 June, 1967. This was a step aimed at winning international opinion by contrasting the restrictive policy of Transjordan between 1948 and 1967: The West Bank and Eastern Jerusalem, captured by Jordan in the 1948 war and annexed in 1950, restored was seen from the Jordanian view as an attempt to establish “complete unity between the two sides of the Jordan and their union into one State, which is the Hashemite Kingdom of Jordan, at whose head reigns King Abdullah Ibn al Husain [...]” Cit. Resolution Jordanian Annexation of West Bank, adopted by the House of Deputies on 24 April, 1950. URL: Ministry of Foreign Affairs, Historical Documents, Vol. 1/2: 1947-1974.

1376 Great Britain refused to accept Jordan's annexation of Eastern Jerusalem. See Shlaim, 2001, p. 43. For Pakistan's reaction to this step and its relationship with Transjordan, renamed as Hashemite Kingdom of Jordan in 1949, see Silverburg, Sanford A.: *Pakistan and the West Bank: A Research Note*. In: *Middle Eastern Studies*, Vol. 19, No. 2, 1983, p. 261-263.

1377 See UN SC: *The situation in the Middle East: Letter from the Acting Permanent Representative of Pakistan to the UN addressed to the President of the SC*, S/14084, 1 August 1980.

the Council would agree that the injection of fanaticism, bigotry and hatred into these proceedings is highly undesirable and in no way conducive to advancing the cause of peace, which is epitomized in Jerusalem, a city whose very name in Hebrew – Yerushalayim – means 'the City of Peace'. For its part, Israel will not allow Jerusalem to become another Berlin, with all that implies not only for the welfare of its citizens but also for international peace and security.¹³⁷⁹

The image of opening the city including its religious places for the international public and worshipers of other religions, together with the restoration of Jerusalem's Jewish heritage and increased excavation activities, was aimed at substantiate Israel's historical claim. In response, the UN SC adopted a resolution in which it called on “those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City”.¹³⁸⁰ The withdrawal of all embassies and consulates from the Jerusalem municipality was completed in 2006.¹³⁸¹

1378“The Israeli authorities have also revived with increased vigour the obsessive Zionist scheme to Judaize the Holy City of Jerusalem by destroying its historical personality and turning it into 'the eternal capital' of Israel. [...] They constitute a serious obstruction to the achievement of a comprehensive, just and lasting peace in the Middle East. So far, Israel has contemptuously rejected the decisions of the Council and is ruthlessly pursuing its policies of aggression and expansionism.” Cit. UN SC: Official Records, 2245th Meeting, 20 August, 1980, p. 3. Pakistan's request at the UN SC which referred to resolutions adopted earlier during the 11th Islamic Conference of Foreign Ministers in Islamabad was in principle identical with the position of the Arab states. For instance, they condemned Israel's refusal to cooperate with UN bodies related to the Palestinian issue, reaffirmed the legitimacy of the PLO as the representative of the Palestinian people and their commitment to UN Resolution 3379 which equated Zionism to a form of racism. Another issue was the refusal to accept the Camp David peace agreement between Israel and Egypt, signed in September, 1978, and March, 1979, and its condemnation as a “departure from the Charter of the Organization of the Islamic Conference and a violation of international law.” See Res. No. 2/11-P on Palestine Cause, and Res. No. 3/11-P on the Normalization of Relations between the Egyptian Regime and the Zionist Enemy, both adopted by the Islamic Conference of Foreign Ministers, Islamabad, 17-22 May, 1980.

1379Cit. UN SC: Official Records, 2245th Meeting, 20 August, 1980, p. 7.

1380Cit. UN SC Res. 478, adopted on 20 August, 1980, 2245th Meeting, 5B.

1381Subsequently, Israel protested and refused to accept Resolution 478: “The Council can no doubt adopt whatever resolutions it likes and for whatever reasons it chooses. The fact remains that such resolutions cannot and, will not further the cause of peace, nor are they calculated to further that cause. But whatever their purpose, they cannot and will not alter the fundamental reality that united Jerusalem has been and will remain the capital of Israel.” Cit. UN SC, Official Records, 2245th Meeting, 20 August, 1980, p. 19.

8 Conclusion: Contextualizing National-Religious Security States

In this thesis I presented an alternative approach towards the status of exceptionalism in which Pakistan and Israel have been styled as artificial, experimental and revolutionary states by their domestic historical culture and its popularized narrative. The creation of both states, with reference to the numerous accounts mystifying, sacralizing or even re-interpreting the event of statehood with the selectivity towards historical facts, had not the innovation of a political-nationalist mass movement which represented the consensus of a homogenous ethnic-religious society. Rather, a secular oriented oligarchy in politics and economy had been the spearhead of the nationalist endeavor and religion had been introduced into classical nationalist discourses like those of collective liberation and freedom, independence and self-expression, peace and war.

In both cases the independence movement had to negotiate with the British colonial or mandate power in order to gain acceptance. A central means was, as Kumaraswamy has pointed out, that of parity¹³⁸²: The demand for the creation of a state required a demographic share to substantiate the claim for statehood. In this context, the promotion of immigration and the absorption of refugees became another key element during the formative period. Their translation into the respective religious context was, thus, a logic step. Pakistan received millions of refugees from the Indian side who as *muhajirun* became a strong economic and political group of society, especially in Sindh where they soon represented the dominant ethnic groups, similar to the Punjabis. For the Israeli state, *'aliyah* (ascent) is the basic ideological key concept and the absorption of Jews in a sovereign state had been the *raison d'être* for its creation. In contrast to Pakistan which is facing various problems due to its large population and further population explosion to come in the future¹³⁸³, the Jewish state depends heavily on immigration for various reasons. Thus, *yeridab* (descent), the Israeli variant of emigration, is seen today as one of the main threats to the stability of local economy and the job market. Today Israel has to struggle with historic lows of immigration which after the fall of the Soviet Union had reached its climax. Drastic increase of *yeridab* and “demographic bloodletting” would have a direct impact on Israel's demographic reality including its political component with the balance of Jewish-Israeli and Arab-Israeli population on the one hand, and the implications of growing religious ultra-orthodox strata of society on the other.

In the context of absorption of immigrations and their introduction to the new state, the military, in both countries, played an important role. Due to the “birth in war” that marked the event of the creation of Pakistan and Israel, as the need of the hour, their armies were the first institutions being developed in order to guarantee proper defense and were massively involved in the process of nation-building. This role has since been claimed by the military: In Israel, the IDF continues to serve integration and is widely accepted since most Israelis served in the army as part of the Israeli model of citizenship. In Pakistan, due to its frequent interferences in the political process, the Pakistan Army has lost much of its reputation in society. However, it still serves as a strong nationalist symbol and powerful economic player and, thus, is often positively contrasted to the political elites' negative image.

1382See Kumaraswamy, 1997.

1383At times it is difficult to understand why – in the light of mass illiteracy and poverty due to the lack of proper educational resources etc. – the population explosion and Pakistan's man power are still highlighted by many Pakistanis as a great national achievement and positive factor for the future of the country.

While academic literature has highlighted various aspects of religious movements that arose in both countries, like their stances towards democracy, human rights, violence, etc., whereas the role of the state and its own ideological resources – religion, political and cultural traditions etc. – played only a minor role. However, the state stands in the very center of both Pakistani and Israeli self-conception and ethos as a collectivist endeavor and the greatest achievement in their respective *Weltanschauung* and view on history. The state and the event of its creation, with regard to the dimension of time, has been styled as the historical turning point and radical break with the past. With regard to the dimension of space, one can find both, the view on the state through a prism resembling the strategy of religious mapping in which territory, as an object, is reinterpreted as a sacred space, and thus as an indivisible organic whole and subject attached with strong religious meaning. Rothermund and Kumaraswamy have pointed out to the geographical artificiality of Pakistan and Israel:

Both states had awkward borders at their start. Israel's territory resulted from the happenstance of war and led to such anomalies as a divided capital city and a country with a waist only nine miles wide; only in 1967 did Israel end these irregularities. Pakistan had an even more bizarre geography, for it consisted of west and east wings separated by a thousand-mile Indian territory.¹³⁸⁴

Like the (re-)introduction of ancient languages, the emphasis on a shared religion was as a tool of national integration and identity building for the new citizens

Because of the strong ideological integration of religion into the ideological repertoire, it is to question if, at all, a strictly secular organization of state and society could be achieved as it has been claimed in both countries. A crucial difference in the perception of the state and its transformation into a part of a political theology can be seen in the religions of Islam and Judaism from which particular elements were drawn and integrated into the nationalist discourse: I presented basically two antagonistic orientations towards the State of Israel: These are the established Zionist statist *mamlakhti* orientation of Ben-Gurion and the secular Labor founding elites on the one hand, and secular and religious anti-Zionism and ultra-orthodox haredi worldview that refuse to accept the state on the other. I also discussed religious Zionism as a third way and as the attempt to bridge between the two opposing camps. Especially this latter movement has highlighted the state's special place in Judaism without denying its centrality in the secular Zionist narrative of Israel, in which it serves as a protective means and home for all Jews and guarantor for international acceptance and recognition. Religious Zionism also gave new meaning to Ben Gurion's *mamlakhtiut* – loyalty and obedience towards the state and its institutions which are superior to civil society and even to the nation – in that it attached a sanctity to the state that also secular Israelis were willing to accept. More so, the land, on which it has been built, is one of its central references. In contrast, Pakistan has been portrayed by early historiography and religious groups as a fortress of Islam and as a new leading nation among the Muslim nations of the *umma*. Its sacralized narrative sees the state in a historical tradition with early Islam and as continuity of the first Muslim community of Prophet Muhammad. However, lacking the central territorial factor of Judaism and the Israel's biblical meaning, Pakistan never acquired the notion of holiness that *Eretz Yisrael* and Zion had for two millennia. Pakistan, unlike Israel with the notion of the Ingathering of the Exiles, redemption and the advent of the Messiah, has not the centrality as the sacred center of a future divine process. Its notion as the Land of the Pure whose borders mark the boundary between purity and impurity, with its crossing styled as a *hajj*, was much more emphasized

1384Cit. Kumaraswamy, 1997.

in the context of the partition of the Subcontinent but as early as in the 1950s lost its pertinence. The Islamic Republic is seen in terms of Islam primarily in the context of its history and vis-à-vis its non-Muslim neighbor countries with Hindu India at first place. Thus, Pakistani Sunni-Muslim nationalism as the central ideological core of the state, is a religious nationalism that highlights exclusiveness and distinctiveness from its Indian counterpart on which it heavily depends for reasons of legitimation. Further, Pakistani nationalist communalism allowed its strongest institution, the military, to gain its dominant role because of its claim to save Pakistan from external threats and of being the defender not only of the people, the territory and the state, but also of Islam. Ironically, it is in the highest ranks of the army where moderate-liberal Islamic and even secular orientations towards the models of Turkey and Indonesia increasingly gained momentum in recent years. At the same time, the army, ignoring the demand of the US and its international partners, has not abandoned its patronage of Islamic radicalism. It seems to be granted that the withdrawal of the biggest international alliance since World War Two from Afghanistan will impact the Pakistani complex. However, this could lead to a revitalization of old patterns of Afghan-Pakistani enmities and claims which are determined by Pakistan's security interests, or it could generate a scenario in which Pakistan would engage with its environment in terms of accommodation and cooperation without losing the leading regional role that it would gain after the withdrawal. Despite these changes being tremendous, they would not touch Pakistan's inner ideological setup. It seems that changes on this level will be possible only through reformed and strengthened institutions as agencies of national integration and the generation of a consensus strong enough to re-negotiating the status quo with regard to the country's ethnic, religious and socioeconomic cleavages.

This study argues that politics of identity and its variant with religion as the main marker of individual and collective identities of citizenship, in both countries had a mobilizing effect during independence but failed to integrate society in its entirety during the consolidation of state and society. In Israel, more than in Pakistan, the process of identity-building – of the state and its society as an collective approach – was by far more successful. However, during and after the formative phase in which institutional and political patterns were shaped, new alternative and contradicting religious, ethnic and political identities arose which often clashed with the ideal that was drawn by the founding elite. Especially on the constitutional and legal level the competition between the various conceptions and models of identity has increasingly been sharpened due to asymmetric legal configurations which deepened existing and new cleavages, and contributed to further destabilization of society in large. The state has responded to these challenges only reluctantly. To date, beside cosmetic legal changes and limited constitutional amendments, the courts have avoided dealing with fundamental legal problems relating to the “essence” of the state. In some precedent cases, the courts' decisions were ignored or adjourned and later not implemented due to political pressure and interventions by dominant sectors like the religious parties, the military or the political leadership. Rare, reactive and situational decisions on a case-by-case basis did not amount to reversal of the policies that were implemented and perpetuated with the founding of the states and within the cultural, legal and social framework of their ideologies. Though ideologically granting neutrality and protection towards all social, religious and racial groups and equal rights to all citizens, both states, since their inception have maintained a strong distinction between the majority and the minority,

Muslims and non-Muslims vis-à-vis Jews and non-Jews. Legal procedures and the system of the courts represent a narrative that is designed at cementing and enforcing these trends. As far as the decentralized system of courts in regard of religious law is concerned, perpetuation of this dual legal system – of civil and religious law – because of the inability to re-arrange the status quo or to reform judiciary. As a result, both countries are facing a *Kulturkampf* along the lines of the religious-secular, the sectarian, and the majority-minority cleavages.

Pakistan and Israel represent two cases of religious-political sectors which in its majority has shown strong commitment to the project of nation-building either in cooperation with the government or at the grass-roots. In the political system, religious parties in both countries, with the exception of *Haredim* groups in Israel that refuse to accept the parliamentary process for reasons of their theological opposition to the Zionist state, adhere to the democratic rules, and, thus, question a popular thesis in political sciences, according to which they constitute a threat to the democratic process.

Recent and future developments, more than ever, will be influenced by regional and international impulses. In 2011, international public perception had been strongly affected by the sociopolitical dynamics and transformation of power in the Middle East which washed away the narrative of an Arab exceptionalism (*al-istithna' al-'Arabi*) that for decades had been static and immune towards indigenous structural change. The Arab uprisings had, it seems, an indirect impact on the civil societies in the bordering regions as well, not to speak of the new role played by informal protest cultures.¹³⁸⁵ However, Pakistan and Israel, two countries which in the last decades had been described in terms of a largely lethargic and apolitical youth, experienced new forms of political articulation and popularization of politics. Being in the midst of this very recent process, it would be inappropriate and premature to see these developments in the wider framework of a fundamental change. However, the trend towards a changing political public sphere and a revitalization of the “unfulfilled dream” of a revolution to change existing realities is visible. What became more clear than in recent years was the re-entering of extreme political leftist and conservative religious-nationalist discourses articulated by political parties, non-state organizations and interest groups. They all aggregate, through new channels of communication and through the prism of new social, political or economic frameworks, inherent cleavages of both societies.

But despite recent positive developments in Pakistan which include the 18th constitutional amendment, an increasingly emancipated judiciary and a change in perception towards India, these inputs can be only cosmetic due to the continuation of the status quo with a highly corrupted political class and the army defending their spheres of interest. Thus, empowerment of marginalized groups and civil society is possible only within the narrowed borders provided by these two power groups. The same seems true with regard to Pakistani political culture and its ideological preconditions, in which even secular political groups cannot but display their commitment to Islam in general and Pakistani Muslim nationalism in particular, as the cultural heritage and *raison d'être* of Pakistan, as claimed by official state ideology. Beyond their real proportional influence, the religious parties and non-political Islamic interest groups can confront secular-oriented narratives on every

¹³⁸⁵As they manifested in the anti-nuclear movement in India and Japan, the Occupy Movement in the US and Western Europe, the Pirates party in Germany becoming a role model for clone organizations in neighboring countries and the expansion of former blogger subcultures worldwide.

front due to this framework. The army, despite frequent Islamist interventions within, has to be seen as increasingly representing a moderated image. However, in contrast to Israel's people's army which pro-actively plays the role of a school for the nation and is one of the main vehicles for the dissemination of the identity of Zionist Israeliness, the Pakistan Army has cultivated the image of a professional entity which relies on public support and loyalty but which in turn, does not have the potential to co-formulate public culture and mind-sets at grass-root level, mainly because of its self-imposed distinctiveness from the civilian sphere.

Israel's worst case scenario regarding inner stability according to which mass protests lay unrest on society and lead to painful losses in economy – present in the minds since the 1980s protests in the context of the First Lebanon War – became reality but under a framework which was not thought about before: In July, 2011, and still at the time of writing, hundreds of thousands of protesters held countrywide rallies in what became a “Rothschild Boulevard Revolution”, Israel's local version of the Arab uprising narrative. The protesters – initially ridiculed as „sushi eaters“ and „lefties“ by *Likud* minister Ayoub Kara and Prime Minister Netanyahu – can be seen as the backbone of future Israel, including the educated middle classes who serve in the army where they participated in the wars of Lebanon and Gaza and in the Second Intifada, who go to the country's elite universities and were considered an Israel-born generation loyal to Zionism. Relevant in the context of this study are two central demands formulated by the protesters: Firstly, an immediate end of Israel's occupation of the West Bank territories and secondly, the cancellation of subsidies for the settlers in the occupied territories and those for housing and education for ultra-orthodox *Haredim*.¹³⁸⁶ Deeply intertwined, these two demands touch two inner core conflicts of today's Israeli society and question basic features of modern Israeli Zionism who, according to the protesters' view failed to address the pressing needs of Israeli society.

With regard to their regional orientations, developments in Pakistan and Israel are increasingly depending on their changing environments, which automatically undo their traditional worldview as expressed in foreign policy and strategic security thinking. Both countries have difficulties to articulate their existential security interests which goes hand in hand with their ideological orientation towards the international community being increasingly determined by the perception of misunderstanding, mistrust, isolation or even hostile views on them. Pakistan's standing in the world is increasingly determined by its relation with the US with bilateral relations being at a historic low at the present. Mutual mistrust revitalizes anti-Americanism in Pakistan and, as Lieven correctly pointed out, negative US perception of Pakistan to the extend of treachery with the feeling of being betrayed by Pakistan which is seen as being already overpaid with little to show for it.¹³⁸⁷ In response, Pakistan claims compensation for its own losses in the Global War on Terror.

Period hiccups were quite usual in US-Pak relations swinging from the notion of Pakistan as America's “most-allied ally” to “the most dangerous country in the world”.¹³⁸⁸ In 2006, Stephen Cohen noted that Pakistan has the potential to become America's biggest foreign policy problem and that Washington should do

1386 According to *Peace Now*, Israeli settlement building activities in the West Bank in 2011 have increased by nearly 20 percent as compared to 2010. Tenders for settlements, official recognition of illegal outposts by the government and plans for the construction of homes in East Jerusalem show a similar rise. See Annex A, Tabelle 6.

1387 See Lieven, Anatol: With a Friend Like This. In: The New York Times, Op-ed, 1 November, 2011.

1388 According to a statement on the Pakistani-Afghani border areas by Barack Obama in March, 2009, „for the American people, this border region has become the most dangerous place in the world.“ Cit. The New York Times: The President has commented on safe haven in Pakistan and connection to Afghanistan, 27 March, 2009.

everything needed to avoid such a scenario. Even before 2006, his prophecy had turned into reality with surveys (June, 2011) stating that about 38 percent of the Pakistanis see America as more of a threat than India (9%) or extremist Islamist networks (22%).¹³⁸⁹ Pakistan faces severe problems in countering its negative image and denying allegiances mainly by the US, Afghanistan and India, according to which it is double-gaming its friends and closest allies in the fight against international terrorism and in the Afghan counter-insurgency. An ad published by the Government of Pakistan in the *Wall Street Journal* on 11 September, 2011, ten years after 9/11, asked “Which country can do more for your peace?”¹³⁹⁰ With Pakistan's credibility and legitimacy deteriorating in the eyes of the world, the country is believed to continue its support for the Taliban and the Haqqani Network¹³⁹¹ directly and to maintain its ambiguity on the long term policy towards the Taliban and the future of Afghanistan and the border areas after the withdrawal of the international alliance in 2014.¹³⁹²

Like Pakistan, Israel, especially after the 1967 war, faced massive international criticism which it tried to counter. However, despite initial efforts to appease its supporting powers and especially the USA, the state is still perceived as an occupation power. After years of criticism against the information and PR-policies of the army, the Jewish Agency and the foreign ministry have developed a sophisticated system of dissemination known as *hasbara* (explanation) hailed as public diplomacy to counter anti-semitism and anti-Israelism by Israel's friends and allies, condemned as Zionist propaganda by its adversaries. Accordingly, the political leadership has called for “synchronized victories” on the battlefield, on the PR front abroad and at home among young Israelis, Israeli Arabs and the ultra-orthodox groups who distanced themselves from the Zionist Jewish-Israeli mainstream narrative, in order to generate worldwide understanding and solidarity with Israel's cause. Nevertheless, and similar to Pakistan, Israel's vulnerability, its dependence on the political support¹³⁹³ by the international community and mainly the US, is reinforced with the country's public image in general and in US society and the current administration in particular deteriorating by the day.

Threats and their perception can be seen as an integral part of a nation's teleological historic framework. They compete with a claim of inevitability on the one hand, and the desire for restoring normalcy on the other. Pakistan and Israel are the key actors in the world's two most prolonged conflicts – the Israel-Palestinian,

1389See Khalatbari, Babak: Pakistan nach dem Tod von Osama bin Ladin – Tanz auf dem Vulkan? Islamabad: Konrad Adenauer Foundation, June, 2011. According to *The Economist*, 60 percent saw the US as the biggest threat to Pakistan as of April, 2011, before Operation Geronimo in which Usama Bin Ladin was killed by a US commando had been launched.

1390See Annex, Abbildung 5.

1391Based in FATA's North Waziristan, the organization is lead by Maulwi Jalaluddin Haqqani – a former mujahidin commander and Jadran tribesman from Paktia, client of the CIA, ISI and various Arab States who was offered the post of prime minister by Afghan president Karzai – and his son Sirajuddin. See Interview Sirajuddin Haqqani. In: Asia Times, 5 May, 2004. Another member of the family, Muhammad Haqqani – Sirajuddin's younger brother responsible for the network's activities in North Waziristan and Afghanistan's Paktia province, was killed in February, 2010, in a drone strike. See Gul, 2010, p. 217. Blamed for the ISI's supportive role in the Afghan insurgency, Pakistan's denial for supporting the Haqqanis includes the insistence that the militia is based in Afghanistan and not in FATA.

1392“[...] if the Afghan Taliban resurge fully after 2014 and the tribal areas are not under firm Pakistani control, southern and eastern parts of Afghanistan and Pakistan's tribal areas will become their stronghold. If Pakistan cannot control the tribal areas by 2014 it may lose these areas to the Taliban forever.” Cit. Rizvi, Hasan Askari: In quest of new norms. In: Pakistan Today, 25 October, 2011.

1393However, in recent decades, Israel was able to abandon its dependence for resupply which was a main factor that led to the initial crisis in the first days of the 1973 war: “Indeed, perhaps Israel's greatest miscalculation was the amount of artillery shells it would need to fight the war; the amount required vastly outstripped expectations. Such a seemingly minor thing created a massive dependency on the US, allowing the US to shape the conclusion of the war to its own ends so that Israel's military victory ultimately evolved into a political retreat in the Sinai.” Cit. Friedman, George: Israel's Borders and National Security. In: Stratfor: Geopolitical Weekly, 31 May, 2011.

the Israeli-Arab and increasingly the Israeli-Iranian antagonisms, together constituting the Middle East Conflict, and the IndoPak conflict which after 9/11 has been expanded to the Afghan theater. Escalations in bilateral relations with Kabul, Teheran and Ankara indicate that both states have entered a new security environment. In order to break the deadlock in negotiations, existential threats and their perception require reassurances through the de-existentialization to break the escalatory dynamics and make conflicts controllable. Hence, as both a precondition and as a result of this process, de-securitization of their international orientation is imperative.

Appendix

Document 1 - The Objectives Resolution¹³⁹⁴

(In the name of Allah, the most beneficent, the most merciful.)

Whereas sovereignty over the entire universe belongs to Allah Almighty alone and the authority which He has delegated to the State of Pakistan, through its people for being exercised within the limits prescribed by Him is a sacred trust;

This Constituent Assembly representing the people of Pakistan resolves to frame a Constitution for the sovereign independent State of Pakistan;

Wherein the State shall exercise its powers and authority through the chosen representatives of the people;

Wherein the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam shall be fully observed;

Wherein the Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set-out in the Holy Quran and the Sunnah;

Wherein adequate provision shall be made for the minorities to [freely]¹³⁹⁵ profess and practice their religions and develop their cultures;

Wherein the territories now included in or in accession with Pakistan and such other territories as may hereafter be included in or accede to Pakistan shall form a Federation wherein the units will be autonomous with such boundaries and limitations on their powers and authority as may be prescribed;

Wherein shall be guaranteed fundamental rights including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship and association, subject to law and public morality;

Wherein adequate provisions shall be made to safeguard the legitimate interests of minorities and backward and depressed classes;

Wherein the independence of the Judiciary shall be fully secured;

Wherein the integrity of the territories of the Federation, its independence and all its rights including its sovereign rights on land, sea and air shall be safeguarded; So that the people of Pakistan may prosper and attain their rightful and honored place amongst the nations of the World and make their full contribution towards international peace and progress and happiness of humanity.¹³⁹⁶

Document 2 - Islamic Provisions Constitution¹³⁹⁷

Provisions relating to the Holy Quran and Sunnah

Art. 227 (1) All existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Quran and Sunnah, in this Part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions.

[Explanation: In the application of this clause to the personal law of any Muslim sect, the expression "Quran

¹³⁹⁴As proposed by Prime Minister Liaquat Ali Khan and adopted on March 12, 1949, by the Constituent Assembly of Pakistan.

¹³⁹⁵Added by the Constitution (Eighteenth Amendment) Act, 2010.

¹³⁹⁶Cit. Constitution of the Islamic Republic of Pakistan, (modif. 20 April, 2010), National Assembly of Pakistan, Annex, Art. 2A.

¹³⁹⁷Cit. GoP: Constitution of the Islamic Republic of Pakistan, (modif. 20 April, 2010), National Assembly of Pakistan.

and Sunnah" shall mean the Quran and Sunnah as interpreted by the sect.]¹³⁹⁸

(2) Effect shall be given to the provisions of clause (1) only in the manner provided in this part.

(3) Nothing in this part shall affect the personal laws of non-Muslim citizens or their status as citizens.

Document 3 - Declaration of the Establishment of the State of Israel by the Provisional Government of Israel¹³⁹⁹

The Land of Israel was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books.

After being forcibly exiled from their land, the people kept faith with it throughout their Dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom.

Impelled by this historic and traditional attachment, Jews strove in every successive generation to re-establish themselves in their ancient homeland. In recent decades they returned in their masses. Pioneers, defiant returnees, and defenders, they made deserts bloom, revived the Hebrew language, built villages and towns, and created a thriving community controlling its own economy and culture, loving peace but knowing how to defend itself, bringing the blessings of progress to all the country's inhabitants, and aspiring towards independent nationhood.

In the year 5657 [1897], at the summons of the spiritual father of the Jewish State, Theodore Herzl, the First Zionist Congress convened and proclaimed the right of the Jewish people to national rebirth in its own country.

This right was recognized in the Balfour Declaration of the 2nd November, 1917, and re-affirmed in the Mandate of the League of Nations which, in particular, gave international sanction to the historic connection between the Jewish people and Eretz-Israel and to the right of the Jewish people to rebuild its National Home.

The catastrophe which recently befell the Jewish people - the massacre of millions of Jews in Europe - was another clear demonstration of the urgency of solving the problem of its homelessness by re-establishing in Eretz-Israel the Jewish State, which would open the gates of the homeland wide to every Jew and confer upon the Jewish people the status of a fully privileged member of the community of nations.

Survivors of the Nazi holocaust in Europe, as well as Jews from other parts of the world, continued to migrate to Eretz-Israel, undaunted by difficulties, restrictions and dangers, and never ceased to assert their right to a life of dignity, freedom and honest toil in their national homeland.

In the Second World War, the Jewish community of this country contributed its full share to the struggle of the freedom- and peace-loving nations against the forces of Nazi wickedness and, by the blood of its soldiers and its war effort, gained the right to be reckoned among the peoples who founded the United Nations.

On the 29th November, 1947, the United Nations General Assembly passed a resolution calling for the establishment of a Jewish State in Eretz-Israel; the General Assembly required the inhabitants of Eretz-Israel to take such steps as were necessary on their part for the implementation of that resolution. This recognition by the United Nations of the right of the Jewish people to establish their State is irrevocable.

This right is the natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign State.

Accordingly we, members of the People's Council, representatives of the Jewish Community of Eretz-Israel and of the Zionist Movement, are here assembled on the day of the termination of the British Mandate over Eretz-Israel and, by virtue of our natural and historic right and on the strength of the resolution of the United Nations General Assembly, hereby declare the establishment of a Jewish state in Eretz-Israel, to be known as the State of Israel.

We declare that, with effect from the moment of the termination of the Mandate being tonight, the eve of Sabbath, the 6th Iyar, 5708 [15th May, 1948], until the establishment of the elected, regular authorities of the State in accordance with the Constitution which shall be adopted by the Elected Constituent Assembly not later than the 1st October 1948, the People's Council shall act as a Provisional Council of State, and its executive organ, the People's Administration, shall be the Provisional Government of the Jewish State, to be called

¹³⁹⁸Added by the Constitution Third Amdt. Order, Presidential Order No. 14, 1980, Art. 2.

¹³⁹⁹Publ. in the Official Gazette, Tel-Aviv, No. 1, 14 May, 1948, p. 1.

"Israel." The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.

The State of Israel is prepared to cooperate with the agencies and representatives of the United Nations in implementing the resolution of the General Assembly of the 29th November, 1947, and will take steps to bring about the economic union of the whole of Eretz-Israel.

We appeal to the United Nations to assist the Jewish people in the building-up of its State and to receive the State of Israel into the community of nations.

We appeal – in the very midst of the onslaught launched against us now for months – to the Arab inhabitants of the State of Israel to preserve peace and participate in the upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions.

We extend our hand to all neighbouring states and their peoples in an offer of peace and good neighbourliness, and appeal to them to establish bonds of cooperation and mutual help with the sovereign Jewish people settled in its own land. The State of Israel is prepared to do its share in a common effort for the advancement of the entire Middle East.

We appeal to the Jewish people throughout the Diaspora to rally round the Jews of Eretz-Israel in the tasks of immigration and upbuilding and to stand by them in the great struggle for the realization of the age-old dream - the redemption of Israel.

Placing our trust in the *Almighty*¹⁴⁰⁰, we affix our signatures to this proclamation at this session of the provisional Council of State, on the soil of the Homeland, in the city of Tel-Aviv, on this Sabbath eve, the 5th day of Iyar, 5708 (14th May, 1948).

Signed by David Ben-Gurion, Daniel Auster, Mordekhai Bentov, Yitzchak Ben Zvi, Eliyahu Berligne, Fritz Bernstein, Rabbi Wolf Gold, Meir Grabovsky, Yitzchak Gruenbaum, Dr. Abraham Granovsky, Eliyahu Dobkin, Meir Wilner-Kovner, Zerach Wahrhaftig, Herzl Vardi Rachel Cohen, Rabbi Kalman Kahana, Saadia Kobashi, Rabbi Yitzchak Meir Levin, Meir David Loewenstein, Zvi Luria, Golda Myerson, Nachum Nir, Zvi Segal, Rabbi Yehuda Leib Hacohen Fishman, David Zvi Pinkas, Aharon Zisling, Moshe Kolodny, Eliezer Kaplan, Abraham Katznelson, Felix Rosenblueth, David Remez, Berl Repetur, Mordekhai Shattner, Ben Zion Sternberg, Bekhor Shitreet, Moshe Shapira, Moshe Shertok.

Document 4 - Constitution JUH (1939)¹⁴⁰¹

1. To guide the followers of Islam in their political and non-political matters from a religious point of view.
2. To protect Islam, centres of Islam (Hijaz and Jazirat-ul 'Arab) and Islamic rites and usages, and defend Islamic nationalism against all odds injurious to it.
3. To achieve and protect the general religious and national rights of the Muslims.
4. To organize the 'ulama' on a common platform.
5. To organize the Muslim community and launch a programme for its moral and social reform.
6. To establish good and friendly relations with the non-Muslims of the country to the extent permitted by the Shari'at-i-Islamiyyah.
7. Complete independence for the nation and the country according to shar'ia objectives.¹⁴⁰²
8. To organize the Millat-i-Islamiyah into a shar'ia body and establish Mahakim-i-Shar'iyah (religious courts).
9. To work for the religious, educational, moral, soivial and economic reforms of the Muslims, and to propagate Islam, by way of missionary activities, in India to their best ability.¹⁴⁰³
10. To maintain and strengthen the bond of unity and fraternal relations (as ordained by Islam) with the

1400The original Hebrew version of the text does not explicitly stress the term God, but refers to trust "in the Rock of Israel". This is perhaps the most highly discussed section of the declaration that until today, has been subjected to various interpretations.

1401Der Verfassungstext wurde 1919 verabschiedet und 1939 in den Paragrafen 2, 7, 8 und 9 erweitert. Vgl. Miyan, Sayyid Muhammad: Jam'iyat-ul'Ulama' kiya hay?, Bd. 1. Jam'iyat-ul-'Ulama', U.P. (Publ. Div.), k. D., S. 10. In: Faruqi, 1963, S. 68/69.

1402In the original formulation of 1919: „[...] freedom for the country [...]“.

1403In der Gründungsverfassung sieht derselbe Artikel die Mission auch im Ausland vor.

Muslims of other countries.

Document 5 - Composition, etc., of Islamic Council¹⁴⁰⁴

Art. 228 (1) There shall be, constituted within a period of ninety days from the commencing day a Council of Islamic Ideology, in this part referred to as the Islamic Council.

(2) The Islamic Council shall consist of such members, being not less than eight and not more than [twenty]¹⁴⁰⁵ as the President may appoint from amongst the persons having knowledge of the principles and philosophy of Islam as enunciated in the Holy Quran and Sunnah, or understanding of the economic, political, legal or administrative problems of Pakistan.

(3) While appointing members of the Islamic Council, the President shall ensure that

- (a) so far as practicable various schools of thought are represented in the Council;
- (b) not less than two of the members are persons each of whom is, or has been a Judge of the Supreme Court or of a High Court;
- (c) not less than [one third]¹⁴⁰⁶ of the members are persons each of whom has been engaged, for a period of not less than fifteen years, in Islamic research or instruction; and
- (d) at least one member is a woman.

[(4) The President shall appoint one of the members of the Islamic Council to be the Chairman thereof.]¹⁴⁰⁷

(5) Subject to clause (6), a member of the Islamic Council shall hold office for a period of three years.

(6) A member may, by writing under his hand addressed to the President, resign his office or may be removed by the President upon passing of a resolution for his removal by a majority of the total membership of the Islamic Council.

Document 6 - Chronology of Events in Israeli-Turkish Relations (2009-11)

- 30 January, 2009: Turkey's president Erdogan stormed out of the Davos World Economic Forum after a panel discussion with Israeli president Shimon Peres on the Gaza attack¹⁴⁰⁸
- 31 May, 2010: During an Israeli raid on the Gaza Flotilla's flag ship, *Mavi Marmara*, nine Turkish citizens were killed.¹⁴⁰⁹ In the aftermath and due to Israel's refusal to apologize for the attack, Turkey expelled Israel's ambassador and downgraded formal diplomatic ties. In the following statements and throughout 2011, Turkish officials reiterated their claim and stated that Turkey could not eliminate any possibility of military measures against Israel
- July/August, 2010: President Erdogan announced to visit the Hamas government in Gaza in case, if Israel will not apologize for the flotilla incident.¹⁴¹⁰
- September, 2011: Turkey announced to vote in favor of the Palestinian bid for statehood at the UN

1404Cit. GoP: Constitution of the Islamic Republic of Pakistan, (modif. 20 April, 2010), National Assembly of Pakistan.

1405Subs. by the Constitution Fourth Amdt. Order No. 16, 1980, Art. 2.

1406Subs. by the Constitution Eighteenth Amdt. Act No. 10, 2010, p. 85.

1407Subs. by the Constitution Third Amdt. Order, Presidential Order No. 13, 1982, Art. 2.

1408See Bennhold, Katrin: Leaders of Turkey and Israel Clash at Davos Panel. In: The New York Times, 29 January, 2009.

1409The UN's investigation commission found Israel's naval blockade to be legitimate but stated that its disproportional use of force was excessive and unreasonable. See UN Report of the Secretary-General's Panel of Inquiry on the 31 May 2010 Flotilla Incident (Palmer Report), July, 2011.

1410This step would violate the official position of NATO members and the Arab League, to boycott visits to the *Hamas* leadership in Gaza.

General Assembly, together with Egypt, Jordan and Lebanon

- Responding to the Turkish position, Israel announced to deepen its relations with Armenia, and to support the Armenian international claim to recognize the Armenian genocide during Ottoman rule¹⁴¹¹
- Summer 2011: Tensions between Turkey and the Greek Republic of Cyprus on the latter's exploratory drilling for gas and oil fields off the coast of Cyprus intensified. Israel declared its support for Nicosia's position and initiated joint military exercises. Turkey, in response, announced to send war ships together with Turkish exploration teams.¹⁴¹²

Document 7 - Palmer-Uribe Report on the 31 May, 2010, Flotilla Incident

The Panel¹⁴¹³ finds:

i. The events of 31 May 2010 should never have taken place as they did and strenuous efforts should be made to prevent the occurrence of such incidents in the future.

ii. The fundamental principle of the freedom of navigation on the high seas is subject to only certain limited exceptions under international law. Israel faces a real threat to its security from militant groups in Gaza. The naval blockade was imposed as a legitimate security measure in order to prevent weapons from entering Gaza by sea and its implementation complied with the requirements of international law.

iii. The flotilla was a non-governmental endeavour, involving vessels and participants from a number of countries.

iv. Although people are entitled to express their political views, the flotilla acted recklessly in attempting to breach the naval blockade. The majority of the flotilla participants had no violent intentions, but there exist serious questions about the conduct, true nature and objectives of the flotilla organizers, particularly IHH. The actions of the flotilla needlessly carried the potential for escalation.

v. The incident and its outcomes were not intended by either Turkey or Israel. Both States took steps in an attempt to ensure that events did not occur in a manner that endangered individuals' lives and international peace and security. Turkish officials also approached the organizers of the flotilla with the intention of persuading them to change course if necessary and avoid an encounter with Israeli forces. But more could have been done to warn the flotilla participants of the potential risks involved and to dissuade them from their actions.

1411 Turkish-Armenian are also strained because of Turkey's demand of a complete withdrawal of Armenian troops from the Nagorno-Karabakh conflict region. Traditionally, Israel has close ties with the Armenian Church's Patriarchate in Jerusalem, especially since Teddy Kollek's 28-year tenure as mayor.

1412 While the international community and the EU have recognized the Republic of Cyprus after the island's division in 1974 and its separation through an UN administrated green line in the partitioned city of Nicosia/Lefkoşa claimed by both countries as capital, Turkey has only recognized the breakaway Turkish Cypriot north. Accordingly, Turkey does not recognize the Greek Cypriot economic zone in which the resource fields are located. A similar dispute arose in 2009/10 between Israel and Lebanon, after the discovery of two offshore natural gas fields, Dalit and Tamar, in an area claimed by both states. Diplomatically still in a state of war, the land border between Israel and Lebanon (*blue line*) has not been recognized yet, neither bilaterally nor by the international community. Given the non-permanent border status, drafts regarding boundaries in the sea that were presented at the UN in 2010/11 overlapped. Both countries declared to defend what they regard their national resources by force if necessary. Regarding Israel's economy, operation of Tamar whose production is scheduled for 2014 would not only reduce the need for imported energy but could enable the country to export energy resources to Europe via a sea pipeline connection to Greece. See Knell, Yolande: Israel-Lebanon sea border dispute looms over gas fields. In: BBC News, 11 July, 2011. URL: <http://www.bbc.co.uk/news/world-middle-east-14104695>, 13 July, 2011; FAZ: Israel steht vor einem Energieumbruch, 25 April, 2012.

1413 The international committee was chaired by Geoffrey Palmer, Alvaro Uribe (Vice-Chair), Joseph Ciechanover Itzhar and Süleyman Özdem Sanberk.

vi. Israel's decision to board the vessels with such substantial force at a great distance from the blockade zone and with no final warning immediately prior to the boarding was excessive and unreasonable:

a. Non-violent options should have been used in the first instance. In particular, clear prior warning that the vessels were to be boarded and a demonstration of dissuading force should have been given to avoid the type of confrontation that occurred;

b. The operation should have reassessed its options when the resistance to the initial boarding attempt became apparent.

vii. IDF personnel faced significant, organized and violent resistance from a group of passengers when they boarded the *Mavi Marmara* requiring them to use force for their own protection. Three soldiers were captured, mistreated, and placed at risk by those passengers. Several others were wounded.

viii. The loss of life and injuries resulting from the use of force by Israeli forces during the take-over of the *Mavi Marmara* was unacceptable. Nine passengers were killed and many others seriously wounded by Israeli forces. No satisfactory explanation has been provided to the Panel by Israel for any of the nine deaths. Forensic evidence showing that most of the deceased were shot multiple times, including in the back, or at close range has not been adequately accounted for in the material presented by Israel.

ix. There was significant mistreatment of passengers by Israeli authorities after the take-over of the vessels had been completed through until their deportation. This included physical mistreatment, harassment and intimidation, unjustified confiscation of belongings and the denial of timely consular assistance.¹⁴¹⁴

Document 8 - MK Hanin Zoabi addresses the Knesset on 2 June, 2010, on the Gaza Flotilla incident, (Knesset Protocol)

Chairman of the Knesset: What are you afraid that she would tell you something? Does your strength lie within what she would say? What do you care?

Interrupter: She's a terrorist.

Chair: MK Ze'ev, maybe you should get out to calm down? So you don't speak.

Zoabi: The siege is illegal, unhuman, illegitimate. Every politician that has a ...[interruption]

Chair: Let her finish, MK Regev.

Zoabi: Every politician who has a moral stance opposes the siege. [MK Zurets interrupts]

Chair: MK Zurets, leave! Show her where there's coffee outside!

MK Zurets: Hypocrisy, hypocrisy!

Chair: MK Zurets, please leave.

Zoabi: Everyone with immoral stands supports the siege ...[interruption] ... The pirate military operation should be ... [interruption] ...

Chair: MK Rotem is not out yet? Take more time to relax. MK Bibi, you're still here? I ordered you to leave. He didn't understand, get him out! MK Berkovic you're next in line to leave. Madam, please finish in 1:30 minutes. You don't have an unlimited amount of time here.

¹⁴¹⁴Cit. UN Report, July 2011, p. 3-5.

Zoabi: No, I have 5 minutes.

Chair: You have been speaking for 5 minutes.

Zoabi: I haven't "spoke". The operation was an act of crime ... [interruptions] ... which goes against international law [interruptions]. An international inquiry should be set up to investigation ... [interruptions].

Chair: Did she say something new?

Zoabi: ... what happened on the ship. Why is the Israeli government opposing the investigation, why is it opposed to revealing the truth? Are you sure of the Israeli story? And if you aren't sure, why did you prevent the reporters to ...[interruptions]...

Chair: MK Levi, your father and I have heard much worse words.

Zoabi: Why did the Israeli government ban the press from reporting? MK Shama, why did you confiscate the reporters' cameras? Why did you silence the ... [interruptors calling MK Zoabi a terrorist] ...Why did you only publish the images that relate to the injured Israeli soldiers? Why didn't you publish the images related to the dead victims, of the 10 dead bodies? Publish the images.

Chair: This is a speech not a clarification, and you shall not preach the Knesset about morals. The Knesset did not publish, the Knesset discusses the matter. If you have something to say about your personal subject the MKs have mentioned, please reply to the accusations of the MKs against you.

Zoabi: They accused me of being a terrorist... [interruptions]... They accused me of possessing knives. You said that I had the knives and that I am a terrorist.

Interruptor: I suggest to search if she has a knife in her. A Chainsaw.

Chair: No, don't MK. I guarantee you she doesn't have one.

Zoabi: You are afraid of what I am going to say

Interruptor: You are hiding behind your parliamentary immunity.

Zoabi: The Israeli Knesset is afraid to listen to me. You know that the whole world is against you.

Interruptors: You are a terrorist, a saboteur. No one is afraid of you. Traitor, terrorist, traitor... [physical altercations between MK Zoabi and other Mks]¹⁴¹⁵

1415Transcription of live broadcasting, Israeli television, 2 June, 2010.

<i>United Democratic Front (UDF)</i> ¹⁴¹⁶ (1973)	Pir Pagaro, JUP (Shah Ahmad Nurani), independent MNAs
<i>Pakistan National Alliance</i> (PNA) ¹⁴¹⁷ (1977)	JI, JUP (Shah Ahmad Nurani), Nizam-i-Mustafa (Maulana Abdul Sattar Khan Niazi, JUP), JUI, PML (Pir Pagaro), Tehrik-i-Istiqlal (Air Marshall (rtd.) Asghar Khan), NDP (Sardar Sher Baz Mazari), CMPK, Milli Awami Party, Pakistan Democratic Party (Nawabzada Nasrullah Khan), Khaksar Tehrik, Muslim Conference
<i>Islami Jamhoori Ittehad</i> (IJI) (1988-1990) ¹⁴¹⁸	PML ¹⁴¹⁹ (Muhammad Khan Junejo, Nawaz Sharif) ¹⁴²⁰ , JI (Qazi Hussain Ahmad), Nizam-i-Mustafa (Maulana Abdul Sattar Khan Niazi), National People's Party (Ghulam Mustafa Jatoi), ANP (Abdul Wali Khan) ¹⁴²¹ , MQM (Altaf Hussain)
<i>Pakistan Islamic Front (PIF)</i> ¹⁴²² (1993)	JI (Qazi Hussain Ahmad), individual candidates, rtd. Army officers
<i>Muttahida Dini Mahaz</i> (MDM)	JUI-S (Maulana Sami ul-Haq), JUP-Niazi faction, Anjuman Sepah-i-Sahaba Pakistan (ASSP)
<i>Islami Jamburi Mahaz</i> (IJM)	JUI-F, JUP-Noorani faction, PML-Functional group, Pakistan National Party (PNP)
<i>Afghan Defense Council</i> (2000/01) ¹⁴²³	JUI-S, JUI-F, JUI-Kashmir, JUP (Nurani), JI, Hizb ul-Mujahidin, AH, SSP, Tehrik-i-Ittehad-i-Pakistan (Gen. Hamid Gul), Tanzim ul-Ikhwan, Harkatul Mujahidin, Jaish-i-Muhammad, LeT, Harkatul Jihad ul-Islam, Al-Badr, Pakistan Shariat Council, Tehrik-i-Taliban Afghanistan (Mullah Umar), Majlis-i-Ulema Council, Khatam-e-Nubawwat, Jamiat-i-Mashaikh Pakistan, Muslim League (Kabir Wasti), Pakistan Ulema Council, Mashaikh Pakistan, Muttahida Ulema Forum, Baniyan-i-Pakistan, Jamiat Ulema-i-Islam
<i>Muttahida Majlis-e-Amal</i> (MMA) (2001/02)	JI, JUI-F, JUI-S, JUP-Nurani, Tehrik-i-Jaffariya, Markazi Jamiat Ahl-i-Hadith
<i>Difa-e-Pakistan Council</i> (DPC) (since 2011)	JUI-S, JD (Hafiz Saeed, A. Rehman Makki), JI (Liaqat Baloch, Munawar Hassan), JUP (Sahibzada Abdul Khayr Zubair, Shah Ovais Nurani), JUI-N (Maulana Asmatullah, Maulana A. Qadir), Jamiat Mashaikh Ahle Sunnah,

1416The UDF members, under the banner of the JUP, supported and joined the *Majlis-i-Amal* in June, 1974, for the *Tabaf-fuz-i-Khatm-i-Nubuwat*, the group that, while referring to the legacy of the 1950s anti-Ahmadi movement and its massive campaign for the protection of the finality of the Prophet, aimed at putting Bhutto's government under pressure. See Ahmed, 1993, p. 105-121.

1417After the elections in March, 1977, and the catastrophic result for the PNA with only 36 seats out of 192 parliamentary seats won, the leadership under Nurani, with the support of the Pir of Golra Sharif and the Pir Pagaro, changed its name into *Tehrik-i-Nizam-i-Mustafa*. See Ahmed, 1993, p. 136-143.

1418As admitted by Brig. Imtiaz Ahmed and Gen. Mirza Aslam Beg in court, the alliance was formed by army and ISI with Beg, Hamid Gul and president Ghulam Ishaq Khan being its leading forces. Illegal money was used to get support of right-wing parties and form an alliance against PPP. This covert operation that aimed at weakening the Bhutto government became known as Operation Midnight Jackal.

1419PML accounted for about 80 percent of the IJI's electoral candidates and was, therefore, the driving force behind the alliance.

1420Among the most prominent members of the IJI and aides of Nawaz Sharif was Husain Haqqani, a former president of *Jama'at-i-Islami's* student body and future ambassador to the US who lost this position during the Memogate affair in 2011/12. See Nasr, 1994, pp. 208/209.

1421ANP contested the 1988 national elections in alliance with PPP. However, this alliance collapsed in 1989.

1422Within the PIF the JI contested the elections of 1993 but won only six seats. With regard to the 1997 elections it remained inactive due to its boycott of the elections. See ICG, 2003, p. 6.

1423The establishment of the council (*Difa-e-Afghan Council*) by Sami ul-Haq was a reaction to the UN SC's imposition of sanctions against the Taliban regime in Afghanistan in early January, 2001. According to Rana, the council demanded a boycott of US goods, declared its commitment to the jihad in Palestine and gave Usama Bin Ladin the title of a *Mujahid-i-Azam*. See Rana, 2009, p. 475-478.

	Muslim Conference AJK (Sardar Atiq Ahmed), Mohsinan-e-Pakistan (Abdullah Gul), Tehrik-i-Ittehad (Lt.-Gen. (rtd.) Hamid Gul), PML-Zia (Ijaz ul-Haq), Awami Muslim League (Sheikh Rashid Ahmed), Tehrik-i-Hurmat Rasun (Maulana Amir Hamza), Ansar ul-Ummah (Maulana Fazal-ur-Rehman Khalil), Aalmi Majlis Tahaffuz Khatm-e-Nubuwwat (AMTKN, Maulana Ismail Shujabadi, M. Ilyas Chinoti), Pakistan Ulema Council (Allama Tahir Mehmud Ashrafi), Pakistan Tehrik-i-Insaf (Chaudhry Ijaz) ¹⁴²⁴ , Jamhoori Watan Party – Baluchistan, Tehrik-e-Azadi Kashmir (Saifullah Mansoor), Muslim League-Sher-e-Bangal (Sualeh Zahur), Sunni Ulama Council (Maulana M. Ashraf Tahir), Jamiat Ittehad ul-Ulema Pakistan, Tanzim-e-Islami (Hafiz Akif Saeed), Jamiat Ahl-e-Hadith (Ibtisam Elahi Zaheer), ASWJ (Maulana Ahmed Ludhianvi) ¹⁴²⁵ , Muttahida Jamiat Ahl-e-Hadith (Naeem Badshah), Majlis Ahrar-e-Islam (Syed Kafil Shah Bukhari), Jamiat Ashat Tauheed Sunnah (Maulana Tayyab Tahiri)
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Table 1: Religious-political alliances in Pakistan (1973-2011)

Sources: Newspapers; party websites, Rana, 2009; Pirzada, 2000; Ahmad, 1993; National Democratic Institute, 1991; Waseem, 1994; Nasr, 1994; Election Commission of Pakistan.

Organization	Ban/ Watchlist
Lashkar-i-Jhangvi, Sipah-i-Muhammad Pakistan	14 August, 2001
Jaish-i-Muhammad, Lashkar-e-Taiba, Sipah-i-Sahaba Pakistan, Tehrik-i-Jaafria Pakistan, Tehrik-i-Nifaz-i-Shariat-i-Muhammadi, Tehrik-i-Islami	14 January, 2002
Al-Qa'ida	17 March, 2003
Millat-i-Islamia Pakistan, Khuddam-ul-Islam, Islami Tehreek Pakistan	15 November, 2003
Jamiat-ul-Ansar, Jamiat-ul-Furqan, Hizbut Tehrir	20 November, 2003
Khair-un-Naas International Trust	27 October, 2004
Balochistan Liberation Army	7 April, 2006
Islamic Students Movement Pakistan	21 August, 2006
Lashkar-i-Islam, Ansar-ul-Islam	30 June, 2008
TTP	25 August, 2008
JD, Al-Akhtar Trust, Al-Rashid Trust	10 December, 2008 ¹⁴²⁶
Regional bodies from Gilgit and Balochistan: Shia Talba Action Committee, Markaz-i-Sabeel, Tanzeem Naujawan-i-Sunnat, People's Aman Committee, Balochistan Republican Army, Balochistan Liberation Front, Lashkar-i-Balochistan, Balochistan Liberation United Front, Balochistan Musallah Difa Tanzeem	2011

Table 2: Regional, Jihadi and Sectarian Organizations banned by the Pakistani State. Source: Dawn articles.

¹⁴²⁴Chairman Imran Khan had dismissed rumors that his PTI joined DPC officially but Chaudhry Ijaz who joined events organized by the SSP in the past, has been present at different DPC *jalsas* in 2012.

¹⁴²⁵*Ahl-e-Sunnah wa l'Jama'at*, successor organization to the SSP, has been banned under the Musharraf regime in 2002 and again in March, 2012. The group's acceptance by the authorities and the release of its leader Maulana Ludhianvi from custody following negotiations between Minister for Interior Rehman Malik and Abdallah Gul, Ijaz ul-Haq and others, has been highly controversial. See Hasan, Syed Shoab: Pakistan bans Ahle Sunnah Wal Jamaat Islamist group. In: BBC News, Karachi, 9 March, 2012; Az-eem, Munawer: Maulana Ludhianvi released. In: Dawn, 29 March, 2012.

¹⁴²⁶With reference to UN SC Resolution No. 1267.

Tabelle 3: Total numbers settlers and Palestinians in West Bank and East Jerusalem (2011)

Settlers in the West Bank	310.990
Palestinians in the West Bank	2.360.000
Israelis in East Jerusalem	196.000
Palestinians in East Jerusalem	282.000

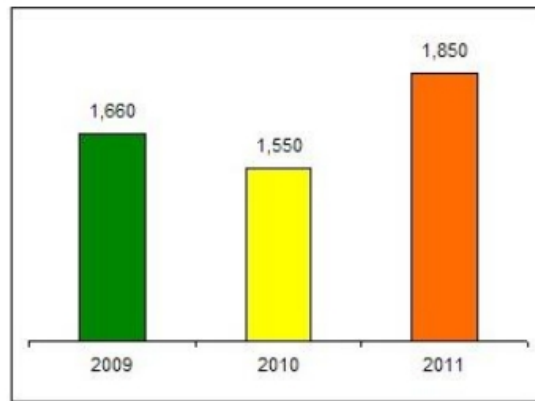
Source: Peace Now.

Tabelle 4: Distribution settler population in West Bank and Jerusalem (2011)

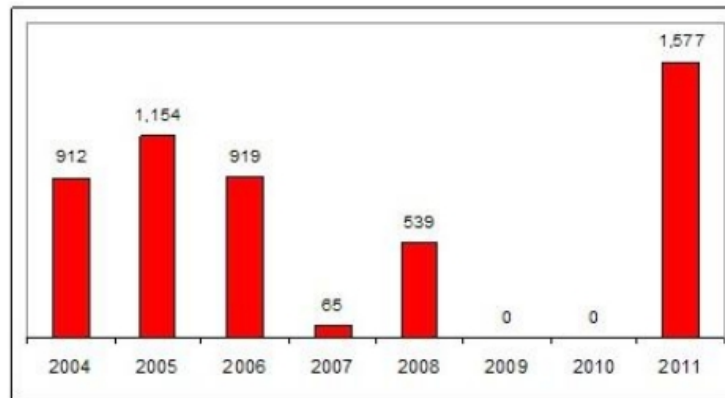
Secular settlements	15 %
Mixed religious-secular settlements	31%
National-religious settlements	25%
Ultra-orthodox settlements	29%

Source: Peace Now.

Construction Starts in Settlements (East Jerusalem excluded)



Tenders in Settlements (not including East Jerusalem)



Promotion of Plans in East Jerusalem

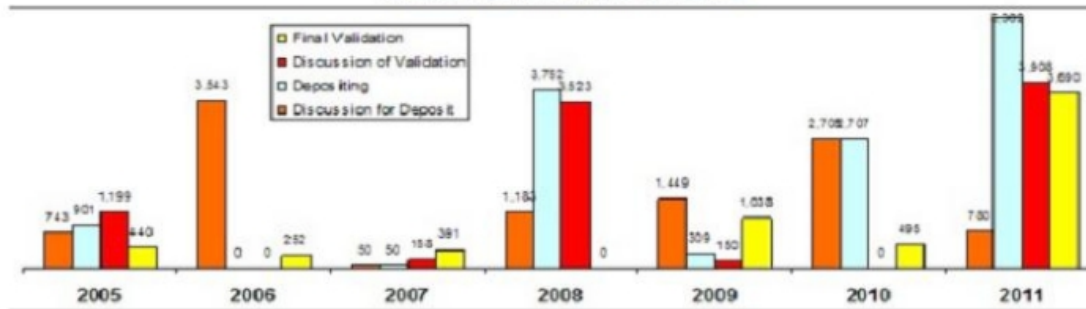


Table 5: Development of settlements in West Bank and East Jerusalem (2011)

* In 2011, Peace Now counted a total settler population of 310.990 and 196.000 Israelis in East Jerusalem. The first number represents the official Israeli number while the US-government adds the settlers within the 1967 Green Line (~ 500.000 in total). From 1993 (Oslo Accords) until 2011, 43.304 new housing units were built in settlements.¹⁴²⁷

¹⁴²⁷See Peace Now: Torpedoing the Two State Solution – The Strategy of the Netanyahu Government. Summary of 2011 in the Settlements, January, 2012.

Tabelle 6: Jewish Population in Israel and worldwide Diaspora (1882-2009)

Year	In Israel (percentages)	In Israel (numbers)	Jewish world population
1882 ¹⁴²⁸	0,3	24.000 (Yishuv)	7.800.000
1900	0,47	50.000 (Yishuv)	10.600.000
1914	1	85.000 (Yishuv)	13.500.000
1922 ¹⁴²⁹	1	84.000 (British Mandate)	14.400.000
1931	1	175.000 (British Mandate)	15.700.000
1939	3	449.000 (British Mandate)	16.600.000
1948	6	650.000	11.500.000
1955	13	1.590.000	11.800.000
1970	20	2.582.000	12.630.000
1980	25	3.283.000	12.840.000
1990	30	3.947.000	12.870.000
1995	35	4.522.000	12.892.000
2000	38	4.955.000	12.914.000
2005	41	5.314.000	13.093.000
2009	42	5.704.000	13.421.000

Sources: Central Bureau of Statistics, American Jewish Committee.

Tabelle 7: Total numbers immigrants to Israel (1882-2008)

Wave of Immigration	Period	Number of Immigrants
First Aliyah	1882-1918	65.000
Second Aliyah	1919-1927	100.350
Third Aliyah	1928-1937	218.279
Fourth Aliyah	1938-1947	120.000
Fifth Aliyah	1948-1957	908.792
Sixth Aliyah	1958-1967	366.307
Seventh Aliyah	1968-1977	341.460
Eighth Aliyah	1978-1987	180.365
Nineth Aliyah	1988-1997	868.004
Tenth Aliyah	1998-2008	404.282
		Total: 3.572.839

Sources: Jewish Agency for Israel, Central Bureau of Statistics.

¹⁴²⁸1923-1948 was the period of the British Mandate on behalf of the LoN, drafted on 24 July, 1922. It came into effect on 26 September, 1923.

¹⁴²⁹The Jewish settlements in Palestine, prior to the creation of the State of Israel in 1948, are widely known as *Yishuv* (settlement). All Jews living in the land prior to the first Aliyah constituted the *Old Yishuv* while the years between 1882 to 1948 constitute the *New Yishuv*.

Tabelle 8: Muslims in South Asia (2010) (estimated numbers)

Country	Muslim population in numbers	Muslim percentage of total population
Pakistan	178.097.000	96.4 ¹⁴³⁰
India	177.286.000 ¹⁴³¹	14.6
Bangladesh	148.607.000	90.4

Source: Pew Research Center.

Tabelle 9: Jewish population in Israel (2008)

Continent/Country of Origin	Numbers	Percentages
Israel	2.197.600	38.5
Europe/ Americas	1.921.100	33.7
Africa	886.800	15.5
Asia	698.200	12.2
Total	5.703.700	100

Source: Central Bureau of Statistics.

¹⁴³⁰96.3 percent according to the official census for 1998. See GoP, 1998. Like the census before (1981), and after 17 years of inactivity on the part of the officials who pointed out to the ongoing ethnic conflict, mainly in Sindh, the 1998 census did not contain the numbers of minority share of the total population. See GoP: Population Census Organization: Census Report of Pakistan, Islamabad, 1984.

¹⁴³¹The last census published by the Government of India with numbers regarding the country's religious composition the 2001 census (138.188.240 Muslims, 13.4 percent of the total population). See Government of India: Ministry of Home Affairs, Office of the Registrar General & Census Commissioner: India Census Data, 2001.

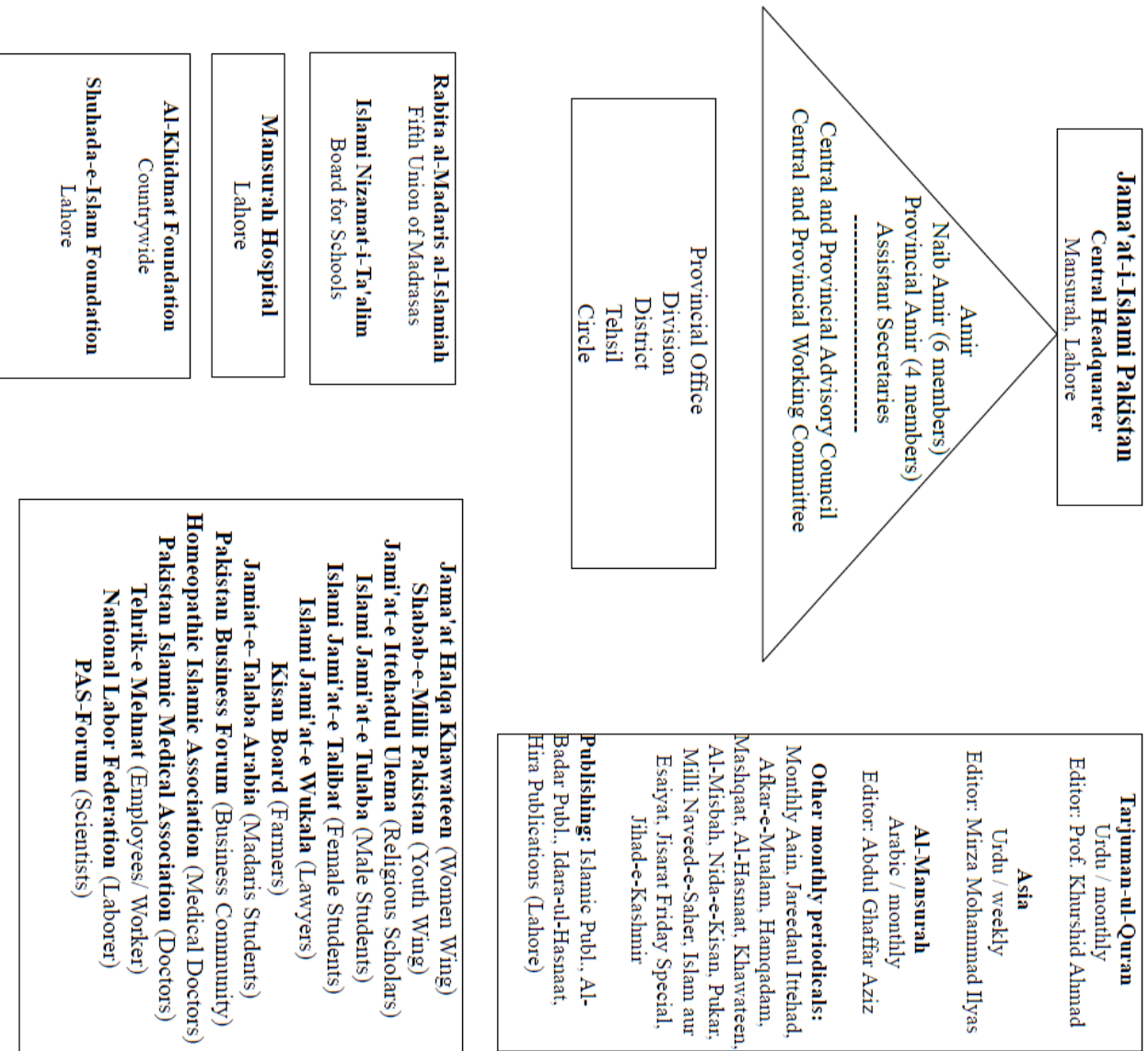
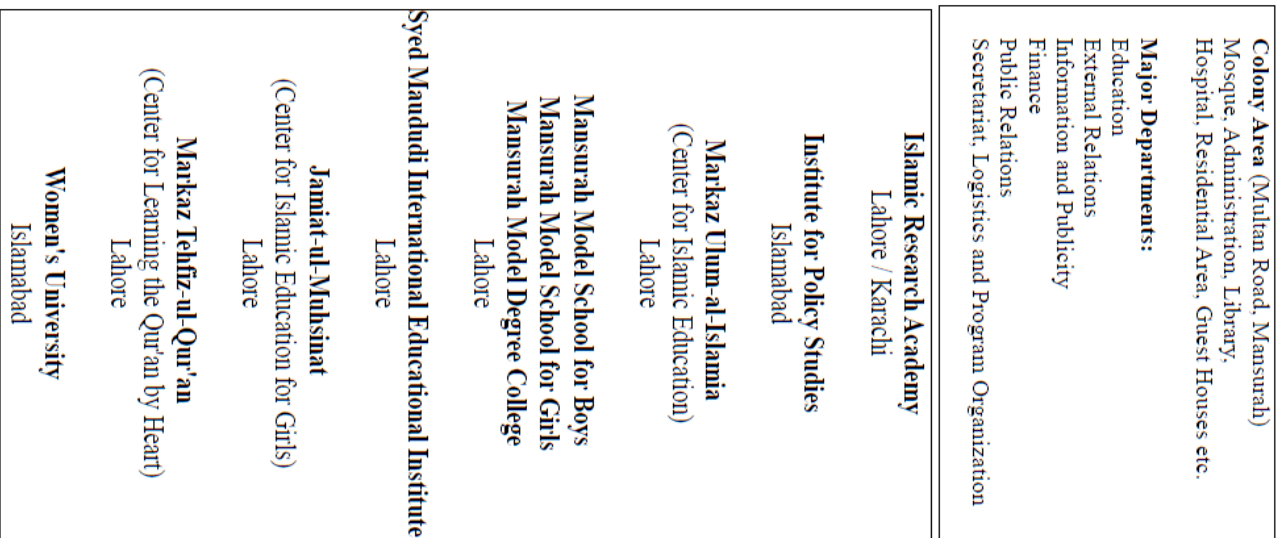


Abbildung 1: Organizational chart Jama'at-i-Islami. Sources: Websites and interviews; Nasr, 1994; Grare 2005; ICG, 2011; Gaier, 2012.

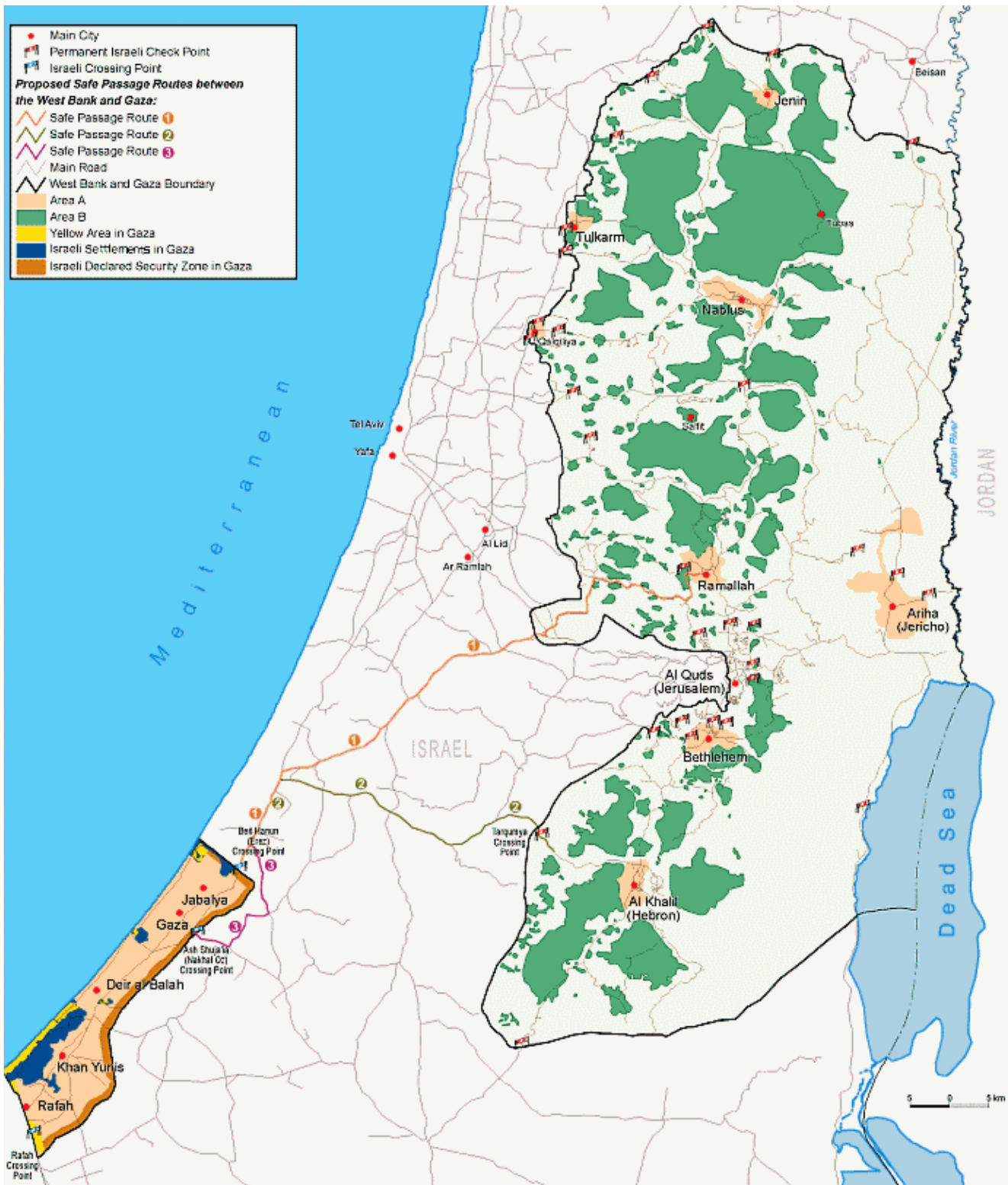


Abbildung 2: Map Israel Oslo Accords, Oslo II. Source: Mideast Web. URL: <http://www.mideastweb.org/palestineisraeloslo.htm>



Abbildung 3: Crown symbol of Shas (pamphlet, 1984):
 "The Association of the Sephardi Guardians of the Torah."
 Source: Herzog, 1987, p. 163.



Abbildung 4: Nachman Hassidism, Tzfat. Source: M. G.

WHICH COUNTRY CAN DO MORE FOR YOUR PEACE?

SINCE 2001
a nation of
180 MILLION
has been
FIGHTING FOR
the future of
WORLD'S 7 BILLION!

MAKING SACRIFICES STATISTICS CANNOT REFLECT...

3,486 bomb blasts	283 major suicide attacks	More than a dozen assassination plots against the President & Prime Minister foiled	21,672 civilians lost their lives or seriously injured	2,795 soldiers martyred! — even our leaders
YET, THE WAR FOR WORLD PEACE GOES ON... 200,000 troops deployed at the frontline 90,000 soldiers fighting on the Afghan border		THE PROMISE OF OUR MARTYRS LIVES ON...	8,671 soldiers wounded	3.5 Million residents displaced from their homes and rehabilitated
CAN ANY OTHER COUNTRY DO SO? ONLY PAKISTAN...		PROMISING PEACE TO THE WORLD	US\$ 68 Billion loss to national economy	

Abbildung 5: Public diplomacy campaign by Government of Pakistan. Ad in The Wall Street Journal edition of 11 September, 2011.

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9.2.3 Interview and Conversation Partners

Abdul Ghaffar Aziz, spokesman Jama'at-i-Islami, Mansurah, 3 July, 2008.

Abdullah M. Adnan, International Institute of Strategic Studies & Research (IISSR), Islamabad, 23 July, 2009.

Agha Murtaza Pooya, Pakistan Awami Tehreek, Islamabad, 8 August, 2009.

Amb. Azmad Hassan (Rtd.), Prime Minister's Office Afghanistan/ Foreign Service, Lahore, 27 March, 2011.

Amjad Qurashi, Generalsekretär Al-Khidmat Foundation, Islamabad, 4 August, 2009.

Archbishop Lawrence John Saldanha, Lahore, 7 April, 2011.

Arif Malik, Workers Federation/ Journalist, Mirpur, 27 July, 2009.
 Asiya Nasir, MNA (JUI-F), Islamabad, 4 August, 2009.
 Chaudhry Shaukat, Ministry for Religious Affairs, adviser Zia ul-Haq, Islamabad, 10 July, 2009.
 Col. (Rtd.) Aziz ul Haque, IRS, Islamabad, June, 2011.
 Dr. Ansar Zahid Khan, Pakistan Historical Society/ Hamdard University, Karachi, 15 August, 2009.
 Dr. Hasan Askari Rizvi, Political Analyst, Lahore, 25 August, 2009.
 Dr. Rafique Afzal, National Institute of Historical and Cultural Research, August, 2009.
 Dr. Ross Masood Husain, founder ISSI and civil service, Islamabad, June, 2011.
 Dr. Saeed Shafqat, Centre for Public Policy & Governance, FC College, Lahore, August, 2009.
 Dr. Tahir Amin, Department of International Relations, Quaid-i-Azam University, June, 2009.
 Dr. Maqsoodul Hasan Nuri, Islamabad Policy Research Institute (IPRI), July, 2009.
 Dr. Muhammad Akram, Islamic Research Institute, Islamabad, June, 2009.
 Dr. Muhammad Khalid Masud, former Chair CII, Islamabad, 31 July, 2009.
 Dr. Rashid Ahmad Khan, Islamabad Policy Research Institute (IPRI), July, 2009.
 Dr. Tariq Rahman, National Institute of Pakistan Studies, August, 2009.
 Dr. M. Azam Chaudhary, National Institute of Pakistan Studies, August, 2009.
 Dr. Mujeeb Ahmad, Dept. of History, IIU, June, 2009.
 Dr. Zafar Ishaq Ansari, Director Islamic Research Institute, Islamabad, 30 July, 2009.
 Farhat Akram Mughal, Islamabad Policy Research Institute (IPRI)/ The Diplomatic Insight, Islamabad, July, 2009.
 Farrukh Sohail Goindi, Foundation for Democracy Pakistan, Lahore, 24 August, 2009.
 Hamidullah Sheikh, nazim Jama'at-i Tulabah-i 'Arabiyah, Islamabad, 15 July, 2009.
 Prof. Khurshid Ahmad, Senator and vice amir Jama'at-i-Islami, Islamabad, 19 March, 2011.
 Imtiaz Gul, Center for Research & Security Studies (CRSS)/ Deutsche Welle, Islamabad, July, 2009.
 Lt.-Gen. (Rtd.) Talat Masood, Islamabad, 8 April, 2011.
 Maj.-Gen. Jamshed Ayaz Khan, Institute of Regional Studies (IRS), July, 2009.
 M. Ayub Munir, Jama'at-i-Islami, Foreign Affairs Dept., Mansurah, 4 July, 2008.
 Mergi ul huda Siddiqui, vice amir Jama'at-i-Islami, Karachi, 18 June, 2008.
 Muhammad Ilyas Khan, Director Research CII, Islamabad. 31 July, 2009.
 Maulana Muhammad Khan Shirani, Senator (JUI-F), Chair CII, Islamabad, 17 July, 2009.
 M. Enver Baig, Senator (PPP), Islamabad, 31 July, 2009.
 M. Waris Bhatti, Tabligi Jama'at, Islamabad, 14 July, 2009.
 M. Z. Sohail, Director International Relations PTV, Islamabad, 7 August, 2009.
 Shaikh Mehmud, Senior Reporter, Ary One World News TV, Karachi, 20 August, 2009.
 Prof. Dr. Muhammad Yusuf Faruqi, Direktor Shariah Academy, Islamabad, 30 July, 2009.
 Mufti Munib-ur-Rehman, Dar ul-Ulum Naeemia, Karachi, 20 August, 2009.
 Qazi Hussain Ahmad, amir Jama'at-i-Islami, Mansurah, 21 August, 2009.
 Saeed Usmani, Jama'at-i-Islami, Media Dept., Karachi, 19 August, 2009.
 Prof. Dr. Safir Akhtar, Institute of Policy Studies, Islamabad, 20 July, 2009.
 Semeen Yusuf Siddiqui, Senator (PML-Q), Islamabad, 30 July, 2009.
 Syed Asif Majeed, Inspector General Police (Rtd.), Deputy High Commissioner to UK (Rtd.), Karachi, August, 2009.
 Syed Hamid Saeed Kazmi, former Minister for Religious Affairs (JUP, PPP), Islamabad, 13 August, 2009.
 Syed Muhammad Ali Shah, The Pakistan Institute of International Affairs, Karachi, April, 2011.
 Pir Syed Zafar Kazmi, Chakwal, 16 July, 2009.
 Syed Hussain Arif Naqvi, shiite scholar, Islamabad, 1 August, 2009.
 Tahira Abdullah, Development worker and HR activist, Islamabad, June, 2011.
 Maulana Syed Shah Turab-ul-Haq Qadri, Jamat-e-Ahl-e-Sunnat, Memnon Masjid, Karachi, 19 August, 2009.
 Maulana Mohammad Ishaq Bhatti, Ahl-e Hadith, Lahore, 22 August, 2009.

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9.3.3 Interview and Conversation Partners

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- Dan Tamir, Yesh Gvul, Tel Aviv.
- Dr. Gilad Nathan, Research Wing Knesset.
- Dr. Shlomo Fischer, Fellow Van Leer Institute/ Founding Director Yesodoth, Jerusalem, 21 June, 2010.
- Dr. Yaacov Yadgar, Bar Ilan-University, Ramat Gan, Tel Aviv, 9 December, 2009.
- Gavriel Merzel, Director Habad-Lubavitch House, Safed, 14 November, 2010.
- Adli Daana, Secretary General International Palestinian Youth League, Hebron, 20 June, 2010.
- Gideon Spiro, Founder Yesh Gvul, Tel Aviv, 11 January, 2010.
- Hagit Ofran, Peace Now, Settlement Watch Team, Gush Etzion Area, 15 November, 2010.
- Iris Margulis, Peace Now/ The Marker-Ha'aretz, Tel Aviv.
- Michal Radoshitzky, Geneva Initiative, Tel Aviv, 14 January, 2010.
- Morris Zilka, former Special Envoy of Jewish Agency, Tel Aviv, 11 January, 2010.
- Moshe Arens (Likud), former Minister of Defense and Foreign Affairs, Tel Aviv, 17 January, 2010.
- MK Rabbi Menachem Eliezer Moses (United Torah Judaism), Knesset, 11 January, 2010.
- MK Yaakov "Kätzele" Katz (Ichud Leumi), Knesset, 12 November, 2010.
- MK Hanna Swaid (Hadash), Knesset, 6 January, 2010.
- MK Ilan Ghilon (Meretz), Knesset, 13 January, 2010.
- MK Sheikh Ibrahim Zarzur (Ra'am-Ta'al), (by phone), 14 January, 2010.
- MK Orit Zuaretz (Kadima), Member Lobby to Increase Tolerance Between the Religious and Secular, Knesset, 21 June, 2010.
- MK Nitzan Horowitz, (Meretz), Telephone Interview, Jerusalem, 13 November, 2010.
- MK Jacob Edery (Kadima), Knesset, 28 December, 2009.
- MK Rabbi Nissim Ze'ev (Shas), Knesset, 4 January, 2010.
- MK Shai Hermesh (Kadima), Knesset, 21 June, 2010.
- MK Avraham Michaeli, (Shas), Knesset, 5 January, 2010.
- Pnina Schreiber, Jewish Agency in Austria, Vienna, 8 March, 2007.
- Prof. Alon Dahan, Hebrew University, Ramat Motza, Jerusalem, 14 November, 2010.
- Prof. Dr. Benjamin Beit-Hallahmi (University of Haifa), Haifa, 4 December, 2009.
- Prof. Dr. David Aberbach, McGill University, Montreal, 18 November, 2009.
- Rabbi David Ben Meir, educator and teacher in Jewish Studies, Settlement of Eli, 10 January, 2010.
- Rabbi Levi Yitzchak Halperin, Head of Institute for Science and Halacha, Jerusalem, 29 December, 2009.
- Rabbi Shmuel Strauss, Educational Director Institute for Science and Halacha, 22 December, 2009.
- Shira Levine, Beit Tefilah Israeli, Tel Aviv, 11 November, 2010.
- Yaakov Margi, Secretary Shas, Knesset, 13 November, 2010.

10 Zusammenfassung (dt.): Systemischer und institutioneller Vergleich Pakistan/ Israel

Pakistan und Israel wurden in der Literatur klassischerweise den *new states/ nations* zugeordnet, nachdem sie 1947 bzw. 1948 schrittweise in die Unabhängigkeit entlassen wurden. Die vorliegende Arbeit hat, unter Berücksichtigung des jeweils spezifischen kolonialen historischen Kontextes¹⁴³², das Element der Fremdherrschaft sowohl in der Selbstwahrnehmung der Staaten als auch im Prozess der Entwicklung einer „indigenen“ Kulturnation zur Sprache gebracht. Territorial-politisch war die Transformation hin zu einem souveränen Staat ein einschneidendes Ereignis und bleibt bis heute auf allen im Projekt untersuchten Vergleichsebenen ein zentraler Bezugsrahmen. Bereits vor der Staatsgründung hatten sich ethnische, religiöse und politische Gegensätze gewaltförmig geäußert und sich unmittelbar nach Staatsgründung in Form von Kriegen fortgesetzt. Im Falle von Pakistan hat sich mit der politischen und konfessionellen Teilung des indischen Subkontinents der pakistanisch-indische Gegensatz etabliert und dauerhaft gefestigt. Dieser vielbeschworene Antagonismus hat sich in der 65-jährigen Geschichte des Landes am deutlichsten in drei Kriegen und weiteren gewaltsamen Auseinandersetzungen sowie der nuklearen Mobilisierung in 1998 und 2001/02 geäußert. Israels Unabhängigkeitserklärung und die starke Polarisierung zwischen Unterstützer-Kräften der ersten Stunde auf der einen, und einem arabisch und nicht-arabischen Block feindlicher muslimischer Staaten hat sich im wesentlichen bis zum heutigen Tage erhalten.¹⁴³³ Der Kashmir-Konflikt als regelmäßig wiederkehrendes Epizentrum des IndoPak-Konflikts ist, ähnlich der Konfliktmenge zwischen Israel und seinen arabischen Nachbarstaaten und dem israelisch-palästinensischem Komplex genuin ein Territorialkonflikt. Im Hinblick auf die untersuchten Aspekte der Staatsideologie beider Länder wurde die steigende Diskursfähigkeit alternativer Deutungsansätze sowie der gesellschaftspolitische Einfluss ihrer Repräsentanten herausgearbeitet. Das markanteste Narrativ bietet hier die genuin religiöse Interpretation des Territoriums, des Staates und der Nation. Beide Staatsgründungen stützten sich auf eine ähnliche Argumentation, wonach die Glaubensgemeinschaft der Muslime auf dem indischen Subkontinent, ähnlich der zionistischen Bewegung mit ihrer Idee eines Judenstaates eine sichere Heimstätte und staatliche Souveränität sowohl als Garant existentieller physischer Sicherheit als auch als Absicherung der eigenen

1432 Die Islamische Republik Pakistan wurde 1947 von der britischen Kolonialmacht in den Dominionstatus entlassen woraufhin bis 1956 mit der Verfassungseinführung die sukzessive staatliche Unabhängigkeit folgte. Israel ging aus dem Mandatsgebiet Palästina unter britischer Administration hervor.

1433 Deutlich muss die Rolle der Friedensabkommen mit Ägypten und Jordanien hervorgehoben werden. Davon abgesehen haben die meisten muslimischen Staaten ihre bilateralen Beziehungen mit Israel entweder auf niedrigstem Niveau konsolidieren können oder beharren auf einer Nichtanerkennung Israels.

wiederentdeckten kulturellen Tradition und ihrer neuen Elemente forderte. Diesem etablierten Narrativ sind die Beiträge neuerer Historiker und Soziologen kontrastiv gegenüberzustellen, da sie z.B. primär wirtschaftliche und politische Eliten als Hauptantriebskräfte hinter der Unabhängigkeit sehen. Deren insbesondere ethnische Zugehörigkeit habe, so das Alternativ-Narrativ, zukünftige Proporz- und Machtverhältnisse eingeleitet und etabliert.

Die Rolle der Religion ist in beiden historischen Ereignissen der Staatsgründung zentral: Die Sakralisierung der Staatsidee, gefördert von der Gründungselite entgegen ihrer z.T. atheistischen Orientierung, sicherte die Unterstützung ehemals kritischer gesellschaftlicher Gruppen und insbesondere der religiösen traditionellen Eliten. Eines der Hauptproblemfelder beider Staaten ist im Spannungsverhältnis zwischen der Statusbestimmung der Religion in Opposition zu säkularer moderner Staatlichkeit zu sehen: Seit der Gründung wird dieser Konflikt am deutlichsten in der verfassungsrechtlichen Auseinandersetzung zwischen religiöser und säkularer Interpretation. Die religiöse Legitimation des Staates und ihre ideologische Integration wurde zur Arena eines Kulturkampfes, in der sich religiöse Parteien und Gruppen auf die Religion als Staatsreligion berufen und die Übereinstimmung staatlicher Gesetze mit den Prinzipien von Qur'an und Sunna bzw. der Torah fordern. Genauso trägt der Status der Verfassung maßgeblich zum „theologischen Dilemma“ beider Staaten bei. Verhandlungen über eine Verhältnisbestimmung der Religion in der Verfassung scheiterten angesichts der klaffenden Abweichungen zwischen säkularen und religiösen Entwürfen, die u.a. die Gottessouveränität einschlossen, bereits im Vorfeld der Staatsgründung. Israel verfügt über keine schriftlich fixierte Verfassung, einzelne Basic Laws sollen den Rahmen für eine spätere Ausarbeitung der Verfassung bilden. In Pakistan verlief der Kampf um eine demokratische Verfassung parallel zum politischen Machtkampf zwischen aufeinander folgenden Militärregimes und Versuchen der politischen Führung, ihre Autonomie zu wahren. Eigene Einrichtungen wachen in beiden Ländern über die Übereinstimmung staatlicher Gesetzgebung mit religiösem Recht und versuchen die Anforderungen des modernen öffentlichen Lebens mit den religiösen traditionellen Anforderungen zu harmonisieren. Innerhalb dieser staatlichen Institutionen macht sich seit den 1980er Jahren vermehrt ein sektiererischer Konflikt um die Partizipation unterschiedlicher Strömungen und die Deutungshoheit über die Rolle der Religion im Staat bemerkbar. Die Unterteilung des Rechtswesens in konkurrierende säkulare¹⁴³⁴ und religiöse Gerichtsbarkeiten erweist sich vor allem in Personenstandsfragen als problematisch und birgt ein steigendes gesellschaftliches Konfliktpotential.

1434Hier bietet bis heute gleichermaßen die angelsächsische Rechtstradition den Rahmen des Zivilrechts.

Allgemein macht sich im Hinblick auf die Rolle und den Einfluss von Religion in Gesellschaft und Politik eine deutliche Abweichung bemerkbar: Während in der pakistanischen Öffentlichkeit die klassische Trennlinie zwischen dem Religiösen und dem Säkularen bereits vor der Gründung an der Überbetonung des Islam als zentraler Grundstein des pakistanischen Nationalismus an Schärfe verlor und durch innere und äußere Einflüsse spätestens seit den 1980er Jahren ein gesellschaftlicher Wandel hin zu einem öffentlichen religiösen Konservativismus erfolgte, weist Israel eine entgegengesetzte Entwicklung auf. Entgegen der fundamentalen Kritik am Säkularisierungsparadigma deutet der Querschnitt der verfügbaren Erhebungen an, dass sich eine deutliche Mehrheit der israelischen Gesellschaft nach ihrem Eigenverständnis als säkulare Juden sieht, welche zwar an kulturellen jüdischen Normen festhalten mag, jedoch eine öffentliche Rolle der Religion ablehnt. Allgemein weisen beide hochkomplexen Gesellschaften religiöse, ethnische und politische Fragmentierungen auf, welche Desintegration begünstigt. Trotz, oder gerade aufgrund staatlicher Integrationsbemühungen und ihrer Erstarrung in ideologischen Pfadabhängigkeiten, welche sich zunehmend immun gegen eine Anpassung an aktuelle Entwicklungen erweisen, werden die immanenten Interessengegensätze zunehmend über die Identitätspolitik alternativer nicht-staatlicher Anbieter und ihre Narrative artikuliert.

In den institutionellen Rahmenbedingungen des modernen Staates liegen die Hauptunterschiede zwischen beiden Ländern: Pakistan weist eine der am schnellsten wachsenden und jüngsten Bevölkerungen der Welt auf mit derzeit rund 180 Millionen Menschen. Derzeit ist noch immer fraglich, ob sich die demokratisch legitimierte zivile Regierung bis zu den Wahlen im nächsten Jahr halten kann und damit als erste Regierung des Landes eine volle Legislaturperiode regieren wird. Politische Instabilität durch Militärinterventionen und Legitimationsdefizite der politisch-zivilen Elite ist in Pakistan endemisch. Starke Institutionen sind das Militär, die Zivilbürokratie sowie die landbesitzenden Feudaleliten. Dagegen verfügt Israel über eine Bevölkerung von knapp acht Millionen Einwohnern und hat trotz der starken Stellung des Militärs, welches vermehrt zu einem politischen und wirtschaftlichen Entscheidungsträger sowie gesellschaftlich zur Schule der Nation wurde, die Autonomie der politisch-zivilen Machtsphäre gewahrt. Die „Geburt im Krieg“, die anhaltende sicherheitspolitische Bedrohungslage und die staatliche Militarisierung (security state) sowie die Wehrhaftigkeit von Institutionen und Gesellschaft (securitization) weisen zudem signifikante Parallelen auf.