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JINNAH

HIS SUCCESSES, FAILURES AND ROLE IN HISTORY

ISHTIAQ AHMED

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Mohammad Ali Jinnah has been both celebrated and reviled for his role in the Partition of India, and the controversies surrounding his actions have only increased since his death. Ishtiaq Ahmed places Jinnah's actions under intense scrutiny to ascertain the Quaid-i-Azam's successes and failures, and the meaning and significance of his legacy. Using a wealth of contemporary records and archival material, he traces Jinnah's journey from an Indian nationalist to a Muslim communitarian, and then from a Muslim nationalist to, finally, Pakistan's all-powerful head of state. How did the ambassador of Hindu Muslim unity become the inflexible votary of the two-nation theory? Did Jinnah envision Pakistan as a theocratic state? What was federalism? Asking these crucial questions his position on Mahatma Gandhi and against the backdrop of the turbulent struggle against British colonialism, *Jinnah* is a path-breaking examination of one of the most controversial figures of the twentieth century.

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I dedicate this book to all those who inspired me and taught me to ask critical questions, seek answers and dare to share them. It is in this spirit of inquiry that the political career of Mohammad Ali Jinnah is examined in detail.

IQBAL FORUM

Contents

List of Abbreviations ix
Acknowledgements xi
Author's Note xix

1. Jinnah's Role in History: A Scheme of Analysis 1
2. Jinnah as an Indian Nationalist 31
3. Joining the Indian National Congress 47
4. Jinnah as a Muslim Communitarian 79
5. Jinnah's Communitarian Forays 85
6. The Two-Nation Theory: Jinnah Drifts towards Muslim Nationalism 116
7. The Congress Ministries and Jinnah's Reaction 160
8. Jinnah Embraces the Politics of Othering and Polarization 200
9. Building Momentum (26 March 1940 to July 1942) 231
10. The Quit India Movement: A Blunder Jinnah Used to His Advantage 259
11. Jinnah's Relentless Election Campaign for Partition and Pakistan 295
12. The Cabinet Mission Plan and Jinnah 329

IQBAL FORUM

13. British Efforts to Salvage the Cabinet Mission Plan 372
14. The British Decision to Partition India 413
15. Jinnah as the All-Powerful Head of a Muslim State 460
16. Jinnah's 11 August 1947 Speech 483
17. Governor-General Jinnah's Other Speeches, Statements and Messages 505
18. Jinnah's Prerogatives as the All-Powerful Head of State 564
19. The Liaquat Interlude 607
20. Jinnah's Pakistan: An Overview 641
21. Analysis and Conclusion 693

Bibliography 743
Copyright Acknowledgements 771
Index 773

IQBAL FORUM

List of Abbreviations

ADC	Aide-de-camp
AIKC	All-India Kashmir Committee
AIML	All-India Muslim League
BJP	Bharatiya Janata Party
C.-in-C.	Commander-in-Chief
CA	Constituent Assembly
CPEC	China–Pakistan Economic Corridor
CPI	Communist Party of India
DIR	Department of Islamic Reconstruction
GHQ	General Headquarters
HMG	His Majesty's Government
HRCP	Human Rights Commission of Pakistan
INA	Indian National Army
INC	Indian National Congress, Congress Party, the Congress
JUH	Jamiat Ulema-e-Hind
MQM	Muttahida Quami Mahaz
NWFP	North-West Frontier Province (now known as Khyber Pakhtunkhwa)
PBF	Punjab Boundary Force
PBUH	Peace be upon him
PPP	Pakistan People's Party
PTI	Pakistan Tehreek-e-Insaf
PUP	Punjab Unionist Party

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RSS	Rashtriya Swayamsevak Sangh
SAARC	South Asian Association for Regional Cooperation
SGPC	Shiromani Gurdwara Parbandhak Committee
UP	United Provinces

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Conventionally, an author expresses his debt to the publishers and editors of a book at the end of a book, but in this case, I want to start with a few words of gratitude towards them.

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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9 September 2019

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Author's Note



This is a study of an extraordinary individual, a natural-born leader, Mohammad Ali Jinnah, whose mark on the history and politics of the Indian subcontinent is indelible—for good and bad, depending on the perspective from which you approach his role. Born into the minuscule sect of Khoja Aga Khani Shias, his chances of becoming a leader who would leave a decisive impact on the history and geography of the subcontinent were one in a million; but he did. Poised against him were men of lofty calibre: Mahatma Gandhi, Jawaharlal Nehru, Sardar Patel and Maulana Azad, to name just a few of the very top rank; however, he outwitted and outmanoeuvred them. Equally, he triumphed over his opponents within the Muslim community, who enjoyed strong regional and religious support. Whether he outwitted the British or whether they held the trump card and used it in what they perceived was their best interest is one of the major questions this book evaluates. The viceroyalties of Lord Linlithgow, Lord Wavell and Lord Mountbatten are examined in some detail and attention is also directed to the influence of Sir Winston Churchill and of the British military.

In any event, in the end, Jinnah won the case for the creation of Pakistan as a separate, sovereign and independent state for two-thirds of the 90 plus million Muslims of undivided India. This was accompanied by the partition of India and of the two Muslim-majority provinces of Bengal and the Punjab, which caused the biggest forced

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migration in history—12–15 million people—and the death of more than a million Hindus, Muslims and Sikhs.

Unlike other works on Jinnah, which focus on high politics and the clash of individuals with the British, we place Jinnah in the thick web of ethnocultural, religious, ideological, economic and security linkages, within which the game of politics was played out. Politics is about power and consists of an interplay between the intended and unintended consequences of the various moves and bids to gain influence and power. Ad hoc tactical moves, strategic long-term moves and a whole lot of chance happenings sometimes weigh heavier and deeper than all the premeditated moves. And a very important point to underline is that politics is not just about what happens publicly but also the action behind the scenes, and that includes the activities of intelligence services, which often follow their own agenda. Such aspects of politics may not be accessible for scrutiny, but any analysis must take note of them.

Did Jinnah succeed because he was the best among his peers and rivals, or because he represented Right against Wrong, Truth against Untruth, or because he was luckier than his rivals? Has his stand on Pakistan been vindicated, or does the evidence contradict that, or at least calls for revisiting his success story? Are there failures in his portfolio which have not been talked about, and if so, what are their consequences? In the ensuing chapters we seek answers to these questions through all stages of Jinnah's fantastic political career.

A very great reliance—conceptually, theoretically and methodologically—is placed on Jinnah's written and spoken words. It is argued that the ideas and arguments which are deployed in politics and which result in political mobilization and become part of mass consciousness acquire a life of their own, which, in turn, becomes an informal social contract binding the leader and his followers to adhere to them. Such a constraint circumscribes the leader's ability to manoeuvre and his ability to dissociate and extricate himself from such a social contract. Therefore, it is pointless asserting that Jinnah meant something other than what he said or actually wanted—even granting that it may be true or at least partially true.

We examine all the main controversies, beginning with the responsibility for repudiating the 1916 Lucknow Pact; the Khilafat movement (1919–24), the Motilal Nehru Report of 1928; Jinnah's

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Fourteen Points, and many more. However, three controversies are especially analysed at great length and in great depth.

Firstly, from 1939, was Jinnah trying to work out a power-sharing deal within a united India because he was against Partition? Is it credible to allege that the Congress wanted Partition and imposed it on Jinnah? We scrutinize whether the relevant speeches and statements of Jinnah pertaining to the Partition controversy have been accurately examined to arrive at a plausible answer to this question.

- A corollary of the Partition controversy is to evaluate that suddenly, on 6 June 1946, when Jinnah accepted the Cabinet Mission Plan while the Congress rejected it, did it point to the fact of his real intention—that the demand for Pakistan was only a clever tactic to extract a deal which gave maximum rights to the Muslim nation of India—or do the facts show something else? We not only examine Jinnah's dealings with the Cabinet Mission delegation, focusing on his written and spoken word, but also in great depth examine the British thinking on the future of India, the Congress stand on the Cabinet Mission Plan and why the Congress rejected it.
- The third controversy is something which has bothered me intellectually and morally ever since I began to direct my academic interest and attention to Pakistan's history. Beginning with my doctoral dissertation on the controversy over the concept of an Islamic state in Pakistan; my twelve-year-long investigation on the partition of the Punjab; and my study of the nature of the Pakistan state which I described as a 'garrison state', I was never comfortable with the argument that Jinnah wanted Pakistan to be a secular–democratic state. Hamza Alavi famously described the demand for Pakistan as a demand for the Muslims of India and not for Islam. Taking their cue from this simplistic formulation, the Pakistan's vocal liberal left has been advancing a range of neo-Marxist arguments to project Jinnah as the champion of a secular Muslim nation state. Doing so has entailed playing havoc with facts and evidence. The selective invocation of primary sources has resulted in the obfuscation of facts and the gross distortion of reality. I dare to question the received wisdom of the Pakistani liberal left and some of its other positions.

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Chapter 1

Jinnah's Role in History: A Scheme of Analysis



The establishment of Pakistan in mid-August 1947 is proverbially attributed to the sterling leadership of Mohammad Ali Jinnah. The British writer Beverley Nichols, who met Jinnah in 1943, described him as 'the most important man in Asia'.[1] The chapter on Jinnah was titled 'Dialogue with a Giant'. The Pakistan government's officially appointed biographer for Jinnah, Hector Bolitho, noted in his introductory chapter that 'Pakistan and India were irrevocably divided, largely through Mohammad Ali Jinnah's imagination and persistence . . .'[2] Jinnah's other famous biographer, Stanley Wolpert, paid him the ultimate tribute in the following words: 'Few individuals significantly alter the course of history. Fewer still modify the map of the world. Hardly anyone can be credited with creating a nation-state. Mohammad Ali Jinnah did all three.'[3] In the Pakistani national narrative, homage paid to him is understandably hagiographical. Founders of religion and founders of a state always enjoy sui generis status among their devotees. One can therefore quote many other lavish remarks extolling Jinnah's extraordinary achievements, but he has his detractors as well who accuse him of being the villain of the piece who bears most responsibility for the bloody partition of India, which claimed more than a million Hindu, Muslim and Sikh lives.[4,5,6,7]

Jinnah had to surmount stiff opposition from the Indian National Congress (hereafter referred to also as the Congress Party, the Congress or the INC), which was then the biggest political party in

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India, a grass-roots mass organization since the 1920s, with branches all over undivided India and long years of political organization and activity. It demanded freedom from British rule in the name of all Indians in a united India.[8] In opposition to it, the All-India Muslim League (hereafter referred to also as the Muslim League, the League or the AIML) demanded separate states for the Muslims in the north-western and north-eastern zones of India, where they constituted a majority, on the grounds that they were a distinct and separate nation and not merely a large minority (one-fourth of the total population of India). It was an elitist party till 1940, which thereafter rapidly acquired popular support and became a mass party by the time the future of India was put to vote in 1945–46.[9]

Although Jinnah won the case for Pakistan, the partition of India and the two Muslim-majority provinces of Bengal and the Punjab resulted in unprecedented violence and rioting, in which more than a million Hindus, Muslims and Sikhs died, and the biggest migration in history, mostly to escape death and injury, took place; some 12–15 million crossed the international border drawn between India and Pakistan.[10]

In the Pakistani nationalist narrative, Jinnah is eulogized as the Man of Destiny, fired by a true love for Islam and Muslims who liberated Muslims from the yoke of Hindu imperialism spearheaded by the Indian National Congress.[11,12,13,14,15,16,17,18,19] Jinnah's two- nation theory, which sharply and irreconcilably dichotomized Hindus and Muslims as two separate nations, is disseminated in Pakistan through the educational curriculum.[20,21,22]

Farooq Ahmad Dar, in his book, *Jinnah's Pakistan: Formation and Challenges of a State*,[23] mentions several occasions when, after the Muslim League moved the Lahore Resolution on 23 March 1940 demanding the creation of separate Muslim states, the Indian National Congress tried to dissuade Jinnah from demanding Pakistan:

1. The first instance was in June 1940, when the Congress president Subhas Chandra Bose offered Jinnah the post of the first prime minister of independent India, but contingent on his withdrawing his demand for the division of India.
2. A few months later, C. Rajagopalachari went even further: he offered the Muslim League not only the right to nominate the prime minister but also the cabinet of their choice.

IQBAL FORUM

3. As late as April 1947, Gandhi was ready to hand over power to Jinnah at the centre with an all-Muslim administration if he gave up his demand of Partition.

Dar then presents Jinnah's steadfast resistance to such overtures in the following words:

> These temptations could not, however, mould the solid man in Jinnah and he stood firm on his stance, which he thought was in the best interests of the Muslims of South Asia. Even when such efforts failed to persuade Jinnah, the Congress leaders continued their efforts to impede the creation of Pakistan till the last day. Yet, they failed to do so.[24]

Dar and others, however, shy away from explaining why Jinnah accepted the 16 May 1946 Cabinet Mission Plan proffered by British ministers to break the deadlock between the Congress and the Muslim League. The Cabinet Mission Plan rejected the Pakistan demand; it recommended instead a loose Indian union with a weak Centre whose constituent federating units were entitled to reconsider their relationship with the Union after ten-year intervals. Additionally, the princely states were required only to cede defence and foreign affairs to the Union while retaining control over all other sectors of society: something which was already the praxis under British paramountcy. The Congress leaders found the Cabinet Mission Plan unacceptable and rejected it.[25]

In sharp contrast to Jinnah being identified as pivotal to the partition of India and the creation of Pakistan, Ayesha Jalal, in *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan* (1985), originally her PhD dissertation, came to the novel conclusion that 'Jinnah sought to be recognised as the sole spokesman of Indian Muslims on the all-India level . . . From the late nineteen-thirties his main concern was the arrangements by which power at the centre was to be shared once the British quit India.'[26] At another place she wrote, 'It was Congress which insisted on partition, it was Jinnah who was against partition.'[27]

In an article 'Between Myth and History', published in the *Dawn* on 23 March 2005,[28] she complained that she has been misunderstood

IQBAL FORUM

as having suggested that Jinnah used the Pakistan demand merely as a pressure tactic. In it she asserts that in her books—*The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan* and *Self and Sovereignty: Individual and Community in South Asian Islam since 1850*—she had delineated an uneasy fit between the claim of Muslim 'nationhood' and the uncertainties and indeterminacies of politics in the late colonial era that led to the attainment of sovereign 'statehood'.[29]

Jalal refers to the 1940 Lahore Resolution, which, she argues, avoided any 'mention of "partition" or "Pakistan", while calling for the 'grouping of the Muslim-majority provinces in north-western and north-eastern India into "Independent States", in which the constituent units would be "autonomous and sovereign"'.

Does avoiding any mention of 'partition' or 'Pakistan' while calling for 'Independent States' in which the constituent units would be 'autonomous and sovereign' warrant that it did not mean demanding Partition and Pakistan? In the conclusion she underscores: 'It was Congress's unwillingness to countenance an equitable power-sharing arrangement with the Muslim League which resulted in the creation of a sovereign Pakistan based on the partition of Punjab and Bengal along ostensibly religious lines.'

Regarding the contents and empirical material in *The Sole Spokesman*,[30] it is to be underlined that it includes accounts of many events and episodes demonstrating Jinnah's indefatigable efforts to surmount challenges to his leadership from powerful regional leaders to be the sole spokesman of Muslims. It also abundantly demonstrates Jinnah's strategy to work hand in glove with the British to mount a challenge to the Congress claim to represent all Indians. Was it, as she argues, to work out a power-sharing deal with the Indian National Congress and the British? If yes, then that is not evident from the hundreds of speeches, statements and messages in which Jinnah explained repeatedly that he wanted a partition of India to create Muslim states. I give here in the beginning only one example. The Lahore session of the AIML ended on 25 March 1940. The same day Jinnah gave a press conference in which he said unambiguously:

> The declaration of our goal which we have definitely laid down, of the division of India, is in my opinion a landmark in

IQBAL FORUM

> the future history of the Mussalmans of India . . . I thoroughly believe that the idea of one united India is a dream. Given goodwill and a friendly understanding, Muslim India and Hindu India can live as most friendly neighbours free from clashes and friction to their respective spheres and peacefully develop the government of their States to their own satisfaction respectively.[31]

Jinnah also dismissed repeatedly as nonsense that he was using the demand for Pakistan as a bargaining chip. Again, at this preliminary stage, I give one example.

Speaking to the Delhi Muslim Students' Federation on 23 November 1940, Jinnah angrily dismissed any suggestion that he or the League were using the demand for Pakistan as a bargaining tactic. He remarked:

> The Hindus must give up their dream of a Hindu 'Raj' and agree to divide India into Hindu homeland and Muslim homeland. Today we are prepared to take only one-fourth of India and leave three-fourth to them. 'Pakistan' was our goal today, for which the Muslims of India will live for and if necessary die for. It is not a counter for bargaining.[32]

These are only two examples of hundreds of others as we will learn. In the bibliography of *The Sole Spokesman*, Jalal has included M. Rafique Afzal's collection of Jinnah's speeches and statements during 1911–34 and from 1947–48; but references to, or the direct citing of, the hundreds of speeches, statements and messages that Jinnah made during the crucial period of 1940–46, when he campaigned relentlessly for the Partition to create Pakistan, are absent. Jinnah, of course, never wrote a book, not even a pamphlet or extended article. However, his speeches, statements and messages on the two-nation theory and demand for Pakistan are available and easily accessible.

We shall examine Jinnah's speeches, statements and messages in a systematic, chronological manner to ascertain his position on power-sharing, Partition and Pakistan. It is interesting to note that a journalistic version blaming the Congress for the Partition was propounded in the late 1960s and popularized in the 1970s by Pakistani Maoists. The

IQBAL FORUM

background is a curious mix of revisionist thinking and theorizing on the part of Pakistani communists and their relationship with the Pakistani state. Ironically, the Communist Party of India (CPI) had taken the stand in 1942 that wherever economically backward and underdeveloped nationalities were in a majority, they could exercise their right of self-determination to establish separate states. Muslims, Sikhs and other groups were described as nationalities. The Muslim nationality, which was in a majority in the north-western and north-eastern zones of India, was entitled to the right of self-determination and therefore Pakistan.[33] Yet, that Muslims were a nationality contradicted the huge corpus of writings of Karl Marx, Friedrich Engels, Joseph Stalin and even Leon Trotsky on the national question, because all of them rejected religion but emphasized language and shared homeland as the basis of nationality and nationalism.

In any event, after Pakistan came into being, the Pakistani communists, from the very onset, were treated as a pariah group. Jinnah was on the record warning the communists not to join the Muslim League with a view to subverting its Islamic ideology, and after Pakistan came into being he and other Muslim League leaders were determined to ally Pakistan with the West, especially the United States. They projected Pakistan as an ideological Muslim state committed to acting as the front-line state to prevent the spread of Soviet communism. In 1951, some ultranationalist military officers and top leaders of the Communist Party of Pakistan were arrested on charges of plotting to overthrow the Pakistan government. Evidence shows that a meeting did take place between the military officers and some communists, but the latter had withdrawn. The conspiracy was foiled. The alleged plotters were arrested, tried and punished with imprisonment and fines. In 1954, the Communist Party of Pakistan was banned on the grounds that it was a fifth column involved in a sinister conspiracy to break up Pakistan.[34]

However, in the early 1960s, relations between the USSR and China turned unfriendly, even hostile, resulting in a split in the international communist movement. In Pakistan, the communists polarized into pro-Moscow and pro-Beijing parties and factions. In 1962, the Sino-India border war took place, and China and India became enemies. Since the Nehru government had good relations with the Soviet Union, the balance-of-power logic drew Pakistan and

IQBAL FORUM

China towards one another. Pakistani foreign minister, Zulfikar Ali Bhutto, played the key role in orientating Pakistan towards China. In 1967, Bhutto founded the Pakistan People's Party (PPP), which, after the break-up of Pakistan in 1971, came to power, limited to the western wing of the country.

For the first time, Pakistan had a government in power which was friendly with a communist regime and sought its support to assert itself vis-à-vis India. Bhutto flirted with Islamic socialism while Maoist literature was allowed to be freely distributed in Pakistan. It provided pro-Beijing communists the breathing space and freedom to start propagating the idea of a peasant revolution. Simultaneously they sought acceptance and respectability from the Pakistani establishment by joining the anti-India refrain. While the Soviet Union was denounced as revisionist and social imperialist, China was proclaimed as the centre of world revolution, with Mao Zedong's thought as the bible of peasant revolution. Some pro-Beijing leftists decided to work from within the PPP, while others founded Maoist parties and organizations.[35]

Such political and ideological posturing was not enough to establish a distinct profile. A 'Marxist' argument was needed to undergird and legitimize the partition of India as the outcome of class antagonisms between those supporting the Indian National Congress and those supporting the Muslim League. It was argued that the Congress Party represented big monopoly capitalism or big bourgeoisie, while the Muslim League was the party of the rising Muslim bourgeoisie unwilling to submit to the domination of the big bourgeoisie and, hence, of the Congress Party. The big bourgeoisie therefore made the Congress Party go for Partition rather than allow autonomy to the rising Muslim bourgeoisie to grow in a loose Indian federation.

Proceeding along such lines, the Congress, as the political front of the non-Muslim monopoly capitalists, is held to be responsible for the partition of India. Such arguments and theses, with some variation, were advanced by journalists, columnists and Maoist leaders. They were not trained researchers or scholars. Since they were setting forth a political stand, they unsurprisingly took liberties with facts and highlighted those that suited their purpose. Among them, Zahid

IQBAL FORUM

Chaudhry devoted a great deal of his time and effort advancing such a thesis citing and quoting source material selectively.[36]

Now, the general approach of historians and biographers of Jinnah has been to formulate their theses in terms of Jinnah versus Gandhi and Nehru, with the British as arbiters in the middle allegedly favouring either Jinnah or Gandhi and Nehru. A dissenting point of view was expressed by Wali Khan in his *Facts Are Facts*,[37] in which he alleged that the British used Jinnah to defeat the freedom movement led by the Congress. However, the book lacks references and some of the claims are questionable. Jinnah is also criticized from an Islamic point of view by some Pakistani Muslims. Noor Muhammad Qureshi's book *Tu Sahib-e-Manzil Hai Ya Bhatka Hua Musafir* (Are You a Man of Destiny or a Traveller Gone Astray)[38] attacks Jinnah for adopting policies inimical to the unity of Indian Muslims. The partition of India is deplored as the partition of Muslims, and Jinnah is blamed for it.

Yuvraj Krishan's *Partition and Pakistan—Jinnah: The Founder; British: The Architects*[39] highlights the cooperation between Jinnah and the British from the time of the Cripps Mission of 1942. When I met the author in 2014, I pointed out to him that the British had indeed been considering Partition since Cripps, but the decision to partition India did not date from the memorandum of 11 May 1946 of General (promoted to Field Marshal on 1 June 1946) Sir Claude Auchinleck, as Krishan suggests.[40] On the contrary, Auchinleck had concluded that Pakistan should not be created because it would entail the splitting of the Indian Army and thus render South Asia vulnerable to a Soviet invasion.[41,42] I shall be demonstrating later in the book that from the literature available in the public sphere it seems that after considerable prevarication the British military changed its policy conclusively in favour of Partition only as late as spring 1947. A host of other writers have, in recent years, shed light on British moves which set in motion processes which led to Partition.[43,44,45,46]

However, Narendra Singh Sarila's *The Shadow of the Great Game: The Untold Story of India's Partition*,[47] has gained most attention in India and Pakistan. The author was ADC (aide-de-camp) of the last viceroy Lord Mountbatten, and that provides him distinct advantage in putting things in perspective. He asserts that a grand plan hatched by Churchill and the British establishment existed since the start of World War II to stonewall all attempts to keep India

IQBAL FORUM

united on the basis of the terms of the Congress Party. However, as we shall see, there is evidence about British thinking along such lines going back much further, with Churchill as the chief protagonist of a divided India, with Pakistan calculated to serve imperial interests more faithfully in containing the Soviet Union.

Walter Reid advances the thesis in his book *Keeping the Jewel in the Crown: The British Betrayal of India*[48] that the British were never at any stage willing to let go of India, but were forced by the shattering impact of World War II to abandon it. He confirms what I had heard from several well-informed people in Pakistan that British intelligence burnt and destroyed a huge corpus of secret documents about its activities in India before power was transferred to India and Pakistan.[49] That means we are dependent on those declassified documents the former paramount power has made public to know British policy on India. A lot of secret meetings happened behind closed doors. Both Reid and French confirm that when Lord Wavell became viceroy in 1943, he learnt that Britain was hoping to remain in India for another thirty years at least.[50,51]

British obsession existed since the 1830s, much before it had become the paramount power in the subcontinent, about a Russian advance towards South Asia. It was greatly aggravated after 1917, when Russia became the Soviet Union. However, as Sarila underlines, the shattering impact of World War II rendered it well-nigh impossible for Britain to retain India. Extreme pressure from the United States on Britain to grant freedom to India as a united (single) state proved too overwhelming for Churchill and other arch imperialists to hold on to India. The Americans were looking for a new world order based on their doctrine of free markets, and colonial monopoly stood in the way of that order. The British did finally let go of India but only after it had been partitioned to create India and Pakistan.[52,53,54]

In my two recent books, *The Punjab Bloodied, Partitioned and Cleansed: Unravelling the 1947 Tragedy through Secret British Reports and First-Person Accounts* (2017)[55] and *Pakistan: The Garrison State—Origins, Evolution, Consequences, 1947–2011* (2013),[56] I have provided ample evidence of conflicting views prevalent in the British military establishment on the question of Partition and the creation of Pakistan, but finally the view that the creation of Pakistan was in British interest prevailed. I have also provided evidence which

IQBAL FORUM

suggests that British intelligence was involved in clandestine activities during the Partition riots in the Punjab, which top British civil servants such as Governor Sir Evan Jenkins were probably not informed about. Intelligence services act like the state-within-the-state, and that is not surprising.

At any rate, much to Jinnah's chagrin, he got a smaller, 'moth-eaten Pakistan'. Since his demise on 11 September 1948, an unending controversy rages in Pakistan about the type of state Jinnah wanted. The debate has crystallized into three main standpoints. One, that Jinnah wanted Pakistan to be a modern nation state of Muslims treating minorities generously and fairly. Two, that Jinnah wanted Pakistan to be an ideal Islamic state. And, three, that Jinnah wanted Pakistan to be a secular, democratic state with equal rights for all Pakistanis. Such confusion derives from the fact that Jinnah can be quoted supporting the first position most often; the second position was ventilated but in vague ways, beginning with tacit consent to the use of Islamist rhetoric by some ulema in the by-elections in the United Provinces (UP) in 1938 and later as a master stroke during the 1945–46 election campaign, when, while he publicly maintained a vague modernist stance on Pakistan, he let the powerful Barelvi ulema and pirs (spiritual divines) and dissenting Deobandis whip up mass hysteria in favour of the pristine state of Medina of the seventh century. Also, in secret deals with powerful clerics he gave assurances that Islamic law, the sharia, will be the supreme law of Pakistan. As for his third position, the one and only example of a secular state model can be found in his speech of 11 August 1947, which, I shall demonstrate, was relegated to insignificance by him and his close associates as soon as he had delivered it.

One of the core arguments of my book is that since Pakistan was claimed in the name of Muslims as a separate nation, the relationship between Islam and the state was inextricably linked and became an organic part of the ideological foundation of Pakistan. Pakistan could be either a modern type of Muslim nation state or a fundamentalist Islamic state—both positions privileging Muslims as the primary nation, but not a secular–democratic state. The ideological thrust of the two-nation theory and its popular form of Muslim nationalism was the antithesis of secularism. This will be demonstrated at length during the course of the book.

IQBAL FORUM

What was not discussed was how a state privileging Muslims would affect the rights of the different sects and sub-sects constituting the historically evolved Muslim community of India, which the British census reports had objectified as one community, and which Jinnah adopted to argue that the large Indian Muslim community was not simply a minority but a distinct and separate nation. Of course, concerns were raised by Shias and Ahmadis and other minor sects, but in the political triangle which constituted the contest over the future of India, they were marginalized. So were Christians, Dalits (before Partition, called 'the untouchables', but less offensively as the 'Scheduled Castes') and other minority groups. On the other hand, the hundreds of rulers of princely states and the Sikhs of the Punjab, who constituted a minority of less than 2 per cent of the total Indian population and 13–14 per cent of the population of the Punjab province, respectively, acquired a key role in the negotiations and concomitant struggles over the future of India. However, the core triangle was constituted by the Indian National Congress, the All-India Muslim League and the paramount power, Great Britain.

Jinnah's principal adversaries wrote prolifically, Gandhi and Nehru in English and Abul Kalam Azad in Urdu. Jinnah never wrote a book, not even an extended article. His speeches, statements and messages are polemical and composed in the form of responses and rejoinders: in the typical form of the briefs lawyers prepare to argue their case. In this regard, two speeches of Jinnah are of special interest. The first speech is his presidential address delivered in Lahore on 22 March 1940—one day before the Lahore Resolution set forth the demand for Muslim states in regions where they constituted a contiguous majority. In the presidential address, Jinnah at length presented his two-nation theory, describing Hindus and Muslims as not simply two religious communities but two political nations who, under no circumstance, could merge and constitute a cohesive and united nation. Upon such a premise, he launched the campaign for Pakistan with unprecedented vigour and tenacity, which in seven years achieved its goal. Veteran educationist and national professor Sharif Al-Mujahid has described Jinnah's two-nation theory as a paradigm shift in Muslim separatism from a minority seeking constitutional safeguards to a nation seeking a separate state. By paradigm shift, Al-Mujahid means that not only Jinnah but also his close associates and

IQBAL FORUM

Muslims in general became enthusiastic supporters of the Pakistan idea. Both Muslim modernists and Islamists invoke that speech to justify their stands that the Pakistani state ideology should be consonant with Muslim nationalism.[57]

Jinnah delivered the second speech on 11 August 1947, three days before Pakistan came into being, to the Pakistan Constituent Assembly. In that speech, Jinnah spoke of Hindus and Muslims being equal citizens of Pakistan. A preliminary review of primary sources suggests that follow-up speeches or statements comparable to how he backed up his speech of 22 March 1940 are not to be found. Nevertheless, Pakistani secularists latch on to it to assert that since Jinnah was speaking as the president-elect of the Pakistan Constituent Assembly, the speech was his covenant for a secular Pakistan. The bottom line is that Pakistan was won for Muslims and not Islam.[58] On the other hand, mainstream Muslim modernists assert that the Jinnah speech was consistent with the ideal Islamic/Muslim polity rendering perfect justice to all and by no means its abandonment in favour of a secular state.[59]

The two speeches differ vastly from one another and were made in two vastly different contexts. Some people argue that the communalist two-nation theory was crucial and imperative for Jinnah to win the Pakistan case. Once that objective had been achieved, he discarded it in favour of a secular one-nation theory based on equal and inclusive Pakistani nationalism. Superficially, such reasoning makes sense, but only at that level.

What is intriguing is that if the second speech was purported to displace the former and set in motion a second paradigm shift—one based on a one-nation formula deriving from secular, territorial nationalism—then it has been a failure. On the contrary, constitutional and legal developments in Pakistan reflect an unequivocal adherence to Muslim nationalism as the overarching ideological framework for describing and defining the rights of Pakistanis. Over the years, constitutional changes have widened—not narrowed—cleavages between Muslim and non-Muslim Pakistanis. Even more intriguingly, Muslim Pakistanis who constitute the vast majority of the Pakistani population have not been able to consolidate as a compact, cohesive and coherent nation. Sectarian tensions between the 85 per cent Sunni majority and the 10–15 per cent Shia minority, compounded

IQBAL FORUM

by separatist conflicts between the linguistic nationalities, have manifestly become endemic to Pakistan politics.[60,61,62]

One needs to find out why the second speech, if it was meant to replace the first one, could not actually displace the first speech. Is it possible that the first speech of 22 March 1940 and the subsequent pleading of it over the years was a brief which won, figuratively speaking, in a court constituted by the British as the final court of appeal, while the second speech made ostensibly on behalf of Pakistanis (all-inclusive) was lost in a court constituted by the Muslim nation who previously were plaintiffs but were now the judges? Of course, the second brief must be scrutinized systematically to establish whether it was meant to displace the first brief, or if it was merely a speech made on the spur of the moment before a miscellaneous gathering of foreign guests and Pakistanis. The background was the massive attacks on the Muslims of eastern Punjab, where they were in a minority, which in turn were a reaction to the attacks on Hindus and Sikhs in the Muslim-majority western Punjab, beginning with March 1947. Were such attacks to spread to the rest of the country and would Pakistan be crushed under the influx of 35 million Muslims from other parts of India? Such a dire prospect was hanging like the sword of Damocles over Pakistan, which the fledgling country was, then, in no position to absorb and which Jinnah wanted to prevent at all costs as it would inevitably lead to a collapse of Pakistan if it transpired. For that not to happen it was important to signal to the Indian government that Pakistan would not expel Hindus and Sikhs so that India would not force Muslims out of India.

Even if, for the sake of argument, we assume that Jinnah, having achieved Pakistan, now wanted it to be a secular state, his stature and charisma did not suffice to cause a paradigm shift from the divisive discourse of the two-nation theory to the inclusive notion of a territorial Pakistani nation. This time, the court, figuratively speaking, before which Jinnah presented this brief, were Pakistani Muslims. There is no evidence that his close disciples or the public showed any interest in such an idea. Also, no follow-up speech or statement is available of Jinnah backing up the idea of a secular Pakistan. As we shall learn later, immediately afterwards, he went back to the idea of an ideal Muslim state. He did, however, speak on several occasions about

IQBAL FORUM

non-Muslims being treated in accordance with the lofty standards of tolerance set by Islam. For example, the Muslim League mouthpiece *Dawn* of 15 August 1947 on its front headline writes, 'Quaid-i-Azam assures minorities of Islamic tolerance and regard'.

It must be pointed out that while these two speeches in their wording and reasoning constitute apparently contrasting ideas of nations and citizens, Jinnah did not deliver a third speech of the same stature prescribing categorically an Islamic state based on the comprehensive application of Islamic law. On the other hand, on innumerable occasions he invoked the Quran, Prophet Muhammad (PBUH) and sharia, occasionally even as binding sources for defining the identity of Pakistan and its ideological and political distinctiveness. In some speeches Pakistan is described as an Islamic state. While saying all this, he would simultaneously debunk suggestions that Pakistan will be a theocracy, insisting it would be a Muslim democracy. Such rhetoric went to the heart of many Muslims and animated Barelvi ulema, pirs and other conservative Muslims to imagine Pakistan as the resuscitation of the pristine state of Medina.

The puzzle this study seeks to solve

In the light of the above discussion, this study seeks to solve a puzzle: Mohammad Ali Jinnah succeeded, apparently against all odds, in mobilizing Indian Muslims to support his demand for the partition of India to create Pakistan; but once Pakistan came into being, Pakistani Muslims have interminably disputed Jinnah's vision of the state and nation.

A preliminary solution of the puzzle is that Jinnah's main and only mission was to bring about, at all costs, the partition of India. He set forth the two-nation theory dichotomizing Hindus and Muslims as two discrete, hostile nations. Muslim nationalism became the hallmark of his separatist politics, and he resorted to all sorts of populist arguments and political manoeuvres to win the case for Pakistan in the face of stiff opposition from a host of opponents, among whom the most inveterate opponent was the Indian National Congress, while the final arbiter over the future of India were the British. On the other hand, for the Pakistan that finally emerged in mid-August 1947, he had no consistent idea or vision.

IQBAL FORUM

However, since he had demanded and won Pakistan on the grounds that Indian Muslims were not a large minority but a discrete and distinct nation with their own sense of history, law and state, such arguments became the foundational ideology of Pakistan, notwithstanding evidence that Jinnah was neither a proponent of a secular–democratic state nor of a medieval type of Islamic state.

The foundational ideology became inevitably and essentially the framework within which the Constitution and law-making, especially the rights of citizens, had to be addressed. However, neither historically nor contemporaneously were Muslims a homogeneous religious community; rather their differences and disputes over belief, theology and law were deep, bitter and divisive. Those disputes and controversies came to haunt Pakistan, inevitably bringing repercussions for its domestic and external politics and policies.

Theorizing the role of the individual in history

The Scottish thinker Thomas Carlyle set forth the most powerful theory about the centrality of leadership to bring about path-breaking social and political change and transformation. His book *On Heroes, Hero Worship, and the Heroic in History* (2012) is about great men and their amazing achievements and contributions. For him, history was nothing but the biography of such men. He especially highlighted the role of Prophet Muhammad, (PBUH) as not only the founder of a religion but as a great social reformer: the ultimate example of his theory.[63] Equally, he praised Oliver Cromwell and Napoleon as outstanding military generals and harbingers of change by their sheer iron will and courage.[64] While emphasizing the decisive role of individuals, Carlyle was not oblivious to the objective conditions in which the heroes won their causes and achieved glory.

However, Carlyle did not consider great men to be flawless. Their greatness lay not in their moral perfection but in their boundless energy, which enabled them to surmount apparently insurmountable obstacles. By taking such a position Carlyle could account for the contradictions that existed in the behaviour of his heroes. Although he was sympathetic in his understanding of the role of Prophet Muhammad (PBUH), he nevertheless saw in him a human being motivated by an ambition to power, albeit power to do good, as he understood

IQBAL FORUM

his calling. In his scheme Jesus probably was the founder of only a religion without any manifest political ambitions. The Muslim view of the Prophet (PBUH) is that he was an ideal man capable of dealing with all types of situations and therefore gaining and using power was perfectly in consonance with his role as the military and political leader of the nascent Muslim community he founded.

We are interested in Carlyle's theory of heroes applicable in a restrictive sense: to profane individuals such as leaders of nationalist movements, founders of states and ideologies and so on. Leaders must have personal appeal, a strong willpower and the determination and willingness to gamble and take risks.

In this regard, Machiavelli's advice in *The Prince*[65] to use all means and methods needed to achieve the goal of a strong state and a consolidated nation can be considered an extreme position on the natural trait of a leader to command obedience from the masses. Such a trait can be used typically when anxiety and fears about an uncertain future are generated because a colonial power which guaranteed the status quo is perceived to be giving up. The true or real leader of Machiavelli is one who is not motivated by metaphysical moral concerns but by modern concerns to establish a state for a people he has convinced would otherwise be exposed to anarchy, chaos, insecurity and domination by aliens. One can argue that the two main rivals of Jinnah, Gandhi and Nehru, too, were doing the same. They wanted their leadership and their idea of the state and nation to be the basis of the nation state to be founded after the British left. Did Jinnah outwit and outmanoeuvre Gandhi and Nehru in the Machiavellian sense of leadership? This can only be established plausibly by including the British who held the trump card in the game over the future of India.

The historian Sikandar Hayat has undertaken an ambitious study of Jinnah's personality and contribution in his book *The Charismatic Leader: Quaid-i-Azam Mohammad Ali Jinnah and the Creation of Pakistan*.[66] He draws upon the German social scientist Max Weber's theory of charisma and authority to explain Jinnah's role in history. He informs that Weber had two perspectives on charisma and the charismatic leader. The first one was anti-modern and anti-rational. The second perspective refers to the leader's efforts to harmonize the mystical and irrational nature of charisma with rationalized and organized mass

IQBAL FORUM

politics of the modern age. Material benefits, rather than emotional and metaphysical goals and objectives, attract people to a leader whose views they accept and obey. In order to obtain their support, the charismatic leader must demonstrate that he is personally incorruptible, responsible and has the wisdom to do things with a sense of proportion. Thus, a rational basis for support and loyalty is added to the mystical hold the charismatic leader exercises over others because of his attractive personality. In such conditions, politics becomes a rational pursuit of power, and the leader can be the harbinger of political modernization and change.[67] Hayat analyses Jinnah's role in the light of the second perspective and concludes that because of his charisma the founder of Pakistan was pivotal to the emergence of Pakistan.

Now, charisma as a personal attribute of an individual is no doubt important and is part of the factors that make the personality appealing. But it is important to probe the point at which Jinnah won the leadership of the Muslims. He started as a local politician and his rise to the top, though phenomenal, was the product of a protracted uphill task. That is testimony to his leadership qualities and charisma, but the context and circumstances in which he achieved recognition and power need to be brought in the picture. It is generally acknowledged that he rose to the top and became the sole spokesman of Muslims only from 1937 onwards and consolidated his position from early 1940 onwards. Once Pakistan came into being, Jinnah could exercise near-total power as a unique prerogative: for good and bad. That must be the pinnacle of his charisma. After his death, his personality and role in history and politics became the subject of unending controversy, where fact and fiction were freely mixed to project him as a saint or nearly someone who could not commit an error, or, alternatively, as the man who schemed and masterminded the break-up of India. What has been forgotten or emphasized less strongly and systematically has been that the British had the last word on the future of India, whether it would remain a single state or divided into two or more. It is, of course, true that once the British withdrew, Jinnah enjoyed maximum power, but his charisma was not enough to alter the nature of the Pakistan state, even if one can assume for the sake of discussion that what followed after him was not his idea of Pakistan. This study demonstrates that ideas authored by charismatic leaders

IQBAL FORUM

acquire a power of their own and are no longer the creatures of their creators or propagators.

Objective conditions

As against theories explaining history in terms of 'heroes' are theories that focus on cultural and structural factors in determining change and continuity in history. In such perspectives, the underlying assumption is that society is too complex an entity for an individual to change and transform through the force of his personality, howsoever dynamic the leader may be. Rather, it is by placing the activities of individuals within the structural and cultural wholes that one can make sense of political outcomes. Marx wrote in *The Eighteenth Brumaire of Louis Bonaparte*: 'Men make their history, but they do not make it just as they please, they do not make it under circumstances chosen by themselves, but under circumstances directly found, given and transmitted from the past.'[68] The same idea was reiterated by Engels in a letter dated 21 September 1890, in reply to Joseph Bloch. He wrote, 'We make our history ourselves, but, in the first place, under very definite assumptions and conditions. Among these the economic ones are ultimately decisive.'[69] Yet, in their writings, while the important role of men as a collective category is recognized, they do not ascribe any great importance to the leader.

Mainstream historians have accepted the role of individuals in history but within the context of objective conditions. For example, the British historian E.H. Carr[70] distinguished between men such as V.I. Lenin and Oliver Cromwell, who helped to shape the social forces which carried them to historical greatness, and those such as Napoleon and Prussian chancellor Otto von Bismarck whom social forces propelled forward with them having little control over the social forces. Nevertheless, Carr discarded as absurd the 'great man' theory, which focused exclusively on individuals.

Georgi Plekhanov: The role of the individual in history

Georgi Plekhanov, fondly regarded as the father of Russian communism, wrote the theoretical tract *The Role of the Individual in History*,[71] in which he paid attention to the question of leadership.

IQBAL FORUM

He considered the relationship between subjective individual human agency and the objective forces operational in the movement of society as dialectically interdependent. 'Subjective' here means the ideas and actions undertaken by a man of exceptional talent and competence to grasp the contradictions present in an existing situation and, on that basis, provide leadership to others to resolve the contradictions. However, argued Plekhanov, individuals cannot and do not create general causes. Those are inherent in a situation; individual effort or leadership can at most make a difference in a general trend or ongoing process. Such was the case with the role Napoleon Bonaparte played in the aftermath of the French Revolution. He writes:

> In order that a man who possesses a particular kind of talent may, by means of it, greatly influence the course of events, two conditions are needed. First, the talent must make him more comfortable to the social needs of the given epoch than anyone else [. . .] Second, the existing social order must not bar the road to the person possessing the talent which is needed and useful precisely at the given time.[72]

In other words, Plekhanov acknowledged that the talent and qualities of an individual can and do make a difference but only in amenable social and political conditions. That is to say, the influence of a charismatic individual can vary from insignificance to decisiveness—depending on the overall balance of social forces. However, Plekhanov underlined the fundamental Marxist assumption that in the last instance the economy determined the outcomes of political actions and ideas.

We take a broader view of the objective conditions and, instead of the economy always being considered the primary determinant of politics, we assume that other variables such as concerns about security and identity can, under some circumstances, assume greater importance. Politics and political outcomes are about power and power games. They consist of actions and reactions, intended and unintended consequences, ad hoc measures as well as well-thought-out tactics and strategies. Conspiracies, real or imagined, also exist, as do activities of intelligence services which are not available in official documents but can be crucial, even decisive, in determining

IQBAL FORUM

the direction of politics. Therefore, political outcomes can be quite unpredictable, especially when state authority is waning and concerns and fears about an uncertain future are exacerbated. Such a situation emerged after World War II and assumed alarming proportions after the British government announced on 20 February 1947 its decision to transfer power to Indians latest by June 1948.

Consequently, the core questions this investigation addresses are: If the Indian National Congress had categorically rejected the partition of India, would Jinnah have still been able to create Pakistan? Equally, if the British had been opposed to the partition, would Jinnah have succeeded? Even more crucially, had both Congress and the British joined forces against the demand for Pakistan, did Jinnah stand any chance of getting Pakistan? Having raised these questions, Jinnah's leadership and skill in emerging as the supreme leader of Muslims remain ample testimony to his personal abilities and capabilities.

Ideas, and the ideological biases of ideas

While a dialectical relationship between the individual and the objective circumstances, comprising the balance of social forces and of power and the cultural peculiarities surrounding them, is important to explain social and political phenomena, the role of ideas, once they become part of public consciousness and fuel political mobilization and actions, needs to be put in perspective. As argued earlier, the charisma of a leader has a lot to do with the emotions and faith he can evoke among his followers. Ideas are the medium through which not only emotions but also rational interests can be expressed. One can look at the logic underlying a train of reasoning, the symbols and imagery evoked and the goals and objectives set forth by the leader. Such ideas or a set of them presented become the ideology which gives direction to actions to be undertaken to achieve political ends. Ideology both gives direction to political action as well as constrains it.

Once ideas, or more concrete forms of them as ideology, gain popular currency and become part of a political discourse, they acquire a life of their own and become an independent force and thus carry implications and ramifications which may no longer be possible for those who originally created or popularized them to

IQBAL FORUM

control or withdraw. This needs to be understood theoretically. As part of a discourse widely disseminated in society theyshape beliefs and values as well as attitudes and expectations. Both those who invented those ideas and those who accepted or internalized them enter into an informal social contract. Consequently, both leaders as well as their followers are constrained to adhere to them, or at least appear to adhere to them, to maintain support and unity. Similarly, theyproduce reactions and responses from their counterparts in other parties and organizations, which cannot always be anticipated with any certainty. Therefore, the consequences of such interaction can have both intended and unintended consequences. In that sense, ideas set limits to the actions of both leaders and the ordinary members of the group. The leaders do enjoy advantage over the ordinary members of society, but not in the sense of Nietzsche's Superman standing above society and entirely free from its rules and regulations.

In this regard, a further sophistication needs to be introduced to analyse the relationship between leaders, ideas and political outcomes. By ideological biases, I mean that ideas and concepts represent certain images, emotions, values and preferences. When they are formulated by individuals and political parties to mobilize support in the society, the support given creates a relationship of mutual obligations. In that sense, those ideas bind leaders and their followers in a tacit social contract. Leaders cannot arbitrarily extricate themselves from that social contract without jeopardizing their support in society. Thus, a structure of mutual obligations comes into being between the authors of the ideas and concepts and their recipients. The aspirations that leaders arouse in the public mind in turn circumscribe the actions of the leaders, notwithstanding the charisma they enjoy in relation to the public. If, however, the repertoire of ideas and concepts is varied and contradictory, the leadership can manipulate them to their advantage but only within limits.

Overall, the nationalist ideology and the state established on its basis are interlinked, and that linkage necessitates its incorporation in the Constitution, the law and political praxis. Thus, constitutionalism in the UK, republicanism in the US and republicanism and laicism (a secular state controlling the church) in France and pluralist secularism in India are cases in point. On the other hand, if the state system collapses, the foundational ideology can be abandoned altogether.

IQBAL FORUM

This happened in the former Soviet Union. This also happened when East Pakistan seceded to become Bangladesh. Apart from such examples, one can note that in dictatorships deviations from the foundational ideology can take place even though lip service to it may be rendered, as has happened in post-Mao China.

The structure of opportunity

Ziad Munson argues in his article 'Islamic Mobilization: Social Movement Theory and the Egyptian Muslim Brotherhood'[73] that Islamism is a powerful force in contemporary politics, and if the structure of opportunity is favourable, then the political and social movements of Muslims are able to realize their aims successfully. An opportunity structure refers to the conception that the chance to gain certain rewards or goals is shaped by the way the society or an institution is organized or structured. It refers to factors which empower or limit actors in the realization of their goals. For Muslims socialized on the collective memory of a great Islamic past connected to the establishment of the state of Medina in the seventh century, the creation of a Muslim-majority state can be the crucial structure of opportunity which helps them resuscitate what in that tradition is considered an authentic social and political order in which Islamic law defines all sectors of life.

It is quite possible that Jinnah and the Muslim League simply exploited the convictions and feelings of the Muslim masses of establishing an ideal Islamic state to win their support for Pakistan; but they were not seriously committed to such an ideal. However, the establishment of Pakistan furnished a favourable structure of opportunity to those committed to such an ideal. We notice that it was only after the Wahhabis captured the state in the Arabian peninsula and the Shia clerics in Iran that the structure of opportunity for establishing fundamentalist states became favourable.

Studying Jinnah's political career in four phases

We adopt a chronological approach to analyse Mohammad Ali Jinnah's role in history. This approach makes it possible to put in context and perspective the speeches, statements, arguments,

IQBAL FORUM

decisions, indecisions, strategies and tactics Jinnah employed during his four-stage political career. His successes and failures are evaluated in the context of objective circumstances.

I identify four main stages in the political career of Mohammad Ali Jinnah: first, as an Indian nationalist; then as a Muslim communitarian; next as a Muslim nationalist; and, finally, as the founder of Pakistan. Each stage is historically contextualized and politically theorized. The British colonial system forms the background of Jinnah's transformation, and his relationship with the Indian National Congress provides the measure of the first three stages: first, as a champion of the Congress Party's ideology; then, as a champion of Muslim communitarian rights within a united but loose Indian federation; and, finally, with Partition in view, as the champion of Muslim nationalism culminating in the creation of an independent Muslim state with him as the all-powerful head of state. Stages one and two represent those phases in Jinnah's political career when he was struggling to establish his leadership—first, at the all-India level and then over the Muslim community. Although detailed, they are background chapters, because Jinnah was yet to establish himself as the supreme leader of Muslims and challenge his chief adversaries, Gandhi and Nehru.

The first three stages unfolded against the backdrop of British rule and the fourth after Pakistan had come into being. Jinnah's third stage is celebrated as the hallmark of his charisma and ability to bring about a paradigmatic shift in Muslim thinking. Jinnah demanded the partition of India to create Pakistan, in return for supporting the British during World War II against the Congress, which demanded a transfer of power to elected Indian representatives. British encouragement and support to Jinnah allowed him to broach populist rhetoric promising a Muslim paradise on earth to Indian Muslims. The core and supplementary arguments and political tactics and strategies he devised were aimed at bringing about the division of India. Jinnah's demand was granted by the British but on their terms. For the fourth stage, when, finally, Jinnah succeeded in bringing about the partition of India, and Pakistan had been established and his lifelong ambition to be the supreme leader had finally been realized, Jinnah had no clear or consistent vision or policies to offer. Consequently, one of the main contentions of this book is that during

IQBAL FORUM

the fourth and final phase of Jinnah's extraordinary political life, he had no single core argument around which he conducted his politics. Instead, the fear of a perceived Congress–Hindu–India conspiracy against him and Pakistan remained the constant referent for his behaviour. Consequently, he arbitrarily acquired extraordinary powers as the head of state and, armed with them, he took some very controversial decisions which greatly weakened the chances of Pakistan stabilizing as a liberal, parliamentary democracy. He left the question of the Constitution of Pakistan to the Pakistan Constituent Assembly to work out, hoping it would be based on Islamic democratic principles, the Quran and sharia, which would treat Muslims and non-Muslims as equal citizens. His statements and actions/inactions during the fourth stage are the subject of unending controversy and continue to haunt Pakistani politics.

In this inquiry, the last two phases are subjected to in-depth examination and analysis, and the linkage between the ideas, arguments and decisions during stages three and four are analysed to explain why those set forth during stage three became the framework for the Constitution, the law and the domestic and external politics of Pakistan.

Method

It is also assumed that if the core argument and supportive arguments are reiterated repeatedly in different situations and contexts, they are strengthened by such repetition and therefore acquire authenticity and authority and serve as the basis for support from others for the charismatic leader. Such arguments are received by people mainly in their common-sense meanings. Words and phrases have meanings established by long usage, and arbitrary meanings cannot reasonably be ascribed to them. Thus, for example, after Jinnah assumed the role of leader of the movement for Pakistan and advanced the two-nation theory premised on the assumption that Hindus and Muslims were two separate and distinct nations who could not become one political nation in a united India and live in peace, then one cannot interpret such a core argument and supportive arguments to mean its opposite. Similarly, if he said that the partition of India was a prerequisite to realize Muslim nationalism, deriving from Islamic principles and

IQBAL FORUM

precedents, and reiterated it, then it cannot be interpreted to mean its opposite—that he wanted instead a power-sharing agreement with the Congress at the Centre in a united India. Similarly, if, after Pakistan came into being, Jinnah made contradictory statements and took controversial decisions, one cannot infer from that a consistent vision about Pakistan which he allegedly bequeathed to the people. Rather, it opened a Pandora's box of ideational confusion and contestation over his political legacy.

No rules of linguistics allow words to be imputed meanings opposite to their general socially and culturally recognized and accepted inferences. Jinnah spoke almost always in English, and both Congress leaders and the British used English as their language of discussion and negotiations. However, it is possible that some confusion and misunderstanding in communications on details can take place even if all players use the same language. Additionally, deviation from the main argument or political stand can also generate confusion. The constancy and deviations can only be made sense of in the broader political context.

One may concede or acknowledge that not everything agreed or done in politics is done publicly or recorded in reliable documentary form. However, 'mind-reading' and attributing opposite intentions to the verbal communications of a leader is neither tenable on grounds of common sense nor any rule of logic or linguistics.

Jinnah's speeches, statements and messages are available in the public domain in several collections. The earliest was a two-volume collection, *Speeches and Writings of Mr. Jinnah*, published first in 1952 by Muhammad Ashraf from Lahore. It has been reprinted subsequently several times. The four-volume *Speeches, Statements and Messages of the Quaid-e-Azam*, edited by Khurshid Ahmad Yusufi,[74] is the most exhaustive, covering the period 1934–48. It refers to the original publication sources with dates. One of the main sources from 1941 onwards is the English-language *Dawn*, published first from Delhi and later from Karachi. For the earlier years and for speeches missing in Yusufi's four volumes, I have used other sources as well to ensure that nothing relevant is omitted.

A note of caution needs to be added. While the spoken and written word of Jinnah is used at length in this investigation to present his thinking as faithfully as possible in terms of the horse's mouth, so to

IQBAL FORUM

speak, it is not suggested that all events that transpired necessarily elicited explicit statements from him. On some occasions he kept quiet but let his followers take drastic actions. This is particularly noteworthy for the extremist slogans raised during the 1945–46 election campaign. Also, during the communal riots which took place in 1947, he maintained a balanced tone, preaching restraint and the protection of minorities, while officialdom connected with underworld criminal networks assaulted Hindus and Sikhs. Therefore, the overall historical context and specific situation at that time has to be brought into the picture. On the whole, his word is treated as central to understanding his thinking and actions and is relied upon extensively so as to avoid selective citation and thus arbitrary usage of his thinking and argumentation.

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IQBAL FORUM

Chapter 2

Jinnah as an Indian Nationalist



The modern doctrine of nationalism emerged in the overall context of the Enlightenment. It was based on the presumption that if individuals are rational beings and entitled to autonomy and liberty vis-à-vis state and society, then, for the same reason, nations representing collectives of rational beings were entitled to the right of self-determination, including the right to independent and sovereign statehood. Its political manifestations were characterized by the American War of Independence in 1776 and the French Revolution in 1789.

The French Revolution proclaimed that all individuals living on French territory belonged to the French nation. What followed was bloodshed and the forced assimilation of non-French nationalities into the state-sponsored nation based on the French language. The French Revolution, however, had the profoundest impact on the politics initially of Europe but later the Americas, Asia and Africa where anti-colonial movements emerged during the nineteenth and twentieth centuries. Its hallmark was the territorial basis of nation and nationalism.[1]

The Indian National Congress adopted the French model as the ideological framework for mobilizing Indian opinion against British colonialism. It should, however, be pointed out that British constitutionalism had already introduced a new order based on the notion of rights and the rule of law, albeit of colonial subjects rather than of free citizens.

IQBAL FORUM

In the case of India, the notion of an Indian nation based on a shared homeland was not only a drastic idea but also a novel one, because the subcontinent was a region where religious and ethnic heterogeneity divided people, which in turn were compounded by the ubiquitous caste system with its notorious tendency to not only justify hierarchy but also subdivisions within religions, castes and sub-castes. Theologically based on the dharma–karma theory, the caste system presented an idea of justice in which right action in one life results in the reward of a higher birth in the next life, and the converse. The *Manusmriti*,[2] presumed to have been composed around 800 BCE, is the main text elaborating the structure of Hindu society. It comprised four varnas, or social classes: Brahmin, Kshatriya, Vaishya and Shudra. The Brahmin priest was at the top; the Kshatriya was the warrior and ruling caste; the Vaishya was the trading caste; and Shudra the menial caste, at the bottom of the social system. The four varnas were further subdivided into hundreds of jatis within each varna. Outside the pale of the four varnas were placed the so-called untouchables (also known as *achhoots*, or Scheduled Castes, Harijans or Dalits) who were compelled to perform the meanest and dirtiest of tasks.

In the fifth century BCE, revolts against dogmatic Hinduism produced Buddhism and Jainism. Agnostic and atheistic thought also had its proponents in the subcontinent, but when Islam arrived, orthodox Hinduism had re-established itself as the predominant religion after being eclipsed by Buddhism for some centuries. Buddhism continued to have significant followings in some places, while tiny Jain communities were found everywhere.

Islam in India

Islam arrived in the subcontinent soon after it was announced in Arabia in the seventh century. The early Arab Muslims came as traders via the sea route and settled on the Malabar Coast of south India. They married local women, and a small community subscribing to the Shafi branch of Sunni Islam was established. In contrast, Islam entered northern India in a wake of military invasions. In 711–12 ACE, an Arab expedition arrived in Sind, in present-day southern Pakistan. It was conquered and became part of the extended

IQBAL FORUM

Umayyad empire. An interesting development in legal praxis took place when Muhammad bin Qasim, the general who conquered Sind, wrote to the caliph in Damascus for a ruling on the status and rights of Hindus and Buddhists who, after the conquest, became subjects of Muslim rule. Prior to that, only the 'People of the Book' (Christians, Jews and another obscure group, Sabians) were recognized by the Quran as protected minorities who, by paying a protection tax called *jizya*, could live under Muslim rule and enjoy communal autonomy including the right to practise their faith. The experts of Islamic law at Damascus applied analogical reasoning and concluded that Hindus and Buddhists too believed in the same God and therefore were entitled to the same status and freedoms as granted to the People of the Book, provided they paid the jizya.[3,4,5]

In the tenth century, Turco-Afghans began to invade India from the north-west mountain passes. First, the Punjab was conquered and in the early thirteenth century Muslim dynasties were established in northern India. Sunni Islam subscribing to the Hanafi school of jurisprudence became the predominant group in India. A Shia minority comprising the Ithna Ashari (believers in twelve imams), or Ismaili and Bohra sub-sects also established their presence. Power remained with Sunni rulers over most of India. In 1526, Zahiruddin Muhammad Babur, a fugitive from Ferghana in Central Asia, defeated Ibrahim Lodhi, the sultan of Delhi, and the foundations of the fabled Mughal Empire were laid. His grandson Akbar (d.1605) expanded Mughal rule over vast territories and the Mughal Empire became the dominant power in northern India with vast territories in all directions. However, vassal Hindu and Muslim rulers who paid a tribute to the emperor and accepted the suzerainty of the empire survived in parts of India. Akbar abolished the jizya. He married Hindu princesses and recruited the Hindu warrior caste of Rajputs into the imperial army. He experimented with a proto-secular type of territorial nationalism patronizing syncretic religion: Deen-e-Ilahi (Divine Religion), which borrowed spiritual points from several religions. It did not survive the demise of its founder.

Now, although Babur and the nobility at his court were Sunni, Shia presence at the Mughal court was established when his son Humayun fled India and sought refuge in Persia, while Sher Shah Suri briefly captured the throne in Delhi. Sher Shah died soon afterwards and

IQBAL FORUM

Humayun returned to India accompanied by Shia nobles and soldiers, but the preponderance of Sunni nobles continued. During Akbar's long reign, Sunni orthodoxy was eclipsed at the court by Deen-e-Ilahi. That had caused considerable consternation, but with Akbar gone, the new problem was the establishment of a Shia presence in the palace when Emperor Jahangir married Nur Jahan, who belonged to a Persian Shia family. It enabled Shia nobility to make significant advances in the Mughal administration, though, by and large, Sunni predominance prevailed.

In such circumstances, a reaction to unorthodox trends among the Mughals resulted in Shaikh Ahmad Sirhindi of the puritanical Naqshbandi Sufi Order, criticizing Jahangir and his father for deviating from Sunni Islam. Sirhindi was incarcerated. Jahangir's son Shahjahan, famous as a builder of magnificent monuments including the Taj Mahal, steered clear of such controversies, but under his son Emperor Aurangzeb (d.1704) Sunni-Hanafi Islam was restored and the jizya revived. Music and dance were forbidden. He spent most of his life fighting enemies in northern and southern India. With his death the Mughal Empire went into irreversible decline. However, at that stage India produced 27 per cent of the world's wealth.[6]

Overall, during Muslim rule, the formal supremacy of Islamic precepts as laid down in the Quran and sharia was standard policy of the state.[7] According to Naureen Talha, 86 per cent of the imperial services were manned by Muslims, of which 70 per cent were foreign-born (or their descendants) and 16 per cent drawn from the much larger group of indigenous converts.[8] Muslim rulers, as before them Hindu rulers, were despots, some benevolent, others tyrannical.

Although the caste system did not have theological sanction in Islam, in the Indian context it acquired similar hierarchical characteristics in which top strata were an elite known as the Ashraf, or Ashrafia, who traced their ancestors to Arab, Turk, Persian and Afghan forbears, some even to putative holy figures. They maintained social distance from converts to Islam from Hindu stock, most of whom belonged to agricultural, artisan castes and also included the so-called untouchables. Upper-caste Hindus who became Muslims were accorded respectable status and assimilated into the Ashraf. Ashraf writers held in downright contempt the bulk of Indian converts to Islam. Such distinctions became the rule with few exceptions.[9]

IQBAL FORUM

On the whole, mixed populations consisting of Hindus, Muslims and others were to be found all over the subcontinent, irrespective of whether the ruler was a Hindu or a Muslim. High culture of Hinduism and Islam distinguished sharply between Hindus and Muslims: according to the caste system, Muslims were unclean and therefore Hindus had to avoid physical contact and avoid food and water with them, while Islam considered Hindus as polytheists who could only be saved from damnation if they became Muslims. At the local and mass levels, the popular, syncretic versions of Hinduism and Islam produced fusion. Moreover, the two communities were drawn into the production process and interacted routinely in the local and town markets. The division of labour created specializations of tasks and professions, which in turn were fashioned by religion and caste. Overall, the interdependence of communities was the rule. Moreover, vernacular languages and local dialects enabled the common people to socialize in a friendly manner. In this regard, the efforts of Sufis, Hindu sants and yogis and Sikh gurus in preaching tolerance and brotherhood of man played a key role in blunting the exclusive thrust of orthodoxies.[10]

From the fifteenth century onwards, European powers started arriving in India by the sea route to trade but soon began to flex their muscles and started establishing military posts along the coast. Under Emperor Aurangzeb the Mughal Empire exhausted itself through long military campaigns. His persecution of the Sikh gurus was to give birth to the Sikh lamentation of persecution by Muslims. After the death of Aurangzeb in 1704, the Mughal Empire went into irreversible decline. The English East India Company virtually drove out European competitors by the end of the eighteenth century. In 1757, the Company's army defeated Siraj-ud-Daula, the Mughal governor of Bengal. Nothing thereafter could obstruct its juggernaut from overrunning northern India. The East India Company became the vehicle of massive economic exploitation and ruthless expansion through intrigue and military actions.[11] Such blatantly rapacious policies were critiqued by Thomas Macaulay, who wanted British ideas of responsible government to be imparted to Indians through modern education. He considered Indian—Hindu and Muslim—literature medieval and obscurantist.[12] The doctrine of lapse—enforced by Governor-General Lord Dalhousie (1848–56) on native

IQBAL FORUM

rulers without a biological male heir to succeed them—furnished an excuse for the Company to annexe several princely states. Such annexation was for Dalhousie justified to rid the Indian people of despotic rule and instead provide them the benefit of British rule.[13]

It is important to grasp that British intervention caused far-reaching changes in production, transport and technology, which transformed India, albeit as an appendage of the worldwide imperial economy. Before the Company took control of India, the country's share of production of goods constituted one-fourth of the world economy, but it was smashed by deliberate policy. The wealth siphoned away from India to England provided capital to bring about the latter's industrial revolution, transforming it from an importing to an exporting nation.[14,15] On the other hand, railway networks, all-weather roads, bridges and the telegraph system flung all over the Indian subcontinent served as the scaffold upon which the premises of modern India were raised. New coastal cities such as Calcutta, Bombay and Madras (now Kolkata, Mumbai and Chennai, respectively), located in Hindu-majority regions, became centres of economic and financial activities, though the British aimed at keeping indigenous production subservient to British capital. On the other hand, the older cities of northern India, where Muslim power was once based and which were linked to land-route trade, declined in importance. For most people, eking out a living remained a daily uphill task.

Proto-Indian nationalism in the nineteenth century

The East India Company had begun recruiting natives in the army beginning with Madras and continued this policy in Bengal. In May 1857, native soldiers in the Company's army, known as sepoys, revolted. It was a pent-up reaction to years of mistreatment by white officers, who would use racist taunts and heaped other indignities on the Indians. The immediate reason, however, was the introduction of the Enfield rifle, whose cartridges needed to be bitten open by the sepoys in order to load the guns. It was reportedly smeared with cow and pig fat, which the Hindu and Muslim soldiers considered a violation of their religious sensibilities. The soldiers killed their officers and British women. The uprising spread to many parts of

IQBAL FORUM

India. Many Hindu and Muslim princes with grievances against the colonialists also joined the popular movement.[16]

The rebels proclaimed the old Mughal emperor, Bahadur Shah Zafar, long since reduced to a figurehead, as the true emperor of India. Some radical ulema gave the popular uprising the status of jihad, or holy war. However, many native rulers remained loyal to the British. The participation of the people was sporadic and disorganized. Consequently, the British were able to crush the uprising with the help of princes and tribal chiefs. Ironically, the Sikhs of Punjab, who had only in 1849 lost their kingdom, supported the British, as did many Muslim chieftains from the Punjab and the frontier region. Earlier, of course, sepoys from northern India and Bihar had been used by the British to defeat the Sikhs.[17] The general feeling, however, among the British was that the Muslims were the main culprits behind the uprising. Bahadur Shah Zafar was exiled to Rangoon, while his sons were brutally murdered, and the fiction of the Mughal Empire came to an end. The old Muslim aristocracy of northern India suffered immensely as a result. Most vengeance was exacted upon the Muslims.[18,19]

Sir Syed Ahmad Khan, a scion of the Delhi Muslim aristocracy, who was employed by the Company in a junior position in the judicial service, saved many British lives during the uprising and worked hard to achieve rapprochement between the British and Muslims. In his book *The Causes of the Indian Revolt* (originally *Asbab-e-Bagawat-e-Hind*; translated by Frances W. Pritchett, 1873),[20] he blamed the Company for alienating the natives. Among the causes he mentioned the lack of respect for Indian customs and tradition, the preaching of Christianity by British officers and missionaries, the acquisition of the estates of *talukdar*s (landlords), rude and haughty behaviour of British officers and the widespread poverty of the masses, especially of the Muslims. He was critical of the government opening schools for girls, which Muslims resented because it would mean the womenfolk coming out of purdah. Curiously, he blamed the British for fostering friendship and solidarity among Hindus and Muslims by recruiting them to the same army units. He wrote:

> It's true that our Government took into service Hindus and Musalmans, both communities [qaum], which are opposed

IQBAL FORUM

> [mukhalif] to each other. But because of both those communities' becoming mingled in every platoon, this division [tafriqah] didn't remain [. . .] because of their living in a single place and being arranged in a single line, among them unity and brotherly connection used to develop. The sepoys of a single platoon used to consider themselves a single brotherhood [biradari], and for this reason there was no distinction of Hindu and Musalman [. . .] they used to become each other's supporters and helpers.[21]

Not surprisingly, the British took their cue from Sir Syed and abolished common kitchens. Thereafter, Hindu and Muslim soldiers cooked and ate food separately. Moreover, Muslims were not mixed with Hindus and Sikhs in the lowest unit of the army, the company. In any case, the Company crushed the uprising, but the British government decided to abolish the rule of the Company, which came into effect on 6 August 1858. Oriental despotism, which had prevailed before the British captured India, and which the Company had exploited to its advantage, thus, ended.

The Queen's proclamation of 1 November 1858

In an address to her Indian subjects, Queen Victoria (later Empress of India from 1867) pledged to the people of India that in future Indian customs and traditions would be respected and Indians would be included in state services in greater numbers. A modern bureaucratic state system was ushered in, with the governor-general as the chief executive as well as the viceroy, symbolizing his special standing as agent of the British Crown. Steadily, Indians began to be recruited on better terms into the civil and army, police, intelligence and security services.

Such a policy was a calculated risk based on the assessment that the divisions of religion and the cleavages of castes prevalent among their Indian subjects would always be amenable to manipulation and, thus, prevent them joining a common cause against colonial rule. Moreover, special precautionary measures were taken to offset a native rebellion. Two armies were maintained. The much smaller British Army, which comprised entirely British troops (never more than 50,000), and the much bigger Indian Army, the bulk of which

IQBAL FORUM

consisted of natives but was commanded by British officers.[22] Major weapons were always kept under British control. A perception that czarist Russia would threaten British interests in the subcontinent set in motion the so-called 'Great Game', which was played out from the headquarters in northern Punjab, with an elaborate intelligence and espionage network coming into play to prevent a Russian move southwards towards India.[23] Furthermore, an elaborate system of patronage and dependency relationships through land grants and other perks kept the upper strata on their side and ensured that the vast countryside remained quiet. For the middle and lower-middle classes, opportunities for employment in government services were created.

Few radical inputs to alleviate abject poverty of the mass of society were undertaken. On the other hand, stern measures were taken to curb lawlessness, violent highway thuggery and other such scourges. Additionally, the hundreds of princely vassal states underwrote the continuity of the British Indian empire through unflinching loyalty and obedience. For imperial Britain, however, there was no illusion that its ultimate strength lay in the force of arms at its disposal.[24] However, since it provided stability and security from internal threats, as well as the much-dreaded invasions from Afghanistan, Persia and Central Asia, it was confident that the people in general appreciated the security it provided.[25]

The cautious and gradual reforms introduced by the British were premised in a general scepticism about the ability and competence of natives to exercise self-rule without British suzerainty.[26] Understandably, the political reforms that were introduced reflected Britain's historical experience of constitutional advance. The crux of the reforms was establishing the rule of law and the initiation of procedures and practices of representative government within a colonial framework. In political terms, the new political game favoured middle-class professionals such as lawyers and modern-educated Indians groomed in British institutions. Beginning with nominations to the various councils, elections were gradually introduced for a narrow electorate constituted by property ownership, education and status. Within this overall strategy, British rule in India reflected the influence of conservative, liberal and later Fabian socialist ideas—still, based on a consensus that imperial control over India should remain

IQBAL FORUM

firm and unchallenged. At the apex, a dual structure of authority was instituted comprising governors-general-cum-viceroys posted in India and secretaries of state for India based in London.[27]

The beginnings of modern nationalism

The 1857 uprising was indicative of proto-nationalism, but the next round of nationalism was influenced by ideas of liberty, which attracted Indians who studied in British institutions especially in Britain. The rule of law, constitutionalism and the rights of subjects were imbibed by them. The contradiction between such British values and the fact of colonial subjugation began to be felt by modern-educated Hindus and Muslims. In class terms, it was upper-caste Hindus who began to nurture nascent Indian nationalism. Among the Muslims, who formed a minority, such ideas also held some attraction, but the aristocracy was advised by Sir Syed to seek British patronage. Radical anti-British ideas existed as well and, after the Russian Revolution, gave impetus to revolutionary activities; pan-Islamism held an attraction for Muslims as they saw European powers extending their colonial rule over Muslim societies and weakening the Ottoman Empire through war.

However, beneath the upper layer of Western-educated natives and radicalized circles attracted to revolution, society remained wedded to myths, legends, superstitions, beliefs, faiths and cultural mores dating back to prehistoric times. Most people were too badly crushed by poverty and the social degradation that the upper castes and classes exercised against them. For them, British rule was a change of rulers they had no reason to resent. On the contrary, the continuity and stability provided by the British, including employment, was perceived as positive by broad sections of society.

Founding of the Indian National Congress in 1885

As noted earlier, conservative sections of the British establishment were dismissive of the need to initiate Indians into a culture of representative government; they were considered intellectually inadequate to enjoy liberty with responsibility. However, some liberals among them felt otherwise. One such liberal was a retired English civil servant called Allan Octavian Hume. He, along with some Hindu and Parsi notables,

IQBAL FORUM

decided to create a platform for such representation. Of the seventy-two delegates who attended the founding meeting on 28 December 1885, two were Muslims. In the early years, the Congress assumed a loyalist posture while inviting all Indians to join it irrespective of religion or caste. Predominantly upper-caste Hindu professionals and some Bombay-based Muslims were its earliest members.[28,29] Unlike the Muslims of northern India, who had suffered social and economic decline with the end of the Mughal Empire, the Bombay Muslims, many belonging to minor sectarian and ethnic groups, had done well in trade and commerce, though the Parsis and Hindus predominated in industrial production. Outside Bombay the Congress did not evoke much enthusiasm initially, but, afterwards, when it began to demand greater share for Indians in government services, municipal councils and other bodies, its support base expanded to the main cities as well. Some radical Hindus imbued with Hindu nationalist ideas joined it, but it remained essentially a forum for moderate ideas during its early years. Muslim participation increased during 1886–90: thirty-three out of 434 in 1886, and 116 out of 677 in 1890. In 1887 and 1896 Muslims presided over its annual session, both Bombay-based: Badruddin Tyabji, a Sulemani Shia Bohra, and Rahimtulla M. Sayani, a Sunni Bohra. Fierce opposition to Muslims joining the INC came from Sir Syed and Syed Ameer Ali of Calcutta, who, like the former, was a staunch British loyalist.[30]

Later, under Mohandas Karamchand Gandhi, who returned to India in 1915 after a long stay in South Africa, the Congress, from 1919 onwards, began to challenge British supremacy. Gandhi contributed to Indian nationalism in his prolific writings over many years. His collected works comprising more than ninety volumes are replete with the basic idea of equality of all religions, which he formulated in the words *sarva dharma samabhava*. Upon such a basis hetried to forge Hindu–Muslim unity, and through his daily prayer sessions excerpts from the Quran, the Bible and the Gita were read out to emphasize shared humanity and belief in the same God. Although he said he was an orthodox Hindu, his ethical and moral philosophy was profoundly influenced by Christianity and Leo Tolstoy's idyllic village communities. Upon such a basis he carried his mass civil disobedience movements to win freedom for India on an inclusive nationalist basis.[31,32] Jawaharlal Nehru brought to bear his own stamp on Indian

IQBAL FORUM

nationalism, which was a mixture of rational modernity combining a romantic recital of a great past, which he hoped to rectify in free India on an admixture of Fabian socialism and Soviet-type planning.[33]

The Muslim contribution to Indian nationalism needs to be put into perspective. Anti-imperialist Muslims were attracted to INC when it became a mass freedom movement under Gandhi. Dr Mukhtar Ahmed Ansari was a committed Indian nationalist and a leading member of the Congress Party. Maulana Abul Kalam Azad was an Islamic scholar and a leading Congress Muslim leader who, too, pleaded for inclusive Indian nationalism through his prolific writings. His book *India Wins Freedom*[34] puts on record his argument positing why, for the historical Muslim community of India, inclusive territorial nationalism was essential to maintain communal unity while building a free India on inclusive secular nationalism in partnership with Hindus and other Indian communities. Earlier, the great historian and scholar of Islam Shibli Nomani, too, was an outspoken supporter of Indian nationalism, as were other noted Muslims such as Shaukat Ansari and Abdullah Barelvi.[35]

Khan Abdul Ghaffar Khan, leader of the Khudai Khidmatgars, or the Red Shirts, from the North-West Frontier Province (the NWFP, now known as Khyber Pakhtunkhwa), was a devout Muslim who invoked Islam to justify the alliance with the Indian National Congress.[36] Territorial nationalism also received support from the left wing of the Sunni-Deobandi puritanical school of thought, notably from Shaikh-ul-Islam Mahmud-al-Hasan and Maulana Ubaidullah Sindhi[37] and Maulana Hussain Ahmed Madani.[38,39] Two anti-colonial Islamist parties, the Jamiat Ulema-e-Hind (JUH) in north India and in the Punjab and the Majlis-e-Ahrar, stood for Indian nationalism.

In this regard, it is worth mentioning that the schools, colleges and universities which emerged during British rule inculcated liberal ideas and values and shaped a new intelligentsia and literati, which, through new forms of short story, novel and poetry, began to reflect a consciousness critical of age-old customs and traditions. Hindustani, written in the Devanagari and Persian scripts, became the medium for projecting the idea of a pluralist but inclusive India. Its outreach, however, was limited to the Hindustani-speaking or -reading public of northern and north-western India. On the other hand, the English-language press and literary journals connected the elites of all parts

IQBAL FORUM

of India. Their sensibilities were a curious mixture of Anglophile and romantic values of an imagined great past. Among them some were attracted to international Marxism.

Moreover, beginning with silent movies and later talkies, cinema became a venue where crowds were drawn together for a couple of hours. Music, dance and poetry embellished a popular culture, which disseminated shared ideas of aesthetics, romance and a sense of shared national identity. The message the film media disseminated was one of tolerance and mutual acceptance. Contributions to cinema were made by Hindus, Muslims, Sikhs, Christians, Jews and other communities. All-India Radio played its own part in projecting shared culture. The colonial state undoubtedly monitored popular culture, but, like modern education imparted in schools and colleges, humanist values combining Western and native ideas helped advance a sense of Indianness.

This is not to deny that alongside such processes were parallel streams of communal consciousness produced in educational institutions established by revivalist and reformist religious movements. Also, based on the traditional divisions about purity and pollution which were widespread throughout India, the British reinforced them by the provision of separate drinking water for Hindus and Muslims in public places, including railway stations. Maulana Mohammad Ali Johar had once captured that irony by saying, 'We divide and you rule.'[40]

What cannot be denied is that India had been transformed profoundly and irreversibly during British rule, and the type of society and politics which took centre stage during the twentieth century were very different from those of the past representing the so-called Hindu and Muslim periods. Colonial modernity brought about under British hegemony reflected the peculiarities, tensions and contradictions of cultural hybridization.

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IQBAL FORUM

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IQBAL FORUM

Chapter 3

Joining the Indian National Congress



At the beginning of the twentieth century, Great Britain was confident and arrogant about its moral and material superiority and looked on India as a Crown Colony granted by providence as a trusteeship. According to the 1901 census, the population of India was 294 million, including 232 million in British India and 62 million in the princely states. Unlike some other parts of the world where people from the British Isles had settled in large numbers after annexing territory, in India, they remained a tiny minority: never more than perhaps 170,000 men and women, of which a fair number of men were involved in business and commerce or worked in the railways, telegraph services and the tertiary sector dealing with education.

Jinnah's official date of birth is 25 December 1876, and it is said that he was born in Karachi; other accounts give different information. His ancestors belonged to the Hindu trading caste of Lohanas. The Lohanas were spread over western India along the coastline. Sections of the Lohanas had converted to Islam and were to be found among Sunnis, as well as the Ithna Ashari, Ismaili Aga Khani and Bohri sects of Shi'ism. Jinnah's family belonged to the Aga Khani Ismaili sect. As a young lad, Jinnah showed no interest in education and was not keen to help his father in his business. Upon the advice of a British partner, his father managed to send his son to England to learn accountancy and help the family business. He had not completed his matriculation, or tenth-class examination, when he sailed for Britain.[1] Jinnah was married before he left India.[2]

IQBAL FORUM

While in London, Jinnah lost interest in accountancy. He, however, attended discussions in the British Parliament and saw the excitement of the first Indian, Dadabhai Naoroji, the socialist from Bombay, to get elected as a member of the Liberal Party.[3] Jinnah was attracted to theatre and dramatics, for which London's stages were famous, and he tried his luck, but gave up the idea after his father wrote a disapproving letter about such a career.[4] Not surprisingly, the legal profession appealed to him for its comparable stimulations in courtrooms.[5] He applied for admission to Lincoln's Inn, seeking exemption from Latin. It was granted and he was admitted in 1893. He passed the exam in 1895. The following year he returned to India.[6] Meanwhile, his mother and young wife had died while Jinnah was in England. His father had shifted to Bombay, and Jinnah moved there as well. He was appointed Presidency Magistrate but left after three months, though he was offered a permanent job in the Bombay Law Department. He decided to pursue the career of legal counsel while simultaneously seeking a public role as a politician. Although a self-made man, his enviable grasp of the English language, height, attractive features and sharp wit, coupled with immaculate upper-class English attire, enabled him to achieve social elevation and financial robustness quickly. Still, his reading was confined essentially to law books and newspapers. He had little interest in the abstract and theoretical ideas or fictional literature. His forte was cross-examining in courts, where he excelled and impressed everyone including the presiding judges. His associates found him correct, strictly rule-oriented but distant, unapproachable and lacking in human warmth and empathy.[7]

Apart from a flourishing legal practice that Jinnah gradually established, he augmented his fortunes through buying and selling shares in the stock market. He built his famous residence on Malabar Hill Road, one of the poshest areas of Bombay. He recruited tall, well-built men from the North-West Frontier Province as retainers and bodyguards. At home the servants dressed in traditional clothes created around him an aura of quaint princely grandeur. In Bombay he lived the life of a bachelor till he married again at the age of forty-two. Prior to that, his sister Fatima was his constant companion. He was always careful with spending money, so was his sister Fatima, a lifelong spinster who lived with him most of her life, managing

IQBAL FORUM

his household expenses very frugally.[8] We learn Jinnah never gave donations to any causes. He spent a lot of money on himself but was extremely careful with spending it on others. His private secretary (from 1944–47), K.H. Khurshid, a Kashmiri youth, was paid a small salary. He could not find accommodation in Bombay because the war had forced the rents sharply up. Consequently, he had to stay in the servant quarters at the Malabar Hill mansion although it had two guest rooms. Khurshid believed this was because Jinnah and his sister wanted their privacy, and Khurshid too preferred that arrangement for his own privacy.[9]

Joining the Indian National Congress

In 1906, Jinnah joined the Indian National Congress and attended its Calcutta session. He acted as the honorary private secretary to Congress president, Dadabhai Naoroji. Under Naoroji's influence, the Congress acquired greater secular, inclusive and socially progressive characteristics. Jinnah was also a disciple of the moderate Gopal Krishna Gokhale (who died in 1915) as well as a friend of the extremist Lokmanya Bal Gangadhar Tilak (d.1920).[10]

A major administrative measure of the Viceroy Lord Curzon—the partition of Bengal in 1905—had caused considerable political commotion in India. The INC considered it a divisive measure aiming to divide Bengal on religious lines. Curzon had created a Hindu-majority West Bengal and a Muslim-majority East Bengal. The Bengal bhadralok (upper-caste middle-class Hindus) agitated against it and resorted to violence, mixing Bengali nationalism with Hindu radicalism. The Muslim elite of Calcutta was not happy with the partition, but the Muslim elite of Dacca (now Dhaka) in East Bengal welcomed it. It benefited the people of East Bengal as new jobs and other opportunities were created. As a result, the partition of Bengal began to be welcomed by Muslims. Jinnah, who was at that stage an outspoken Indian nationalist, described the partition of Bengal as 'the obnoxious virus introduced into the body politic of India with evil design'.[11]

In contrast, the landed Muslim gentry, influenced by Sir Syed to keep away from inclusive Indian nationalism, was apprehensive of the announcement by Secretary of State Lord Morley in July

IQBAL FORUM

1906 to introduce constitutional reforms. They contacted Morley through A.J. Archbold, the principal of the Muhammadan Anglo-Oriental College at Aligarh, expressing their concerns with reforms that treated Indians as a homogeneous nation; they stressed that Muslims should be considered a distinct community and that constitutional reforms should consider that fact. Morley conveyed his approval of such a plea and thus a meeting was arranged for a Muslim delegation to wait upon Viceroy Minto to present their prayers to him. Consequently, a delegation of Muslim notables, led by the spiritual head of the Ismailis, Sir Aga Khan, met Minto in October 1906. They emphasized the importance of the Muslim community to the defence of India (this alluded to the predominantly Muslim community of north-western India placed on the entrance to the subcontinent from the mountain passes) and the need to retain their loyalty. In a system of mixed, general elections, the Muslims—backward economically and educationally—were greatly handicapped vis-à-vis the Hindus.

Therefore, they demanded separate electorates for Muslims, whereby only Muslims could vote for reserved Muslim seats, more seats in the legislative council and reservations of Muslims in government services, universities and so on. In undifferentiated mixed elections based on restrictive franchise, the advantage was clearly with the Hindus and had resulted in the under-representation of Muslims. For example, Muslims constituted 13 per cent of the population of UP (United Provinces) but they did not have a single seat in the provincial council.[12]

Jinnah called into question the representative nature of the delegation, presumably because it consisted of landlords and other notables who enjoyed hereditary privileges and British patronage. Later, when these people were to establish the All-India Muslim League at Dacca at the end of 1906, he opposed it. A resolution in favour of a reservation of seats for the educated class of backward communities (referring to Muslims) in the legislatures and local bodies also found Jinnah opposing it at the December 1906 session of Congress. He wanted all communities to 'be treated in the same way as the Hindu community. The foundation, upon which the Indian National Congress is based, is that we are all equals; that there should be no reservation for any class or community.'[13,14,15]

IQBAL FORUM

Separate electorates granted to Muslims in 1909

Congress leaders, including Jinnah, criticized the demand for separate electorates, but the government granted separate electorates to Muslims through the Indian Councils Act of 1909, also known as the Morley–Minto Reforms. From the administrative point of view, separating Muslims from Hindus and other Indian communities enhanced the position of the British as arbiters between them. Moreover, the 1909 Act objectified Muslims as a separate political category comprising different sects and sub-sects as well as ethnolinguistic nationalities. Henceforth, Muslim candidates had to pay special attention to communal interests to win elections, even if they aspired to a bigger role in national politics. On the other hand, Hindu candidates seeking electoral support were no longer obliged to consider the interests of Muslims living in their constituencies. Theoretically, a Muslim could contest a general seat, which would exclude Muslim voters because they could vote only for a Muslim candidate. Given the existence of religious groups and subgroups, few risked going to the polls without the support of their co-religionists.

The Congress was opposed to both the partition of Bengal as well as to separate electorates, but it adjusted to the new situation. Initially, Jinnah contested and won elections as a Muslim candidate of the Congress Party. In 1911, the British annulled the partition of Bengal, causing concern among Muslim leaders. At the Congress session in December, Jinnah altered his previous position and spoke in favour of separate electorates for Muslims. It is not clear why he changed his stance on separate electorates but it is likely he felt he must build a reliable support base among Muslims so as to establish his leadership over the community. He also attended a meeting of Hindu–Muslim leaders to discuss Muslim representation in the legislature and representation in government services. He was persuaded by some of them to join the Muslim League as well, which he did in 1913. At that point in time both the Congress and the Muslim League were on the same page with regard to the demand for suitable self-government, notwithstanding different perceptions of the partition of Bengal. The Congress applauded his decision to join AIML in its session at Karachi.[16]

IQBAL FORUM

Jinnah's successful pleading of Muslim Family Trust exemption from taxation

One of Jinnah's major achievements as a legislator was to pilot the 'Mussalman Waqf Alal-aulad' (Islamic Trust in favour of family), or Muslim Family Trust, in the Imperial Legislative Council. The Muslim Family Trust is an institution under Islamic law by which a Muslim (called in legal parlance a *settlor*) can provide for himself, his family, children and his descendants property in perpetuity. It is not to be confused with trusts established for philanthropic and charitable purposes for the poor. The British annexation of India resulted in them trying to apply English common law principles to Islamic and Hindu legal precepts and practices. Anglo-Muhammadan law developed out of such a process.

In a ruling from 1894, in *Abul Fata Mahomed Ishak and Others vs Rasamaya Dhur Chowdhuri*, the highest court of appeal for India, the Privy Council, ruled that since the beneficiaries of Muslim Family Trusts were not the poor but their families and descendants in perpetuity, in accordance with the established praxis of the state, the settlor's property should be subjected to income and revenue tax. Therefore, unlike charitable trusts, the Muslim Family Trust should not be exempted from taxation.[17] It is to be noted that Islamic waqfs (which are irrevocable as compared to trusts established in the West) established for philanthropic and charitable causes were not affected by that ruling: they continued to be exempted from taxation.

In any event, the Privy Council ruling greatly angered Muslim landowners and other property owners. They deplored the fact the Privy Council had violated Islamic law which provided for tax exemption to family trusts. In 1911, Jinnah took up the cudgels on behalf of those disgruntled circles. He was supported by the Congress. He observed: 'This shows one thing, gentlemen, that we Muhammadans can equally stand on this platform and pray for our grievances being remedied through the programme of the National Congress.'[18] In 1913, Jinnah tabled a private member bill in the Central Legislative Assembly to have the Privy Council ruling of 1894 overturned. His efforts bore fruit and the 1894 ruling was revoked.[19] Understandably, Jinnah's premium rose sharply among the rich Muslims, and his reputation won him wealthy clients from Hindu, Muslim and other communities. The phenomenal wealth he had

IQBAL FORUM

accumulated in a few years of his career in Bombay kept multiplying. More importantly, the support he received from the Congress Party was indicative of the fact that at that stage, it, too, was an elite party catering to the interests of the propertied classes, most of whom were based in Bombay and other commercial centres that had cropped up under British tutelage.

Congress–Muslim League leader

In 1914, Jinnah sailed to Britain as the head of a Congress delegation. He spoke to the press about India being the only member of the British Empire that did not have a proper representative government. His views attracted widespread attention including from leading newspapers such as *The Times*, which published his comments.[20] Back home, much of his effort was directed at promoting Congress–League understanding. He quickly became the emerging leader of the Muslim League. On several occasions he underscored that his nationalist commitment did not mean that he did not accept that the Muslims constituted a distinct community with its special cultural features and interests. He saw the two communities joining ranks and through constitutional methods marching forward towards responsible government and self-rule.[21] Because of his efforts, the annual sessions of the two parties were held in Bombay in 1915, and the following year bore fruit when the famous Lucknow Pact was achieved between the Congress and the League. The Lucknow Pact was the handiwork of Jinnah. Congress stalwart Sarojini Naidu famously called him the ambassador of Hindu–Muslim unity.

Main points of the Lucknow Pact of 1916

1. The governor-general of India will be the head of the Government of India.
2. He will have an Executive Council, half of whom shall be Indians.
3. The Indian members should be elected by the elected members of the Imperial Legislative Council.
4. The strength of the Imperial Legislative Council shall be 150, of which four-fifths of the members shall be elected on a franchise as wide as possible.

IQBAL FORUM

5. Muslims should be given one-third representation in the central government based on separate electorates.
6. At the provincial level, four-fifths of the members of the legislative councils should be elected and one-fifth nominated.
7. All members, except those nominated to the provincial legislature, should be elected directly, based on adult franchise.
8. There shall be weightage given to minorities in the provincial legislatures, and for the Muslims, they shall be represented by the following formula:
   a) Punjab: 50 per cent (actual percentage: 55 per cent)
   b) United Provinces: 30 per cent (actual percentage: 15 per cent)
   c) Bengal: 40 per cent (actual percentage: 52 per cent)
   d) Bihar: 25 per cent (actual percentage: 13 per cent)
   e) Central Provinces: 10 per cent (actual percentage: 4 percent)
   f) Madras: 15 per cent (actual percentage: 7 per cent)
   g) Bombay: 33 per cent (actual percentage: 20 per cent)
9. No bill concerning a community should be passed if the bill is opposed by three-fourths of the members of that community in the Legislative Council.[22,23,24]

The Lucknow Pact was proof of Jinnah's outstanding leadership qualities. However, the fact that the Congress Party was willing to go the extra mile to accommodate the demands of the Muslim League deserves to be acknowledged as well. The Congress had seen the founding of the Muslim League as a challenge to its claim to represent all Indians. It had opposed separate electorates and denounced them as a master stroke of the British to alienate and estrange Muslims from Hindus. Now, it not only accepted separate electorates but also conceded weightage to Muslims in the legislative assemblies and the Imperial Legislative Council. It should be noted that Muslims comprised, at most, one-fourth of the population of British-administrated India at that time.

The main winners were the Muslims of the Muslim-minority provinces. Those of the two Muslim-majority provinces had to sacrifice their majorities. In the Punjab, weightage was granted in the opposite direction—to Hindus and Sikhs. Muslims constituted 55 per cent of the population but were now given 50 per cent seats. In Bengal, where Muslims constituted 52.6 per cent of the population, they had

IQBAL FORUM

been greatly under-represented because they were an impoverished community, while the 1909 Act introduced high property and educational qualifications to get the right to vote. Consequently, Muslims had only four seats instead of the potential twenty-six they were entitled to in a house of fifty-three members. That translated into a mere 10 per cent representation for Bengali Muslims. Under the Lucknow Pact they were now to be allotted 40 per cent seats. It was still less than their actual composition in the Bengal population. Interestingly, the newly established Hindu Mahasabha (established in 1915 under a slightly different name) condemned separate electorates as divisive and held that giving weightage to Muslims was unjust to Hindus. Communal Hindus considered Muslims a threat to their ambition of establishing a Hindu state in India.[25]

The Muslim League passed a resolution supporting the Lucknow Pact, as did the Congress.[26] At any rate, after the Lucknow Pact was finalized, a memorandum was submitted to the viceroy by a group of elected members of the Imperial Legislative Council urging the government to adopt it in their policy on allocation of seats. Jinnah was active at all levels in demanding that the government accept the Lucknow Pact. World War I was raging at that time and thousands of Indian soldiers had been committed to various war theatres. He spoke out that support for the war effort could not be unconditional. He demanded: 'Let full responsible government be established in India within a definite period to be fixed by statute with the Congress–League scheme as the first stage, and a bill to that effect be introduced into Parliament at once.'[27] He appealed to both Hindus and Muslims to join hands: 'My message to the Mussalmans is to join hands with your Hindu brethren. My message to Hindus is to lift your backward brother up.'[28]

To Muslim critics of the Lucknow Pact Jinnah responded:

> It is said, and I am referring here to what my Mussalman friends say that we are going on at a tremendous speed and that we are in a minority and so might not the government of this country become a Hindu Government? I want to give an answer to it. I wish to address my Mussalman friends on that point. Do you think that in the first instance it is possible that the Government of this country can become a Hindu Government? Do you think

IQBAL FORUM

> that the Government can be conducted merely by the ballot? [Cries of 'No']. Do you think that because the Hindus are in a majority they have therefore to carry a measure in the Legislative Council and that is the end of it? If 70 million [at that time] Mussalmans do not approve of the measure which is carried by a ballot box, do you think that it could be enforced or administered in the country? [Cries of 'Never'].
>
> Do you think that the Hindu statesmen with their intellect, with their past history, will ever think of enforcing measures by the ballot box when you get Self-Government? [Cries of 'No']. Then what is there to fear? [Cries of 'Nothing']. Therefore, I say to my Mussalman friends: Fear not. This is a bogey, which is put before you by your enemies ['Hear, hear'] to frighten you, to scare you away from cooperation and unity which are essential for the establishment of Self-Government [Cheers]. This country has not to be governed by the Hindus and, let me submit, it has not to be governed by the Mussalmans either and certainly not by the English ['Hear, hear']. It is to be governed by the people and the sons of this country. I, standing here—believe I am voicing the feeling of whole of India—demand that immediate transfer of a substantial power of the Government of the country.[29]

This powerful statement dispelled any chance of Hindus establishing a majoritarian tyranny over Muslims. It contrasted sharply with Sir Syed's warning that the Congress Party was a red herring meant to deceive Muslims to accept Hindu domination. He advised them to keep away from it. Jinnah, on the other hand, was urging them to give up that suspicion and fear and instead join the mainstream. In doing so, his assessment of the objective situation was realistic. Given the complexity and diversity of Indian society with its plethora of religions, sects, cults, castes and linguistic nationalities, a government of only Hindus and catering to Hindu interests stood no chance of lasting long. Muslims were concentrated in the north-west and north-east of the country and were represented in the army in disproportionately large numbers. Even in the police, Muslim representation was greater than their proportion of the Indian population. At any rate, the British were still very much in the saddle at that time, but the scenario which

IQBAL FORUM

Jinnah depicted rejected an exclusive government of only Hindus in a future free India.

The government instead published on 8 July 1918 the *Report on Indian Constitutional Reform*, also known as the Montagu–Chelmsford Report. Both the Congress and the Muslim League protested that the reforms insinuated that Indians were not fit for responsible government. They demanded that a Declaration of Rights should be made by the government, whereby Indians should be considered British citizens. No heed was paid to such a demand.[30]

Some asides

Some asides are worth bringing into the picture. The first was the arrival of Mohandas Karamchand Gandhi from South Africa in 1915. Gandhi had built a reputation for himself as a champion of Indians in South Africa, where he had experimented with non-violent civil disobedience to protest unjust laws which were prevalent in that colony. Jinnah had earlier, in 1914, attended Gandhi's reception in London after World War I had begun. The latter had urged people to join the army or the Field Ambulance Training Corps to support the war effort; Jinnah had not been enthused by his advice. In 1915, Jinnah was the head of the reception committee set up by the Gujrat Society (the Gurjar Sabha; both Jinnah and Gandhi were Gujaratis). Jinnah had very warmly welcomed Gandhi and praised his leadership in generous words. Gandhi responded by saying that he was 'glad to find a Mohamedan not only belonging to his own region's Sabha but chairing it'.[31]

It is a moot point whether that remark was meant to demean Jinnah—Gandhi condescendingly calling him a fellow Gujarati but a Muslim, or—as his grandson, the historian and biographer of Gandhi, Rajmohan Gandhi, conjectured in an interview to me—that Gandhi probably spoke in a spirit of elation and pride that fellow Hindu and Muslim Gujaratis were together in the nationalist awakening of those times. It was therefore not meant as a slight but as a remark to underscore a brotherly relationship. Wolpert, however, maintains that the remark was awkward and clumsy, and it deeply offended Jinnah, who at that time considered himself first and foremost an Indian nationalist for whom his religious identity was politically

IQBAL FORUM

irrelevant. In 1917, Gandhi again offended Jinnah when the latter spoke at a public meeting in English, while Gandhi and his followers insisted that all speakers should speak in an Indian language. They interrupted him repeatedly and Jinnah had to manage in his broken Gujarati.[32]

The third aside—not political this time but personal and private, but which nevertheless had a bearing on Jinnah's evolution as a Muslim leader—was his marriage to the daughter of a Parsi friend Sir Dinshaw Petit in 1918. Jinnah was forty when he began to court Ruttie Dinshaw Petit, who was only sixteen. Sir Dinshaw Petit was outraged and totally opposed to his daughter marrying Jinnah. However, such pressure failed to change their minds. They waited until Ruttie turned eighteen. She converted to Islam and was given the name Maryam Jinnah, apparently in a ceremony presided over by a Sunni cleric, though the marriage contract was consummated per Ithna Ashari Shia rites.[33,34] A detailed study of Jinnah's married life, *Mr and Mrs Jinnah: The Marriage that Shook India* (2017), is a fascinating study. That the marriage ended in the spouses' estrangement and Ruttie's tragic death is well known, but what is more revealing is that the Jinnah household was privately a typical liberal upper-middle-class Bombay set-up, where Hindus such as Sarojini Naidu and her children were close friends and frequent visitors and confidants.

However, Jinnah was always anxious to maintain outwardly the facade of a conventional Muslim identity. He was always meticulous that he was perceived as a Muslim leader. We also learn that both Ruttie and Jinnah completely neglected their daughter (b.1919) who was left in the care of nannies and other servants and was a lonely child who looked for affection and love from anyone visiting them because her own parents had none to offer.[35]

The British response to Indian expectations

Returning to the political situation in India at that time, while pan-Islamist Muslims were concerned about the future of Ottoman Turkey, informed public opinion in general was looking forward to reforms granting greater self-government. The liberal Secretary of State Edward Montagu and the conservative Viceroy Lord Chelmsford proposed reforms in 1918, known as the Montagu–Chelmsford Reforms, in

IQBAL FORUM

which they asserted that it was very difficult to find a suitable system of representation for a society constituted by a plethora of religions, sects, castes, tribes and ethnicities, but simultaneously had expressed their concerns about the effect of the system of separate electorates on Indian national consciousness in their Montagu–Chelmsford Report of 1918 in this succinct remark:

> We regard any system of communal representation . . . as a very serious hindrance to the development of the self-government principle . . . Any general extension of the communal system . . . would only encourage still further demands and would in our deliberate opinion be fatal to that development of representation upon a national basis in which alone a system of responsible government can possibly be rooted.[36]

The two had been meeting the Indian community and political leaders. They found out that communal representation and weightage created several problems. For example, in Bengal and the Punjab, the Muslims had had to accept lesser representation than their numbers warranted so as to enable Muslim minorities in the Hindu-majority provinces enjoy weightage far beyond their actual numbers. It had not only created resentment among the Muslims of Bengal and the Punjab who had to agree to their representation being lower than the numbers warranted but also the minorities of those provinces. Thus, for example, in the Punjab, the Sikhs demanded not only separate electorates but also weightage for themselves. Similarly, the Europeans and Anglo-Indians in Bengal wanted reservations and weightage too. The so-called untouchables wanted to prevent a government of upper-caste Hindus at all costs; they too demanded separate electorates and weightage all over India.

However, the British Parliament delivered a totally unexpected and unwarranted bombshell: the draconian Rowlatt Acts in February 1919. The acts permitted some political cases to be tried without juries and the internment of suspects without trial. The acts were moved in the Central Legislative Assembly to replace the temporary repressive wartime Defence of India Act (1915) with a permanent law.[37,38]

There was no reasonable justification for them. Some minor incidents of radicalism, including violence and terrorism, had taken

IQBAL FORUM

place in the aftermath of the partition of Bengal. Ultranationalist Hindus had thrown bombs and killed British officials, but that movement had subsided. The Ghadar Party stirred up the Punjab with armed struggle in 1914 but its outreach was limited, and the movement was crushed successfully. However, the revolutionary wave continued to cause ripples. The 1917 Bolshevik revolution resonated in Indian political circles and some were attracted to communism, including Muslims who had joined the Khilafat movement but who later converted to communism and returned to India to preach revolution.[39] The British reaction was quick and ruthless, and communists were rounded up and severely punished. None of these developments had posed any serious threat to the British Raj.

Not surprisingly, the Rowlatt Acts were condemned by a broad spectrum of Indian opinion. For example, all non-official Indian members of the Executive Council (i.e. those who were not officials in the colonial government) voted against the bill. Jinnah's participation in the debate on the bill demonstrates his exceptional qualities as a constitutionalist politician. He pointed out in his speech that before 1906 people did not resort to violence and anarchical measures. During 1906–18, people were driven to extreme measures by unwise British policies—presumably, he meant the partition of Bengal in 1905 in reaction to which some Hindus resorted to bomb-throwing and other acts of violence and the way the British government had decided to punish the Ottomans which incensed pan-Islamist Muslims. He said that the reasons for such developments were political and the government bore the responsibility for them. Jinnah resigned in protest from the Imperial Legislative Council. He observed:

> The fundamental principles of justice have been uprooted and the constitutional rights of the people have been violated, at a time when there is no danger to the State, by an overfretful and incompetent bureaucracy which is neither responsible to the people nor in touch with the public opinion, and their sole plea is that powers when they are assumed will be abuses.
>
> I therefore, as a protest against the passing of the Bill, and the manner in which it was passed, tender my resignation as a Member of the Imperial Legislative Council . . . In my opinion, a Government that passes or sanctions such a law in times of

IQBAL FORUM

> peace forfeits its claims to be a civilized Government and I still hope that the Secretary of State for India, Mr. Montagu, will advise His Majesty's Government to signify his disallowance to this Black Act.[40]

Gandhi launches non-cooperation

Outside the legislative assemblies and other official forums, Gandhi upped the ante by announcing an all-out hartal (the closure of shops, laying down of tools) beginning 30 March 1919. No section of the Congress endorsed his call. By now many moderates had left the party to form the Liberal Party, while the extremists had been annoyed by his recruiting efforts. However, the appeal found supporters in the thousands from Calcutta to NWFP, where twenty-eight-year-old Khan Abdul Ghaffar Khan organized a rally near Peshawar. However, it was in the Punjab, from where the bulk of the Indian Army was recruited, where his call to hartal resonated most loudly and people were willing to join his campaign. He was on his way to the Punjab when he was served notice not to proceed to that province. He was removed from the train and instead sent to Bombay. In Amritsar, however, Dr Saifuddin Kitchlew and Dr Satyapal, who had invited him, were arrested. Their arrest resulted in rioting in Ahmedabad in Gujarat and Amritsar. The police lathi-charged and used excessive force. In Amritsar, five or six Europeans were killed and an Englishwoman sexually assaulted.[41]

On 13 April 1919, Brigadier-General Reginald Dyer led his men from the Gurkha and Baluch regiments and Sind Rifles into Jallianwala Bagh, a small closed park with only one exit—the entryway to the park. A large number of people were present mainly to attend the Baisakhi festival celebrations and visit the Golden Temple. They were oblivious to the tension that had been growing in urban Punjab. Dyer ordered his men to shoot directly on the crowd. The exact figure of fatalities is not known but estimates range from 379 to 1500. Hindus, Muslims and Sikhs were among the dead. It resulted in protests throughout the Punjab which the governor, Michael O'Dwyer, crushed through police and military action, including aerial bombing in Gujranwala.[42]

IQBAL FORUM

On the other hand, the Punjab's chiefs, landlords and other conservative circles supported the government. The heads of Sufi shrines in the Punjab presented a farewell address in 1919 thanking Governor Michael O'Dwyer for the stern action he took which saved the Punjab from anarchy and disorder. They quoted Quranic verses to underscore that their loyalty to the British was sanctioned by their faith.[43] The Sikh high priests at the Golden Temple went even further in sycophancy: they invited Brigadier-General Dyer into the Golden Temple, where, in a bizarre religious ceremony they declared that he had become a Sikh![44] Both Jinnah and Gandhi condemned the British attitude. Gandhi also condemned the mobs who resorted to violence, describing their behaviour as disgraceful. On 18 April 1919, he called off the agitation because it had failed to remain peaceful.[45]

The Government of India Act of 1919

Meanwhile, London had been receiving warnings from officials in India, including the intelligence services, that steps needed to be taken to mitigate the adverse effects of the Rowlatt Acts, albeit in constitutional measures, ensuring the continuing centralized control of Britain over her Indian colony.

Its salient points were as follows:

1. At the central level, the government remained firmly with the viceroy and his nominated members of the government. No bill of the central legislature could be passed unless assented to by the governor-general. The governor-general could, however, enact a bill without the assent of the legislature.
2. The Imperial Legislative Council now became bicameral. The first house, with 145 members, was called the Central Legislative Assembly, and the second house, with sixty members, was called the Council of States. The term of the Assembly was fixed at three years and the Council at five years. The right to vote remained very restricted with high property requirements and educational qualifications.
3. The budget was to be divided into two categories, votable and non-votable. The votable items covered only one-third of the total expenditure. Even in this sphere, the governor-general

IQBAL FORUM

was empowered to restore any grant refused or reduced by the legislature, if, in his opinion, the demand was essential to the discharge of his responsibilities.

4. At the provincial level, diarchy was introduced. It meant a dual set of government: one accountable, the other not. The provincial subjects were divided into two lists: reserved and transferred. The reserved subjects were kept with the governor, while the transferred subjects were given to Indian ministers who had been elected to the provincial legislatures.
5. Communal representation through separate electorates was extended to Sikhs, Europeans and Anglo-Indians. Franchise was granted to those who owned property, had a taxable income or paid land revenue of a minimum of Rs 3000.
6. The seats were distributed among the provinces based on communities and their importance from the government's point of view. Thus, for example, in the Punjab, the Sikhs, who were only 13 per cent of the population, were given 18 per cent seats, and it was Muslim representation that suffered. They deployed similar arguments which the Muslims had used when they waited upon Lord Minto in Simla in 1906 to demand separate electorates and weightage. They asserted that the Sikhs were a distinct community from the Hindus and Muslims of the Punjab. Moreover, unlike those two major communities, they were essentially a Punjabi community, with their own religion and interests; their representation in the Indian Army was far in excess of their actual numbers both at the all-India level and in the Punjab. Therefore, they argued that they were entitled to 30–33 per cent representation in the Punjab Assembly, in the other elected councils and in the services.[46]
7. The 1919 Act also made a provision that a statutory commission would be set up at the end of ten years after the act was passed, which would inquire into the working of the political system. The Simon Commission of 1927 was an outcome of this provision.
8. Overall, a federal structure, with the viceroy enjoying wide discretionary powers at the Centre and the governor in the provinces, was introduced.[47] It was a federation based on the supremacy of the executive over the legislature, and therefore in

IQBAL FORUM

a practical sense the federation was akin to a unitary form of government.

The 1919 Act did not rouse much enthusiasm or controversy between the Congress and the League. Both had already demanded greater self-rule, and the 1919 reform fell far short of their expectations. The extension of separate electorates created complications even for the Muslim League. It created, on the one hand, conflict among Muslim leaders—those belonging to the Muslim-minority provinces had benefited from the weightage and the Muslims of Muslim-majority provinces had not. On the other hand, within the Muslim-majority provinces, the smaller minorities, such as the Sikhs in the Punjab and the Europeans and Anglo-Indians in Bengal, clamoured for greater representation. The Hindu Mahasabha was against separate electorates and weightage for Muslims but it encouraged the Sikhs and others to demand the same to counter Muslim representation in the majority provinces. No formula could be applied to the Indian conditions that would satisfy everyone.

The Khilafat movement

After World War I broke out, Indian Muslims were greatly worried that Ottoman Turkey might enter the war against Britain as an ally of Germany. Generally, since the time of Sir Syed, Muslim leaders enjoyed British patronage. An impending war between the Ottomans and Britain put that relationship under strain. Pro-Ottoman sentiments were widespread amongst the vast Sunni majority because the Ottoman sultan was conventionally considered the caliph: more symbolically than substantively. Ottoman Turkey was the only independent Muslim power, though it had been suffering irreversible defeats constantly during the nineteenth century in Eastern Europe. It was known as the 'Sick Man of Europe' and was a dying power. Despite its greatly diminished power in world affairs, the Ottoman minister of war Enver Pasha, committed his country to the war as an ally of Germany against Great Britain.

The news was received in India by Muslims with great anxiety. In turn, the British were concerned about the loyalty of Muslims who

IQBAL FORUM

were employed in large numbers in the Indian Army. A fatwa issued by Maulana Ahmed Raza Khan Barelvi proved to be of great help. He opined that since the Ottomans were not from Prophet Muhammad's (PBUH) Quraish tribe, they could not claim to be caliphs of Islam.[48,49] It cleared the way for recruitment in the Punjab, which was the heartland of loyalist Barelvi custodians of Sufi shrines and ulema who used their influence to have men recruited in the Indian Army. The Ahmadiyya leadership welcomed the Ottoman defeat by holding celebrations in their holy city of Qadian.[50] The Ahmadis had been claiming that their leader, Mirza Bashiruddin Mahmud Ahmad, was the caliph of true Muslims, and, now, with the Ottomans defeated, it cleared the way for him to be recognized as the caliph of Muslims.

However, anti-imperialist Muslims took the opposite view: that the Quraish qualification was not essential and therefore the Ottoman sultan was the legitimate caliph of Muslims. In February 1915, some Muslim sepoys opened fire on their British officers in Singapore and killed them. This happened elsewhere too but only as isolated incidents.[51] An Arab revolt in 1916 under the leadership of Sharif Hussein of Mecca, masterminded by British agents, hastened the defeat of Turkey. Overall, Indian Muslims remained passive, and those serving in the army remained loyal. They were dispatched to different war theatres in the Middle East and Europe where they participated in the war on many fronts.

In any case, an All-India Khilafat Committee headquartered in Lucknow was formed in 1919 to campaign for the retention of the caliphate and Ottoman Turkey's suzerainty over the Muslim holy lands in the Middle East. The Committee felt that it needed the support of Hindus to build a strong campaign against the government. It turned to Gandhi, who responded sympathetically. He was elected as the president of the Khilafat Committee. For Gandhi, it was an opportunity to bring the Muslims into mainstream nationalist politics. At the Benares meeting of the All-India Congress Committee in May 1920, Gandhi proposed non-cooperation as a mark of sympathy with Muslims on the Khilafat issue. He did not enthuse committee members, and when the idea was sent to the provincial Congress committees, he received support only from Sind. Yet, he remained undeterred.[52]

At a special session of the Congress in Calcutta, Gandhi presented a comprehensive programme of boycotting schools, courts and

IQBAL FORUM

legislatures, refusing to serve in Mesopotamia and surrendering titles conferred by the government. Several senior members of the Congress were opposed to such drastic measures. Jinnah, speaking on that occasion, agreed that non-cooperation was the only way to protest British policy, but he wanted to make a proper assessment of the situation before plunging the country into a head-on clash with the government.[53] However, Gandhi's resolution was passed. He carried the people with him, and non-cooperation in support of the Khilafat agitation was adopted as the Congress programme. Additionally, since the Congress had asked him to prepare a new constitution for the party, he introduced a strong nationalist character to it, taking away any mention of loyalty to the British monarch. Henceforth, anyone who paid four annas annually could be a member of the Congress Party, and even persons from princely states could become members. Women were also welcomed.[54]

The Muslim League and the Khilafat issue

Not surprisingly, the Khilafat issue evoked strong reactions in the Muslim League as well. Although an elite party with limited membership representing Muslim notables, it could not withstand the resentment and frustration that was present among pan-Islamic Muslims. The annual session of the Muslim League held in Bombay in 1915 was presided over by Mazharul Haque, who was a staunch Indian nationalist totally opposed to separate electorates. He favoured closer cooperation with the Congress. The government, with the head of Bombay police, S.M. Edwardes, in the lead, tried to disrupt the meeting through Seth Sulaiman Kasam Mitha (a Memon) and his hooligans.[55,56] Jinnah was opposed to such tactics used by the government. On his insistence, the Muslim League held its annual sessions in Bombay so that they could coincide with the annual sessions of the Congress Party. However, the government continued to disrupt the meetings of the Muslim League. Edwardes was in the lead, but he was acting with the connivance of the Bombay governor, Lord Willingdon.[57] Jinnah, who had been elected as the president of the Home Rule League party of Annie Besant and taken a bold stand on self-rule, came into direct conflict with Willingdon.

When the war was over, and it became clear that the British were determined to dismember the Ottoman Empire, the Muslim

IQBAL FORUM

League strongly opposed such policy. However, on the issue of non-cooperation, opinion in the League was split into three sections. A majority were in favour of non-cooperation on lines almost identical to Gandhi's campaign. A middle group evaded the Khilafat issue and favoured instead cooperation with the government in the implementation of the 1919 reform. The third group opposed non-cooperation but did not cooperate with the government in the working of the 1919 reform. Jinnah, who belonged to the third group, was acutely aware of the emotional significance of the caliphate for Sunni Muslims and warned the British government against taking vindictive measures against the Ottomans. He was part of a Muslim League delegation which went to England in 1919 to explain the Muslim point of view. It was given short shrift by London. In his presidential address to the Muslim League in 1920 he observed:

> First came the Rowlatt Bill—accompanied by the Punjab atrocities—and then came to spoliation of the Ottoman Empire and the Khilafat. The one attacks our liberty, the other our faith ... One degrading measure upon another, disappointment upon disappointment, and injury upon injury, can lead a people to only one end. It led Russia to Bolshevism. It led Ireland to Sinn Feinism. May it lead India to freedom.[58]

Jinnah and Gandhi: A leadership clash?

Jinnah had been witnessing the rise of Gandhi with some concern and consternation. The latter had suffered a setback after he called off the non-cooperation in the wake of the Rowlatt Acts and the events in Amritsar. However, by championing the Khilafat movement he had made a dramatic comeback. Jinnah, the liberal and constitutionalist, was dismayed by Gandhi's combination of religious idiom and radical ideas of mass agitation. He felt overshadowed. The final showdown came at the annual session of the Congress at Nagpur in December 1920. Gandhi moved a resolution calling for the 'attainment of Swaraj by the people of India by all legitimate and peaceful means'.[59] Jinnah objected that it was dangerous to sever the British connection without better preparation for independence. He asserted that the weapon of non-cooperation would not suffice to destroy the British Empire.

IQBAL FORUM

Jinnah was heckled during his speech. His young wife was with him and it must have hurt him profoundly. At one point, when Jinnah referred to Gandhi as 'Mr Gandhi', the crowd shouted, 'Mahatma Gandhi'. Similarly, when he referred to Maulana Mohammad Ali as 'Mr Mohammad Ali' the people shouted 'Maulana Mohammad Ali'. Jinnah expressed disgust and walked out of the session, never to return to the Congress.[60,61]

Gandhi-led agitation captures popular fancy

In any event, it was the Gandhi-led non-cooperation which animated the masses to agitation. Muslims and Hindus became partners in a mass countrywide agitation led by Gandhi. Obviously, the Muslims were fired by strong pan-Islamist passions, while the Hindus joined ranks with them in the hope of establishing a strong nationalist opposition to British rule. It had a dramatic effect on bringing down walls between the two communities. A Lahore Hindu, Som Anand, writes that in his family the old ideas of pollution and maintaining a distance from Muslims were discarded and attitudes towards Muslims improved significantly among educated Hindus.[62,63] Many prominent Muslims were part of the Khilafat agitation. Among them were Maulana Mohammad Ali Johar and his brother Shaukat Ali, Maulana Abdul Bari of Firangi Mahal, Mahmud Hasan of Deoband and his followers, Dr Mukhtar Ahmed Ansari, Shaukat Ali Siddiqui, Barrister Jan Muhammad Junejo, Hasrat Mohani, Hakim Ajmal Khan, Maulana Abul Kalam Azad, Abdul Ghaffar Khan, Syed Ataullah Shah Bukhari, Saifuddin Kitchlew, Maulana Zafar Ali Khan and even men such as Huseyn Shaheed Suhrawardy[64] and Chaudhry Khaliquzzaman,[65] who later became prominent leaders of the Muslim League when it spearheaded the separatist movement in favour of Pakistan.

Some prominent pirs from Sind also supported the Khilafat movement, while in the Punjab the pirs remained loyal to the British. To formalize the end of empire, the Treaty of Sèvres of 1920 was imposed on the sultan-caliph, who was a virtual prisoner of the British. In addition to Middle Eastern Arab territories, the Treaty of Sèvres also drove the Ottomans out of Asia Minor, reducing Turkey to a rump state of the Anatolian hinterland, with a strip of territory connecting it with the sultan in Istanbul.

IQBAL FORUM

The Khilafat agitation was largely peaceful but thousands were arrested. Gandhi, Abul Kalam Azad, the Ali brothers and many other leaders were among those incarcerated. However, the emerging Hindu–Muslim concord received a series of severe blows. The first was the Moplah uprising of 1921 along the Malabar Coast in southern India in which a small community of Muslims known as Moplahs, of common Arab and native forbears from the earliest of times settled on the Malabar Coast, attacked their Hindu landlords and killed many of them. It seems to have taken place because of local grievances and was by no means connected to the Khilafat movement. The government, however, blamed it on the Khilafat movement and used excessive force to crush it. When Gandhi and other leaders tried to visit the troubled areas, the government forbade them to do so. The non-cooperation movement continued, although within the Congress moderate colleagues and more orthodox Hindus, and influential individuals outside it such as Rabindranath Tagore, were opposed to it because it included actions such as cloth-burning and boycott of other British goods. The fear was that the British reaction would result in severe blows to the freedom movement.[66]

Much worse followed in 1922 at Chauri Chaura in the UP, when a Khilafat-supporting Congress mob attacked a police station, killing twenty-two policemen. Gandhi called off the protests as his rule of non-violence had been violated. He did so without consulting anyone, and his Muslim allies especially were greatly angered by his decision. Thousands of people were in prison and now he was calling off the agitation as arbitrarily as he had announced it—claiming God had spoken to him.[67] As always, when the masses are roused, it is not easy to control them, and although the instructions were to remain non-violent, the volatility which the mass movement had produced was prone to violence, and it is very possible that police touts and agent provocateurs were also active in instigating violence.

Gandhi's problems were manifold. He had created considerable opposition among Hindus as well. Notoriously a community compartmentalized by varna and caste, Gandhi's invocation of religious symbols, his claims to spirituality, which included the establishment of ashrams, had helped him mobilize peasants and broken through those barriers insofar as the upper castes and peasantry were concerned. However, to carry the orthodox, he at times spoke in favour of

IQBAL FORUM

the caste system but tried to present it as simply a distribution of tasks of a socio-economic nature. Such apologetic reasoning did not appeal to the so-called untouchables whose leaders told the British that they would never agree to the rule of upper-caste Hindus. To placate the untouchables, Gandhi spoke of their great suffering. He remarked:

> I pray . . . today: If I have to be reborn. I should be born an untouchable, so that I may share their sorrows, suffering and the affront levelled at them, in order that I may endeavour to free myself from that miserable condition.
>
> You should not ask the Hindus to emancipate you as a matter of favour. Hindus must do so, if they want, in their own interests . . . Receive grain only—good sound grain, not rotten grain—and that too only if it is courteously offered . . .[68]

It is clear Gandhi's task of making all sections of the Hindu community join his nationalist movement was not easy. He did not reject the caste system because that was the foundation of the Hindu world view and its peculiar dharma–karma theory of justice, but he was urging the untouchables to be assertive and defiant. However, given their hugely depressed situation, such encouragement and support did not mean much substantively. On the other hand, many orthodox upper-caste Hindus found his sympathy for the untouchables subversive.

Notwithstanding all such complications and limitations, Gandhi had been able to create a mass movement which was unique—nothing of the sort had happened after 1857. The British, for the first time, had been put on the back foot. On the other hand, the debacles suffered by Gandhi with the failure of his non-cooperation agitations meant that he was left in the political wilderness, meditating and reflecting rather than actively seeking to mobilize people for some new challenge to British supremacy.

The Khilafat movement peters out

In the meantime, the Ottoman General Ghazi Mustafa Kemal Pasha Atatürk, hero of the Battle of Gallipoli, refused to accept the Treaty of Sèvres. He organized a resistance movement that fought the allied

IQBAL FORUM

forces all over Asia Minor and other war theatres. The only power that helped Atatürk was the Soviet Union. Britain obtained letters from two leading Shia Muslims, the Aga Khan and Syed Ameer Ali, advising the Turks to remain loyal to the sultan, the spiritual head of Islam. Theologically, as Shias, the Khilafat was not a legitimate institution for them. It is possible they did it out of sympathy for their Sunni brethren.[69] The letters were airdropped over Atatürk's national liberation forces. Atatürk successfully countered such propaganda, denouncing the Aga Khan and Ameer Ali as British agents. Ultimately, peace was reached through the Treaty of Lausanne of 1923 that accepted Asia Minor as Turkish territory. However, Turkey gave up claims to the Middle East.

For conservative Khilafatists such as Maulana Mohammad Ali Johar, the caliphate was a central Islamic institution, and he kept hankering for its restoration, something which inadvertently coincided with the British backing of a powerless but useless symbol of Islamic identity, the captive sultan-caliph. On the other hand, anti-imperialists such as Abul Kalam Azad came out in support of Atatürk. He issued a statement supporting Atatürk, which the Kemalist government distributed in the form of leaflets.[70,71]

Jinnah leaves the Congress

Jinnah's early career as an Indian nationalist was premised on a commitment to work towards India's self-rule but within the British Empire—even when the biases built into the 1909 reform constrained Muslim politicians to turn to their co-religionists to get elected and Jinnah adjusted to that framework after initial opposition to the idea of communal elections. The core idea under which he subsumed his political preferences was inclusive Indian nationalism comprising all communities. Under this central argument he subsumed supplementary arguments and actions. For example, to those Muslims who feared that cooperation with Congress would result in the one-fourth Muslim minority being permanently dominated by the three-fourths Hindu majority, he retorted that such a fear was unfounded: 70 million Muslims could not be ignored by anyone. That he simultaneously strengthened his leadership of Muslims was for him not a contradiction but a fair basis for the equal rights of all. At that

IQBAL FORUM

time, he was not speaking of communal or collective rights but the rights of all individuals as citizens. That was the liberal, constitutional position, and he adhered to it in his pronouncements.

However, unlike Gandhi, whose radicalism verged on the demand for independence, his was a measured advance towards self-rule as a British colony. Demanding independence was, for him, premature and unrealistic. Even for the Congress, a formal demand for complete independence was still some years ahead. On the other hand, had he adopted Gandhi's radical nationalism, there was nothing to suggest that he could not have maintained his leadership and Gandhi would have necessarily eclipsed him. Quite simply, he neither approved of comprehensive non-cooperation of Gandhi's type, nor of challenging the British beyond self-government within the empire.

That Jinnah and Gandhi could not develop a stable rapport was probably both a matter of negative chemistries as well as their overall political posturing. Jinnah considered himself Gandhi's senior insofar as Indian nationalism was concerned. He cut his teeth in Congress politics in 1906 while Gandhi was away in South Africa. Nevertheless, a process had been set in motion whereby Gandhi would upstage Jinnah as the premier leader of the Congress Party. Under his leadership, the Congress had transformed from an elite party of constitutionalists hailing mainly from Hindu upper castes and the middle class into a party striving to involve the masses in the struggle against British domination. He had declassed himself, donning the attire of a peasant and surrounding himself with the halo of a sadhu. As a member of the majority Hindu community, he enjoyed a numerical majority, but given the notorious caste compartmentalizations within Hindu society, he had to generate ideas, imagery and symbols which would enable him to transcend those barriers. The aura of a sadhu catered to that need to connect with Hindus across class and caste. In contrast, Jinnah prided himself over his parliamentary skills and his identity as a privileged scion of the gentry. He considered Gandhi and his mass-contact campaigns populist, boorish and dangerous.

It is reasonable to assume that when, after becoming the president of the Khilafat Committee, Gandhi tried to bring Muslims under his influence and leadership, Jinnah felt he was transgressing limits.

IQBAL FORUM

After all, the 1909 reform had created and objectified Hindu–Muslim separation as the foundation of separate political representation. For Jinnah, it was crucial that he was not alienated from the Sunni majority. Therefore, theoretically, he could have pre-empted Gandhi's leadership bid by going along with non-cooperation, to which Gandhi had invited him to partner, but that he was not willing to do. He wanted to support the Khilafat cause, but within the limits of constitutional protest and opposition when Gandhi ventured to take the matter to the streets.

One can say that the negative personal chemistries which emerged soon after they met in India were compounded by disagreement and conflict over strategy on how to lead India towards self-government. Obviously, leaders of the stature of Jinnah and Gandhi were not willing to play second fiddle to each other, and both could not be the pre-eminent leaders of the same movement. Jinnah's decision to let go of the leadership of the Congress-led freedom movement was therefore understandable, but its consequences at that stage were impossible to foresee.

For the British, the paramount concern remained keeping at bay the radicalized Congress under Gandhi championing non-violent mass civil disobedience. If Gandhi did not advocate violent revolution, he had to be tolerated even when he tried to build a united front in alliance with the Khilafat movement. They had at their disposal loyal Hindu and Muslim leaders and the rulers of the princely states whose services they could rely on to counter Gandhi and the Congress. Jinnah was not among them. He was willing to challenge and critique high-handed British policies towards Indians but was not willing to resort to Gandhian ideas of mass protest. More importantly, Jinnah was not willing to accept second-fiddle status in the shadow of Gandhi. However, leaving the Congress diminished his role as the front-rank leader of the nationalist movement.

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IQBAL FORUM

Chapter 4

Jinnah as a Muslim Communitarian



I would like to describe the second stage in Jinnah's political career as Muslim communitarianism. Communitarianism, in its basic meaning, stands for the rights of the community and views the individual primarily as having an identity, interests and rights as the member of a community. In other words, communitarianism conceptualizes the autonomy of the community as a prerequisite for the individual to realize his/her security and freedom. Historically, communitarianism has had both right-wing and left-wing roots. European conservative ideology idealized traditions, customs, the church, the king and other paraphernalia from the feudal past which were reliable sources for maintaining social cohesion and order; they considered rationalism and individualism dangerous and subversive. Edmund Burke's indictment of *Declaration of the Rights of Man and of the Citizen* proclaimed by the French Revolution was an example of conservative communitarianism.[1]

Precolonial communitarianism in India

Communitarianism, in the wider sense of small, self-contained communities, has existed in the subcontinent from time immemorial. While Mahatma Gandhi idealized self-sufficient village communities as idyllic, authentic units of Indian society, Karl Marx who, as already noted, talked positively of pre-capitalist communitarianism in Europe considered such units in India stultifying micro-entities because the

IQBAL FORUM

caste system inhibited innovation and degraded master craftsmen and their labour as polluting activities.[2] My own understanding is that historical India has been pluralist but unequal. India has had plurality of gods and goddesses and competing philosophical schools. These had produced myriads of small communities and, hence, the traditional pluralism of individual beliefs and cults.

The arrival of Islam introduced monotheism as a distinct idea of community founded by Prophet Muhammad (PBUH) in the seventh century. The Sufi orders, within the Sunni framework, which sent activists to the subcontinent consisted of both strict followers of Islamic law as well as those which sought synthesis between Islamic and local ideas and thus generated syncretic communities or brotherhoods. The Chishti Sufis were the most adaptive and assimilative. Dance and music and other such modes of expressing mystical rapture and ecstasy were incorporated into popular forms of Sufi Islam. Initially, the Sufis were an extension of the state, though some asserted their autonomy and created separate spheres of social solidarity in which local converts were admitted in large numbers.[3]

Among Hindus, too, another round of revolts against caste compartmentalization occurred in the wake of the Islamic arrival. Gorakhnathi yogis, sants of the Bhakti movements and the early Sikh gurus and many other such social movements created alternative communities to the high, exclusive culture of the elites by establishing solidarity and brotherhoods based on a sense of shared humanity. Sant Bhagat Kabir of the Bhakti movement and Guru Nanak, the founder of Sikhism, were leading figures whose teachings represented the idea of a wounded humanity—an idea Buddha had originally popularized. In short, precolonial India was a mosaic of ethnic and linguistic variety and diversity which coexisted peacefully under normal circumstances.[4,5,6]

British rule and communitarianism

While the British eschewed connecting the colonial state with Christianity, the Christian churches which established themselves all over India initiated organized proselytising activities. Conversions to Christianity took place mainly among the poorer sections of society, mostly the Dalits, but when some leading families and upper-caste

IQBAL FORUM

individuals were also attracted to the Christian missions, it caused considerable anxiety and introspection among Hindus, Muslims and Sikhs. Among Hindus, the Brahmo Samaj and Arya Samaj reform movements invoking rationalism as part of the Hindu ethos challenged traditional Sanatam Dharam orthodoxy to which most Hindus subscribed. Among Muslims, the Ahle-Hadis (Wahhabism) and Deobandi movements represented puritanical critiques to the predominant Barelvi Sunni Islam based on saint worship and other accretions. Among Sikhs, the Singh Sabha movement sought to prove that Sikhism was an egalitarian religion distinct from Hinduism and not merely a sect of Hinduism.[7,8]

The Ahmadiyya movement

Amid the communitarian changes and revivals, a new group, the Ahmadiyya community, came into being in the late nineteenth century. Mirza Ghulam Ahmad (3 February 1835–26 May 1908), was born in a landowning family of Qadian, Batala tehsil, in the Gurdaspur district of the Punjab, and gained public attention as a masterly polemicist in debates with Arya Samajists and Christian missionaries. Such skills won him respect among Punjabi Muslims, but as his popularity increased, so did his claims about his status. A secret police report on the Ahmadiyya sect covering events up to 1938 revealed that Mirza claimed in his writings to be the *mujadid* (reformer) of Islam as well as a prophet who received revelation from God directly. Politically, Mirza denounced jihad against the British and instead preached obedience and loyalty to them.[9]

Mirza put forth the novel idea that Jesus did not die on the cross, as Christians believed, but had escaped and arrived in Kashmir and was buried in Srinagar. Such a claim conflicted with the mainstream Muslim belief that Jesus did not die on the cross but ascended into heaven and would return to earth, join hands with Imam Mahdi and fight infidels for the supremacy of Muslims over the world.[10] Some of Mirza's remarks were conciliatory towards other religions, including Hindu gods, and he considered Guru Nanak a true worshipper of God.[11] Mirza claimed the attributes of Jesus. He also claimed thathe was Imam Mahdi, the awaited twelfth Imam of Ithna Ashari Shias, which was also part of Sunni folklore, though, according to the latter

IQBAL FORUM

view, Mahdi was not yet born. Not content with claiming to be the awaited saviour of two religions, he also claimed to be Lord Krishna, the Hindu god, who, according to Hindu eschatology, will return to earth during the Kali Yuga (Age of Darkness), the era of despair and despondence, to save humankind.[12]

According to Sunni and Shia belief, Prophet Muhammad, Peace be Upon Him (PBUH) was the last, and the Seal of Prophets and the office of prophethood is closed for all times to come. After his death, Mirza Ghulam Ahmad was succeeded by a close associate, Hakim Nur-ud-Din, as the first *khalifa* (deputy). Nur-ud-Din died in 1914. However, while not yet the khalifa, Mirza's son Mirza Bashiruddin Mahmud Ahmad made the following statement in 1912: 'Any Muhammadan who did not accept the ten conditions of "Bait" (initiation) laid down by the late Mirza was a "Kafir" (infidel).'[13] Among them were acceptance of his claim to be a prophet who received revelation from God. Bashiruddin succeeded as the second khalifa, but his succession caused a split in the Ahmadiyya community.

The more educated formed the Lahori party. They considered Mirza Ghulam Ahmad a mujadid. The other group accepted Mirza Ghulam Ahmad as a prophet and declared Mirza Bashiruddin Mahmud Ahmad as the caliph of Mirza and their spiritual head. Initially, the second group was known as the Qadiani party, but after the partition of India it purchased land in western Punjab, where it set up headquarters and founded a town called Rabwah. It became known as the Rabwah group. The Rabwah position about Ahmadi beliefs is explained by them in a video clip accessible on YouTube.[14]

Not surprisingly, the two Ahmadi groups were mutually hostile.[15] In the long run, the Rabwah group emerged as the major group. It was better organized, more resourceful and fired by greater messianic missionary zeal. Both groups were staunchly pro- British, though the Lahori group sought to be part of mainstream nationalism as well.

As noted, the various reformist communitarian movements emerged in response to proselytization by Christian missionaries, but they inevitably turned against one another. The polemics that took place with the missionaries and among the champions of native beliefs and cults came to be known as *munazaras*. The emphasis among all

IQBAL FORUM

was on establishing the true community. As such processes of inventing a glorious, rational past and a pure future gained momentum, the opaque traditional society, the little cultures of people that provided scope for interactions across orthodoxies and dogmas of religions and cults, began to weaken, and differentiative practices gained the upper hand. This was particularly true of urban Punjab.[16,17]

If religious controversies and debates did not threaten British rule, they had no reason to repress such freedom of expression. Rather, the freedom of religion and expression *deepening* differences between native communities was an efficacious method to prevent them from joining ranks against colonialism. On the political level, too, communitarianism was not a negative trend for the British if it resulted in splitting the nationalist movement.

During 1920–29, Jinnah's approach to politics was communitarian. He began arguing that Muslims were a distinct community. Upon such a premise Jinnah became the advocate of the view that India was inhabited by discrete religious communities which did not share any cultural capital that would enable them to function as a cohesive nation. He wanted constitutional safeguards that would prevent perceived Hindu majoritarian domination in a united India.

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IQBAL FORUM

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IQBAL FORUM

Chapter 5

Jinnah's Communitarian Forays

As we have noted earlier, Jinnah felt slighted and eclipsed by Gandhi, but the former had not yet developed the antipathy towards the latter, which later came to characterize his attitude towards Gandhi. Thus, for example, on 26 January 1921, Jinnah addressed a public meeting in Bombay in which he refused to let his name be included in a list the government was preparing of politicians who were against non-cooperation. Also, while speaking at the sixth anniversary of Gopal Krishna Gokhale's death some six weeks after the Nagpur clash, Jinnah described Gandhi as a 'great man' for whom he had 'more regard . . . than for anyone else'.[1] We find enough evidence that shows that both remained in touch and even cooperated on several occasions.

At that time, the Muslim League was merely a platform for a narrow elite group of landowners and conservative notables. Membership was restricted, few paid membership fees and the party lacked central leadership and organization. This situation continued into the early 1930s.[2] In the Punjab, Sir Mian Muhammad Shafi and Sir Fazli Hussain were rivals. Sir Shafi belonged to the school of Sir Syed and was a close associate of Sir Aga Khan. Sir Fazli was also a staunch British loyalist, but he had built a strong popular base for himself in the Punjab, with progressive reforms and welfare inputs which included rural dispensaries. By seeking an alliance between Muslim landlords and Hindu peasants, he founded the Punjab Unionist Party (PUP) in 1923. He was supported by the Sikhs from the outside. Urban Hindus, the most educated and economically advanced section of the province,

IQBAL FORUM

despised him because through affirmative action Sir Fazli increased Muslim recruitment in the services as well as admission in some educational institutions such as Government College and the King Edward's Medical College in Lahore. He also introduced legislation against the moneylenders who were invariably urban Hindus.[3]

Sir Fazli was determined to keep Jinnah out of the Punjab's politics. Both Sir Fazli and Sir Shafi were opposed to the Lucknow Pact but favoured separate electorates.[4,5,6] In Bengal, too, Jinnah had opponents among Muslim leaders. The Lucknow Pact was not popular among them because they also had to agree to lesser representation than the percentage of the Muslim population of Bengal.[7] Jinnah also had to face challenges from diehard Khilafatists such as the brothers Mohammad Ali and Shaukat Ali.

Another type of opposition to Jinnah existed among anti-imperialist Muslims who considered the Muslim League an elite club dominated by British toadies. The Jamiat Ulema-e-Hind, founded in 1919 by Deobandi ulema, had been radicalized during the Khilafat movement. Similarly, the Khudai Khidmatgar movement, founded in 1930 by Khan Abdul Ghaffar Khan in NWFP, had roots in the Khilafat movement. It was staunchly pro-Congress. In the Punjab, the Majlis-e-Ahrar (1929), too, with its roots in the Khilafat movement[8] and the Khaksar movement (1932), influenced by militant Islam and fascism, were anti-British organizations.[9]

The regional, class and sectarian tangles that prevailed among the Muslim community were potentially favourable to Jinnah because from his Bombay base he could assert his autonomy and cater to the sensibilities of those Muslims who were critical of high-handed British policies without being opposed to the continuation of the Raj. Such thinking was prevalent among liberal Hindus as well such as Sir Tej Bahadur Sapru, C.R. Das, Motilal Nehru and many others. They aspired for Swaraj (self-rule) for India but as a British dominion. Jinnah, liberal Hindus and Parsis used to wine and dine together and were members of the same parliamentary groupings in the Central Legislative Assembly such as the Independent and Swaraj parties.

The May 1924 Lahore session of the Muslim League

In 1924, Jinnah was elected president of the Muslim League at the Lahore session. The last time he had been elected to that position

IQBAL FORUM

was in 1916, which had helped him achieve the Lucknow Pact. His election at Lahore was strongly opposed by the Khilafatists—Maulana Mohammad Ali and Shaukat Ali, Dr Mukhtar Ahmed Ansari and Dr Saifuddin Kitchlew. Since the Khilafat movement had failed, Jinnah's stance against Gandhi's non-cooperation had greater following among Muslim leaders.[10] Consequently, while asserting that Swaraj was the declared goal of the Muslim League and adopting a resolution against communalism, the League demanded the following:

1. India shall be a federation, 'so that each province shall have full and complete provincial autonomy, the functions of the Central Government being confined to such matters only as are of general and common concern'.
2. Any territorial redistribution of provincial boundaries shall not 'in any way affect the Muslim majority of population in the Punjab, Bengal and N.W.F. Province'.
3. The mode of representation in the legislature and in other elected bodies 'shall guarantee adequate and effective representation to minorities in the provinces subject . . . to the essential proviso that no majority shall be reduced to a minority or even to an equality'.
4. Full religious liberty shall be guaranteed to all communities.
5. Joint electorates, with a specific number of seats being reserved for Muslims, were unacceptable. Communal representation shall continue 'provided that it shall be open to any community at any time to abandon its Separate Electorates in favour of Joint Electorates'.
6. No bill affecting any community shall be passed by any legislature or any other elected body if three-fourths of the members of that community in the legislature oppose such a bill.[11]

Jinnah repudiated the Lucknow Pact

In the light of the above demands of the Muslim League, one of the many myths upon which the distortion of the freedom movement rests regards who repudiated the Lucknow Pact. The Lucknow Pact was the pinnacle of Jinnah's Indian nationalism in which a stable Congress–League alliance to move towards self-government was imperative. The demands put forward at the Lahore session of 1924 were not because new demands had been added by the League

IQBAL FORUM

without consultation with the INC. The eminent historian of the All-India Muslim League, M. Rafique Afzal, informs us that Muslim thinking had already moved beyond the constitutional provisions of the Lucknow Pact in 1920, but there was reluctance to express it openly until 1924.[12] Sikandar Hayat elaborates that point:

> Jinnah called for a radical revision of the Lucknow Pact. In the post-1919 reforms situation, with devolution of power to the provinces, Jinnah wanted a greater share of power for the Muslims in the provincial governments, particularly in the Muslim-majority provinces . . . He demanded that statutory majorities should be restored in the two Muslim-majority provinces of the Punjab and Bengal, the majorities which the Muslims had lost through the Lucknow Pact.[13]

It is to be noted that Hayat describes the revision of the Lucknow Pact as drastic. The question to be posed is the following: When agreements and pacts reached between two or more parties are unilaterally revised in a drastic manner, do such actions generate positive social capital and trust, or the opposite? Common sense tells us that a unilateral withdrawal from any agreement, formal or informal, depletes social capital and trust. It leaves the other side under no moral obligation to remain faithful to it any more. The fallout of the unilateral breach of the Lucknow Pact by Jinnah strengthened the hands of sceptics and cynics on both sides—in the two parties and in the two communities. Communalism, in the sense of one community looking upon another community as enemies, did exist in the larger society, and the Hindu Mahasabha and other Hindu organizations were actively opposed to Congress–League cooperation. The unilateral rejection of the Lucknow Pact greatly shocked Congress moderates and liberals.[14]

Communal violence in the wider society

The breach of trust created by the repudiation of the Lucknow Pact by Jinnah was compounded by puritanical religious revivals going on at that time. Hindu dogmatists were profoundly worried about conversions of their co-religionists to Islam and Christianity. They launched Shuddi (purification) and Sanghatan (communal unity)

IQBAL FORUM

campaigns to reconvert those Hindus who had recently joined another religious community. The Muslim response was Tabligh (proselytising) and Tanzeem (organizing) activism. Such trends were greatly exacerbated when, in September 1924, violent riots took place between Hindu–Sikh minorities and the Muslims of Kohat in NWFP. Apparently, someone had composed a poem disparaging Prophet Muhammad (PBUH). It resulted in more than 150 deaths and caused an exodus of Hindus and Sikhs to Rawalpindi in the Punjab. In reaction, NWFP Hindus and Sikhs demanded NWFP be abolished and re-amalgamated with the Punjab.[15] In the Punjab, the Arya Samajist leader Lala Lajpat Rai demanded the partition of India so that the Muslim areas were separated from India.[16,17] However, Gandhi went on a twenty-one-day fast imploring Hindus and Muslims to embrace one another as brothers. Almost at the same time, some Maharashtrian Brahmins founded the militant Hindu organization the Rashtriya Swayamsevak Sangh (RSS) in 1925.

In December 1926, Swami Shraddhanand, a leading figure of the Sanghatan movement, who had earlier joined hands with Muslims to protest the Rowlatt Bills, was assassinated by a Muslim.[18] It was a severe blow to whatever solidarity survived from the Khilafat movement at a mass level between Hindus and Muslims. A further blow was delivered when the publisher of a book considered scurrilous by Muslims to Prophet Muhammad (PBUH), *Rangeela Rasul* (The Colourful Prophet), was published in Lahore in 1926 by an Arya Samajist called Rajpal. Initially, the Ahmadis started a campaign against Rajpal but later radical Sunnis came into the fray. Rajpal was stabbed to death in April 1929. The police arrested Ilam Din who was found on the spot. He protested his innocence but was found guilty. Jinnah was hired by the Muslims of Lahore to appeal for mercy in the high court. He wanted Ilam Din to accept his guilt so that he could plead for a less harsh sentence on the grounds that he acted in a state of frenzy, but Ilam Din refused and stuck to his claim that he was innocent. He was hanged on 31 October 1929.[19]

The Delhi All-Parties Conference of January 1925

Meanwhile, the Muslim League had met again in December 1924 in Bombay, where the demands made earlier in May in Lahore

IQBAL FORUM

were reiterated and endorsed. Efforts were afoot again to foster Hindu–Muslim amity. The Congress took the initiative to hold an All-Parties Conference in Delhi in January 1925. Jinnah responded positively and expressed hope for a Hindu–Muslim settlement. Other important Muslims who attended the conference were Sir Shafi, Maulana Mohammad Ali, Abul Kalam Azad, Saifuddin Kitchlew, Mushir Hussain Kidwai and Sahibzada Abdul Qayyum. Jinnah made a strong emotional speech in favour of cooperation with the Congress. He said: 'We have come to sit with you as co-workers. Let us put our heads together not as Hindus and Muslims but as Indians. Do you want to discuss, or do you want to wait? The choice is yours.'[20] He urged the Congress to accept the demands the Muslim League had made in Lahore and then at the Bombay session of 1924.

One can argue that the Congress should have continued to be more generous because it was the bigger party and enjoyed majority support. Congress and Swaraj leader of Bengal C.R. Das had come out with a generous package in 1923 to placate Bengali Muslims.[21] However, the Congress was no longer willing to make concessions which collided with its core ideology of integrated Indian nationalism and an effective central government. Jinnah's backtracking from the Lucknow Pact had adversely affected congeniality between the Congress and the Muslim League.

The Muslim League's demands at the December 1926 session in Delhi

The momentum of adding more rights was maintained at the December 1926 sessions of the Muslim League.[22] The new demands added included: Muslim majorities in Bengal and the Punjab to be established; constitutional reforms in the NWFP on a par with other provinces to be introduced; and Sind to be separated from Bombay. A demand that the Central Legislative Council should appoint a committee looking into Muslim grievances and addressing the issue of adequate representation in the public services was also made.[23,24] Mary Louise Becker in her book on the Muslim League[25] has reviewed that period and her conclusion is that communalism was increasingly defining the attitude of Muslim leaders. As expected, such demands

IQBAL FORUM

irked the Hindu Mahasabha which had been crying itself hoarse that Muslim appeasement would be at the cost of Hindu interests.

The nationalization of the Indian Army

Though at the level of politics Jinnah had become a communitarian, it was not yet the end of his constitutional phase as an Indian nationalist. During 1924–28, he made four speeches in the Central Legislative Assembly, in which he took up the cudgels on behalf of the 'Indianization of the army'. By that he meant that Indians should be represented in greater numbers in the officers corps. He pointed out that among the 3000 officers, only some seventy were Indians. Greater representation in the Indian Army would ensure greater loyalty towards the King-Emperor and enhance their sense of participation in the function of the Indian empire. His efforts and those of some other members of the Central Legislative Assembly resulted in more Indians being granted King's Commissions, and at Dehra Dun a military academy was established in 1932.[26] Such efforts by Jinnah meant that he still represented the old spark of an Indian nationalist, albeit one who simultaneously had shifted to communitarianism to bolster his leadership as an all-India top leader: that meant leader of the Muslim minority essentially.

The March 1927 Delhi Muslim Conference

In the meantime, to overcome the dissensions within Muslim leadership a Muslim Conference had been launched as a platform where Muslim leaders of different persuasions could meet to sort out their differences. Jinnah called a meeting in Delhi. It was attended by Congress leader Dr Ansari and Khilafat leader Maulana Mohammad Ali. In a surprise move Jinnah proposed:

1. Separate electorates could be given up, provided Muslim representation at the Centre was not less than one-third.
2. Sind should be separated from Bombay and political reforms in NWFP and Baluchistan effected on the same footing as in other provinces.
3. There be Muslim representation by their population strength in Bengal and the Punjab.

IQBAL FORUM

4. Muslims would be willing to make the same concessions to Hindus in NWFP, Sind and Baluchistan as Hindus would grant to Muslims in the Hindu-majority provinces.[27,28]

The Congress, which had rejected the demands made in Lahore in 1924 and subsequently in Delhi in 1925, welcomed Jinnah's willingness to renounce separate electorates. On its part, the Congress expressed willingness to accommodate these demands if separate electorates could be given up. On the other hand, the Hindu Mahasabha welcomed that separate electorates could be given up, but opposed Sind being separated from Bombay as well as reforms in NWFP and Baluchistan. Moreover, it considered concessions to Hindus and Sikhs in NWFP, Sind and Baluchistan while the major Muslim-majority provinces of Bengal and the Punjab were exempted—a poor deal for concessions to Muslims in the Hindu-majority provinces. Sir Aga Khan and the Punjab leaders Sir Shafi (who in 1925 in Delhi was willing to consider giving up separate electorates) and Sir Fazli were not willing to give up separate electorates and neither was the president of the Bengal Muslim League, Sir Abdul Rahim.[29,30] The Delhi Muslim Conference ended in failure. The Muslim League split into a Jinnah Muslim League and a Shafi Muslim League.

It is interesting to note that Viceroy Lord Irwin observed in a communication with Secretary of State Lord Birkenhead that the joint electorates were not as 'dangerous' for Indian Muslims as they were for the British Raj. He remarked, 'They [Muslims] are, after all, our best friends and, however impartial it may be our duty to be, we are not called upon as I see it, to throw over our friends for new allies [Hindus], whose friendship has been a very uncertain quantity.'[31] One can safely assume that the British must have continued to value separate electorates as an effective tool to prevent the Congress and the League from acting in unison: Hindu and Muslim communalists in both camps were always at hand to sow discord.

December 1927 session of the Muslim League in Calcutta

The Jinnah Muslim League met in December 1927 at Calcutta, while the Shafi League met in Lahore. Most Muslim leaders sided with Jinnah. To counter the Shafi group, Jinnah not only invited Congress

IQBAL FORUM

leaders but even the Hindu Mahasabha leader Pandit Madan Mohan Malaviya. He made a powerful speech in which he denounced Britain's policy of ignoring Indian opinion and imposing its arbitrary will on Indians. He welcomed Malaviya and implored all Indians to bury their differences and act as a united body against British arrogance and indifference. On the last day, he waxed eloquent when he observed:

> A constitutional war has been declared on Great Britain. Negotiations for a settlement are not to come from our side. Let the Government sue for peace. We are *denied* equal partnership. We will resist the new doctrine to the best of our power [. . .] I welcome Pandit Malaviya and I welcome the hand of fellowship extended to us by Hindu leaders from the platforms of the Congress and the Hindu Mahasabha. For, to me, this offer is more valuable than any concession which the British Government can make. Let us grasp the hand of fellowship.[32]

The Simon Commission

The 1919 Act had stipulated that a commission will be set up after ten years to recommend constitutional reforms. In November 1927, a commission was set up under Sir John Simon. Other members were of junior rank but were all white. Such a commission was considered a provocation in nationalist opinion which included not only Congress leaders but also Jinnah, the Hindu Mahasabha, the Liberal Federation, the Chamber of Commerce and the Mill Owners' Association. On the other hand, Aga Khan, Sir Shafi and the poet and noted Muslim thinker Allama Muhammad Iqbal, who were diehard supporters of separate electorates, were willing to cooperate with the Simon Commission.[33]

The Simon Commission arrived in Bombay on 3 February 1928 where it was met with black flags and protests. Similar protests occurred in every major Indian city it visited. On 30 October 1928, the commission arrived in Lahore where it was met by protesters waving black flags too. The protest was led by Lala Lajpat Rai, who was closely connected to the Hindu Mahasabha leadership. The protesters blocked the road and tried to prevent the commission

IQBAL FORUM

members from leaving Lahore Railway Station. The local police force, led by Superintendent James Scott, began beating the protesters. Lala Lajpat Rai sustained head injuries from a baton blow. He expired on 17 November 1928.[34] The Simon Commission met the Shafi group as well as loyalist Hindu and Sikh leaders.

The death of Lajpat Rai radicalized youths. Since the time of the Ghadar Party's abortive efforts in 1914 to foment revolution against British rule, followed by the carnage at Jallianwala Bagh in 1919, radical nationalism had begun to attract sections of Punjabis. Arya Samaj nationalism, the Sikh legacy of martyrdom against Mughal rule and the pan-Islamism generated by the Khilafat movement found support from Hindus, Muslims and Sikhs radicalized by the 1917 Bolshevik revolution. On 17 December 1928, in a case of mistaken identity, Bhagat Singh and his comrades shot dead J.P. Saunders, an assistant commissioner of police, instead of the intended target, Superintendent Scott. They also shot dead a constable, Chanan Singh, who had pursued them. The murders were condemned by all leaders. At the all-India level, socialists and communists had, in several industrial cities, mobilized workers against low wages and unsafe work conditions. The agitations which took place were condemned by the administration as a conspiracy to overthrow the government. It was alleged that funding for the conspiracy was coming from abroad, which meant primarily the Soviet Union. Consequently, a Public Safety Bill was tabled in the Central Legislative Assembly in Delhi.

On 8 April 1929, the Visitors' Gallery was packed and in a special section of it Sir John Simon was sitting. Bhagat Singh and B.K. Dutt threw two bombs near the treasury benches, which exploded with a terrific bang, but only a couple of members suffered some minor injuries. Bhagat Singh and Dutt were arrested.[35] They shouted slogans against imperialism and asserted that they could have caused a carnage if they wanted to, but that was not their intention: they only wanted the deaf colonial government to listen to the grievances of Indians.[36] The government arrested others too on charges of sedition. During the trial, harsh treatment was meted out to the revolutionaries. They went on hunger strike. As a result, one of the accused, Jatin Das, died. The bomb attack was condemned across the board; Jinnah in his speech in the Assembly put the terrorism in a broader perspective:

IQBAL FORUM

> Mind you, Sir, I do not approve of the action of Bhagat Singh, and I say this on the floor of this House. I regret that, rightly or wrongly, youth today in India is stirred up, and you cannot, when you have three hundred and odd millions of people, you cannot prevent such crimes being committed, however much you may deplore them and however much you may say that they are misguided. It is the system, this damnable system of Government, which is resented by the people . . . remember, there are thousands of young men outside. This is not the only country where these actions are resorted to.[37]

Jinnah took a stand which was legal and moral. He said he held no brief for a crime such as terrorism. But the bottom line in his speech was the classic idea that nobody is born a terrorist, that it is the highly unjust social conditions and adverse circumstances that drive desperate individuals to take recourse to violence to make themselves heard.

The Motilal Nehru Report of August 1928

Meanwhile, we need to step back and examine what was happening on the larger stage. Efforts were afoot to respond to Secretary of State Lord Birkenhead's taunt that Indians were incapable of agreeing to a Constitution. The Congress took the initiative of calling, on 12 February 1928, an All-Parties Conference to consider the demands of the Muslim League and its own thinking on the Constitution. The following organizations were invited: the National Liberation Federation, the Hindu Mahasabha, the All-India Muslim League, the Central Khilafat Committee, the Central Sikh League, the South Indian Liberal Federation, the All-India Trade Union Congress, the General Council of all Burmese Association, the Home Rule League, the Republican League, the Independent Party in the Assembly, the Nationalist Party in the Assembly, the Indian States Subjects Association, the Indian States Subjects Conference, the Indian States People's Conference, the Anglo-Indian Association, the Indian Association of Calcutta, the Parsi Central Association, the Zoroastrian Association, the Parsi Rajkeya Sabha, the Parsi Panchayat, the All-India Conference of Indian Christians, the Southern Indian Chambers

IQBAL FORUM

of Commerce, the Dravida Mahajana Sabha and the Landholders' Association (of Oudh, Agra, Behar, Bengal and Madras).

Subsequently, invitations were sent to the Bombay Non-Brahmin Party, the Nationalist Non-Brahmin Party, the Communist Party of Bombay and the Bombay Workers' and Peasants' Party.[38] Jinnah did not take part. He took the stand that only after the Hindu–Muslim question was settled—and that meant that his proposals made in Delhi in 1927 be accepted—would the Muslim League be willing to partake in the deliberations.[39] On 22 February 1928, the conference appointed a committee to examine in-depth key issues of bicameral or unicameral legislature, franchise, rights of the people, labour, peasantry and the Indian princely states. Many of the organizations sent their representatives. Deliberations were held during 12–22 February 1928. It then adjourned and met again on 8 March. The Hindu Mahasabha adopted several resolutions against Jinnah's proposals made in 1927—a precondition for taking part in the conference. The situation that arose as a consequence was that the Muslim League and the Hindu Mahasabha took identical positions inimical to broad-based consensus on the Constitution.[40]

The All-Parties Conference met again in May 1928 under the presidentship of Congress leader Dr Mukhtar Ahmed Ansari. It appointed a committee under the chairmanship of Motilal Nehru. It was stated in the introduction that the 'Committee shall give the fullest consideration to resolution of the Madras Congress [October 1927] on Communal Unity in conjunction with those passed by the Hindu Mahasabha, the Muslim League, the Sikh League and other political organisations represented at the All Parties Conference at Delhi and the suggestions that may hereafter be received by it . . .'[41] It noted with satisfaction that the Muslim League was willing to forgo separate electorates, provided its Delhi proposals were accepted in totality.[42]

Motilal's son, Jawaharlal Nehru, joined the committee as secretary, as well as another young stalwart called Subhas Chandra Bose. With their presence, radical ideas about independence, social justice and social reforms entered the deliberations of the committee.

Among the recommendations of the Nehru Report were the following:

IQBAL FORUM

1. India should be a dominion, with a parliamentary form of government.
2. There shall be no state religion.
3. Men and women will enjoy equal rights as citizens.
4. Elections will be based on universal adult franchise.
5. Hindustani shall be the national language of India with two official scripts: the Devanagari and the Persian-Urdu scripts; English could also be used.
6. There should be a bicameral legislature consisting of a Senate and a House of Representatives.
7. The Senate will consist of 200 members elected for seven years, while the House of Representatives would consist of 500 members elected for five years.
8. The governor-general will act on the advice of the Executive Council.
9. The Executive Council will be collectively responsible to the Parliament. It will exercise authority in the internal and external domains on behalf of the people of India.
10. India will be a federation with an effective Centre.
11. The princely states shall be part of the federation. They will continue to enjoy wide internal autonomy, but the authority of the democratically elected government will apply to the princely states as well.
12. There will be no separate electorate for minorities.
13. The system of weightage should not be adopted for any province.
14. There will be no reserved seats for communities in the Punjab and Bengal. However, reservation of Muslim seats could be possible in the provinces where Muslim population were in a minority but in strict accordance with their proportion of the population. Similarly, in NWFP, non-Muslims will have reserved seats in proportion to their numbers. Muslims in provinces where they are in a minority and non-Muslims in NWFP can contest additional seats to those reserved for them. Such reservations will be reviewed every ten years.
15. The judiciary should be independent from the executive.
16. Sind should be separated from Bombay, provided it proves to be financially self-sufficient. The committee rejected the objections of the Hindus that the creation of Sind would be a concession to

IQBAL FORUM

communalism. It asserted that Muslims were the majority in Sind and the majority cannot be denied.

17. Reforms should be introduced in NWFP and in any newly formed province on the same footing as other provinces.[43]

In the final report, the following names appear among those who prepared the report: Motilal Nehru, Tej Bahadur Sapru, S. Ali Imam, Madan Mohan Malaviya, Annie Besant, M.A. Ansari, M.R. Jayakar, Abul Kalam Azad, Mangal Singh, M.S. Aney, Subhas Chandra Bose, Vijayaraghavachariar and Abul Kadir Kasuri.[44]

Two Muslim Leaguers, Ali Imam and Shoaib Qureshi, were included in it but apparently without the approval of Jinnah. It is worth noting that Jinnah had sailed away to Europe in early May 1928 to be with Ruttie, who was unwell. Ali Imam attended only once as he was seriously ill. He used to receive the text of the deliberations. He signed the report. On the other hand, Shoaib Qureshi did take part but did not sign it. He wrote a note of dissent on the rejection of one-third representation for Muslims at the Centre.[45]

The former Indian finance, defence and foreign minister and the Hindu nationalist Bharatiya Janata Party (BJP) stalwart Jaswant Singh, in his famous study of Jinnah, has accused the Nehru Report of subverting the Lucknow Pact, reserving his special ire for Jawaharlal Nehru. He writes:

> The Nehru Report . . . called for dominion status but withdrew the Lucknow Pact's commitment to separate electorates and to weightage. Instead of reserving one-third of the seats in the central legislature the Nehru Report limited Muslim representation to twenty-five percent, roughly the Muslim community's share of the population.[46]

He goes on to allege that Jawaharlal was committed to an integrated nationalism that was consistent with uniform citizenship and majoritarian democracy. Class had replaced other social categories, notably religion, as his way of understanding the political process. Thenceforth, he asserts that the Nehru Report of 1928 achieved a totally unintended objective—convincing the various Muslim groups that they had to, for safeguarding their own interests, come under a single

IQBAL FORUM

umbrella. Therefore, alleges Jaswant Singh, the abolition of elections based on separate electorates, weightage for the minority provinces and reduced Muslim representation in Muslim-minority provinces, such as the United Provinces and Bihar, reduced their numbers in the Central Assembly, alienating Muslims as a whole.

The verdict Jaswant Singh passed on the Nehru Report needs to be critically evaluated. We begin with the major flaw in Singh's case against it: blaming the report for reneging on the Lucknow Pact. I have demonstrated earlier in this chapter by referring to two leading Pakistani scholars that it was Jinnah and the Muslim League who, beginning with the Lahore session of May 1924, renounced the Lucknow Pact by calling for a radical revision of it. Sir Fazli was opposed to any concessions being made on separate electorates—something which Jinnah had earlier in Delhi in 1927 wanted to give up as quid pro quo if his other demands were accepted. Sir Shafi's opposition to it was proverbial. For him, separate electorates were an article of cardinal faith. Another opponent from the Punjab was Allama Iqbal. Singh tells only a partial story about weightage— that of its adverse effects on the Muslims of the minority provinces such as Uttar Pradesh, Bihar and others. Weightage had never been accepted by the Muslim-majority provinces of Bengal and the Punjab because it had deflated their representation in their legislative assemblies and benefited the Europeans and Anglo-Indians and Sikhs, respectively. Therefore, there was no unanimity of views on weightage even if separate electorates had wider acceptance, but it had its sceptics, including Jinnah. Regarding Singh's objections to integrated nationalism and uniform citizenship leading to majoritarian democracy, I shall deal with these presently as I analyse the report below.

The Nehru Report: An analysis

The Nehru Report was an exercise in collective brainstorming and extended deliberations involving the best minds of those times. One can only speculate that had Jinnah not made it an absolute precondition that his Delhi proposals should be accepted in toto before he and his party could join the committee, a fair chance existed that the committee would have been willing to accommodate

IQBAL FORUM

some of his main concerns and demands. It is equally possible that he would have agreed to the overall thrust of the report because he was, in principle, willing to give up separate electorates, which was ideologically unacceptable to the Congress, while the Congress was ready for reforms in the NWFP and was positively inclined towards the creation of Sind as a separate province. Therefore, the decision not to participate in the deliberations of the committee was controversial, to say the least.

1. Dominion status

The Nehru Report wanted India to be acknowledged as a dominion on a par with other dominions. The prevalent praxis was that the British monarch was the ceremonial head of the state, the government and the church, but, for all practical purposes, it was the British Parliament which exercised national sovereignty. The same was true in the white dominions. Elected governments exercised effective powers and sovereignty. The king was only the nominal head of state. The British introduced universal adult franchise in the United Kingdom in 1928. In 1893, New Zealand had already granted universal suffrage; Australia had done so in 1902, but only in 1962 to the aborigines; Canada in 1920; and Newfoundland in 1925. In the neighbouring colony of Ceylon (now known as Sri Lanka), separate electorates were abolished and universal adult franchise granted in 1931, but it was not given the status of dominion. India was neither a dominion nor were Indians granted adult suffrage. A mixture of racist and geostrategic concerns explains why these two Asian colonies were treated differently vis-à-vis the white colonies, and to one another as well. The African colonies were treated even less generously.

The British were to decide—as they had always done in the past about the demands made by Indians for constitutional reforms—if they would accept the Nehru Report. Considered in the light of the established praxis in the UK and the white dominions, the Nehru Report was demanding compliance to established precedence and praxis. However, it would have meant that an elected government and not a colonial bureaucracy headed by foreigners would represent responsible government. The Nehru Report also demanded that the Indian government should control the Indian Army.[47] None of these

IQBAL FORUM

ideas were foreign to Jinnah—at one stage he had championed them. Moreover, the Nehru Report was not in the tradition of Gandhian mass politics but respectable, orderly constitutionalism. Would such a government mean a majoritarian Hindu government? We shall examine that presently.

The party affected most adversely by India becoming a substantive British dominion would be Great Britain. India was no longer serving as a major supplier of wealth, but it provided the English upper classes abundant leisure and recreation and lucrative employment besides a large army of natives ready to serve imperial interests domestically and in the wider world during war and peace. Conservatives such as Winston Churchill believed that Britain had done India great good, and it was therefore perfectly legitimate to continue ruling India because it was in the best interests of the Indians. Such reasoning was not entirely an exercise in prejudice, but it was paternalistic, arbitrary and pessimistic nevertheless. Quite simply, India was uniquely important for the British to continue to be a major power and global empire.

2. Hindu–Muslim tangle, separate electorates and weightage

The Nehru Report identified the communal issue essentially as a Hindu–Muslim problem rather than a general problem affecting the other communities of India. Regarding separate electorates, it asserted that it prevented the development of an integrated and coherent Indian nation state consisting of equal citizens. Regarding weightage, a strong opposition to it existed in Bengal and the Punjab among Muslim leaders because they had been compelled to accept fewer seats than their numbers entitled them to. As a result, for example, despite their constituting 55 per cent of the population of the Punjab, they were accorded only 50 per cent of seats. In 1919, the Sikhs were granted separate electorates and weightage in the Punjab. They were only 13 per cent of the Punjab population but were given 18.5 per cent of the seats in the Punjab Assembly. The Nehru Report also indicated the districts of the Punjab in which the Sikhs and Hindus together constituted a majority.

It can be pointed out that the Sikhs were not satisfied with the weightage given to them and wanted 30 per cent reservations at least. Such a demand was a reaction to the over-representation the Muslims

IQBAL FORUM

had been given under the Lucknow Pact in provinces where they were a minority. The formula that the Sikhs advanced was that the Hindus (who were 29 per cent of the Punjab population) should have 30 per cent, the Muslims (who were 56 per cent) 40 per cent and the Sikhs (who were 13 per cent) 30 per cent of the seats. The Muslim leaders were determined to oppose this categorically.[48] The committee had successfully convinced the Sikh representative Sardar Mangal Singh to drop the demand for separate electorates and weightage in favour of joint electorates, to which he had graciously agreed. In Bengal, the Europeans and Anglo-Indians enjoyed separate electorates and weightage at the expense of Muslims. In any case, in the actual allocation of seats to minorities the British did not always stick strictly to percentages of population and there was room for using it flexibly as they deemed necessary. Thus, objections against them existed in different places and among different communities.

Nevertheless, to accommodate Muslim concerns on representation, it was agreed that seats could be reserved for them in strict proportion to their population strength in provinces where they were in a minority. By the same token, Hindus and Sikhs could have seats reserved for them in the NWFP. In minority situations the Muslims could contest additional seats as well.[49] A one-third representation of Muslims in the central legislature was rejected as it was incongruent to the idea of basing elections on universal adult suffrage. The Nehru Report had no doubt made a clean break with the Lucknow Pact but the original sin, if one can use such a term in this context, against the Lucknow Pact was committed by Jinnah and the Muslim League.

One interesting argument put forward in the Nehru Report was that the minorities suffered more from separate electorates than the majority because the division of the people into communal majorities and minorities meant that the majority would always rule as a community. It could, on such a basis, ignore the minority. It was only if the majorities and the minorities were political and not communal—which could be achieved through inclusive political parties open to all citizens—would the problem of permanent majority rule be prevented. It argued that if at all any minority needed reservation and weightage, it was the tiny minorities constituting 1 or 2 per cent—not a large minority like the Muslims who additionally were in majority in north-western and north-eastern India. Regarding the untouchables—the

IQBAL FORUM

underbelly of Hinduism—it observed that separate electorates were not the way forward for them but that their upliftment was imperative and required substantive inputs to help them.

3. Universal adult franchise

The antidote to communal or separate electorates and the weightage that the Nehru Report proffered was universal adult franchise. It asserted that if universal suffrage was introduced, joint electorates and weightage would become superfluous and untenable. For backward groups, in general, it recommended education as a state responsibility to lift them out of poverty and illiteracy. Regarding the depressed classes, then known as the untouchables, it recommended that in addition to education and special economic inputs, social and cultural reforms were needed to change Hindu attitudes. The bottom line was that in a democracy based on a multiparty system, open to all citizens, the problem of permanent communal majorities and minorities will become redundant.[50]

4. The NWFP and new provinces

The report stated, 'The N.W.F. Province and all newly formed provinces by separation from other provinces, shall have the same form of government as the other provinces in India.'[51] New provinces could be created on a linguistic basis, it recommended.[52] To adopt language instead of religion as the basis of new provinces meant that it underscored the unity of linguistic nationalities since shared territorial space would be coterminous with the shared culture and language of Hindus, Muslims, Sikhs and others. Such a stand meant inclusive democracy seeking congruence between population and nation without any group being excluded from it.

5. Sind as new province

Regarding Sind, the Nehru Report dismissed the objections of the Hindu Mahasabha that it would mean a communal province, arguing that Sind was bound to be a Muslim-majority region and that was no reason to deny it separate status as a province. The basic

IQBAL FORUM

criterion for redistribution of territories of the provinces should be the commonality of language.[53] It observed:

> Prima facie Sind is capable of great development. Karachi is likely to become a great harbour and there are large tracts which are either uncultivated or not sufficiently developed. It is not an unlikely presumption therefore that Sindh will become in the course of time a self-sufficient and prosperous province.[54]

It wanted, however, a financial feasibility study of Sind to be undertaken, which was a fair and practical requirement. To balance it, the report recommended a feasibility report to investigate the demand for a new province of Karnataka in the south, where the Brahmin, non-Brahmin tangle created its own peculiar tensions, but the majority seemed to want such a province.[55]

6. Secular state, equal citizens, fundamental rights, democracy

The most conspicuous feature in the constitutional formula which the Nehru Report advanced was the section declaring that there would be no state religion and that men and women would enjoy equal rights as citizens. It argued that the 'Fundamental Rights' enumerated in the report amply provided for individual and communal freedom of religion and conscience and included the right of citizens to convert to another religion. Furthermore, by declaring that all men and women will enjoy equal right as citizens, Hindu theology, as the basis of rights, was discarded categorically. By granting a Brahmin, a Dalit, a Muslim and others who were *mleccha* (unclean foreigners) equal rights, the committee had rendered the *Manusmriti* politically irrelevant: thus, a Hindu majoritarian state was ipso facto an impossibility, constitutionally speaking. That Hindus would be the predominant majority in the central legislature would still not be neutralized if, instead of one-fourth, one-third seats were given to Muslims. Within a united India, this was inevitable.

Now, such a radical statement on rights was not acceptable to the conservative sections of society. To conservative Hindus, such rights were sacrilege and treacherous, while to both conservative Hindus and Muslims, it would mean the right to adopt another religion of

IQBAL FORUM

one's choice. The Nehru Report noted that the percentage of Hindus (including Dalits) had declined to 65 per cent, while the number of Muslims had increased only slightly. In the Punjab, many Dalits converted to Sikhism.

7. National language

The Nehru Report took the stand that Hindustani shall be the national language of India. It will be written in two official scripts: Devanagari and Persian-Urdu. Hindustani had become the lingua franca of India and was spoken and understood through most of India except for the deep south. By taking such a position, the ghost of the Hindi–Urdu language controversy of the nineteenth century was exorcised as both scripts were to be adopted officially and the emphasis was on their spoken form, which was more or less the same. Such a position had a north Indian bias, but the report agreed that English could continue to be used as well. Once again, the approach of the Nehru Report was to forge a strong Indian identity and not to succumb to either Hindu or Muslim communalism.

8. Federation

It can be pointed out that a federation divides powers between the Centre and provinces, but sovereignty resides in the Centre. In contrast, a confederation is a union of sovereign states from which member states can withdraw whenever they want. The European Union is an illustration of the confederal type of quasi-state arrangement. In contrast, a federation ordinarily cannot be dissolved at will by constituent units. By enumerating two separate lists, the Nehru Report delineated how power would be distributed in the political system. On some subjects, both had jurisdiction, and the principle laid down was that provincial laws and regulations were to seek harmony with central laws. Among the central subjects were the control of elections, production, supply and distribution, the development of industries, religious and charitable endowments, newspapers and the regulation of medical and other professions. It was also laid down that the princely states would enjoy internal autonomy, but the central Parliament and government would enjoy jurisdiction to bring

IQBAL FORUM

about a balanced development on behalf of the people of India, both living in the British provinces and the princely states.

By proposing an effective Centre, the Nehru Report by no means was prescribing a unitary form of government. To argue it did is unwarranted. The word 'unitary' is a synonym for single and is not to be confused with the unitary form of government. In the unitary form of government, there is one government and one Parliament and one administration, though administrative powers can be delegated to smaller units. In a federation, powers are distributed between the central or federal government and the units are called provinces or states or by some other name. In other words, the Nehru Report was proposing a strong and effective Centre but that did not mean a unitary form of government. We shall deal with the concept of federation later in this study as well.

The 1919 Act established a quasi-unitary form of government headed by the all-powerful governor-general (viceroy). The viceroy and the governors enjoyed wide discretionary powers, and even if the 1919 Act transferred some subjects to elected members of the legislature, the governor and the executive councils retained the key subjects. On the other hand, the Nehru Report divided powers between the Centre and the provinces in the form of two separate lists. Forty-seven subjects were assigned to the Centre. These referred to responsibility for foreign affairs, defence, security and communications. It also had the powers to hold elections, while the Supreme Court was to be the highest appellate court. The Centre was to regulate banks and insurance companies. It was responsible for factory legislation and industrial matters as well as for maintaining central agencies and institutions for research. To manage them, the report empowered the Centre to raise the necessary taxes.[56]

The provincial list included sixty-nine subjects, including land revenue, excise, local taxation, land acquisition by and within the province, education, agriculture (including research related to it), water supplies and irrigation, public works (including transport within the province), local self-government, the development of industries (including industrial research), police, the administration of justice in the province, elections in the province, factories subject to legislation by central legislature and a host of other mechanisms needed to have an effective administration in the province.[57]

IQBAL FORUM

The Nehru Report in summation

In short, the Nehru Report was an impressive exercise in collective thinking of the best minds of those times. If at all it had some weakness, it was with reference to the Dalits. Without adequate steps taken to create a level playing field, that despised section of society had no chance to assert its rights as equal citizens. However, since the report had at length argued against objectifying communal identities and a loose federation, it decided not to introduce an exception to the overall tenor of the arguments on which the Nehru Report was based. As noted, recommendations were made to uplift the depressed sections of society through educational and economic inputs and through the reform of Hindu attitudes and mindset.

On the other hand, since the Nehru Report had not demanded only dominion status, it had angered left-leaning individuals such as Jawaharlal Nehru and Subhas Chandra Bose who wanted the Congress to go further and demand complete independence. Some Muslim allies of the Congress such as the Jamiat Ulema-e-Hind too were dissatisfied for the same reason with the Nehru Report.

The most vociferous condemnation of the Nehru Report came from the Aga Khan, Sir Fazli and Sir Shafi. The Shafi League rejected it out of hand. However, the Khilafatists in the Punjab came out strongly in favour of the report.[58] Another Muslim League faction that came out in support of it included Raja Sahib Mahmudabad, proverbially known as Jinnah's chief patron in north India.[59] The Bengal Muslim League passed a resolution in favour of it and underscored that point bypassing a specific resolution in favour of joint electorates, provided universal adult franchise was granted.[60] Contrary to the prevailing view advanced in the Pakistani national narrative, 'the Jinnah League neither accepted nor rejected the report but wanted a few major changes in its contents'.[61]

The All-Parties Convention in Calcutta, December 1928

The Congress convened an All-Parties Convention in December 1928 in Calcutta to obtain the approval of the report. Jinnah led a twenty-three-member delegation to that meeting and moved the following four amendments.

IQBAL FORUM

1. There should be no less than one-third Muslim representation in the central legislature.
2. In the event of adult suffrage not being granted, the Punjab and Bengal should have seats reserved for the Muslims on the population basis.
3. The form of the Constitution should be federal, with residuary powers vested in the provinces.
4. Sind should immediately be made a separate province and the reforms should also be introduced in the NWFP and Baluchistan at the earliest.[62]

It was points one and three which conflicted strategically with the Nehru Report. However, the real sticking point was point three. I have already dealt with this issue at length and can only reiterate that India, with its myriads of castes, religions, sects and cults, linguistic nationalities and ethnicities, would not have functioned as a cohesive state without the Centre having effective powers to ensure that state and society evolved towards integrated Indian nationalism. It is immaterial if India had not been one state in the past. It had from time to time evolved in that direction: from Ashoka to Akbar and Aurangzeb, the ambition was to create a great Indian empire. So, now, if India was not to be a dominion based on democratic principles, what would have been the alternative? Revive the Mughal Empire from the ashes? Return the Punjab to the Sikhs who constituted a minority of less than 15 per cent? Drive India back into the age of despotism? Balkanize India into province-states and princely states? How would any such arrangement be possible and better?

The way India had evolved structurally as an economic and administrative entity, it was a functioning federation with an overbearing Centre. The Nehru Report took care of that by introducing two separate lists, with the Centre having effective powers to ensure a balanced and even development and the princely states slated to fall in line and integrate into that. There was the alternative of India being partitioned into two, three, a hundred smaller states or more. None of these partitions would correspond to some precolonial template. Whatever criteria would be chosen would entail arbitrary division—big or small.

IQBAL FORUM

The British had united India and, in the process, transformed it too. It was no longer ruled by the caprice and whims of despots but by formal rules and procedures that upheld the rule of law, albeit those that served the overall imperial interest to keep India in a position of subordination. The most practical way forward for India was to continue along the path which British intervention had laid down through an array of economic, social, military and political changes wrought in the process. It was, so to say, in the nature of the beast that the modern territorial nation state, including the postcolonial state, would strive to establish an effective Centre for the state to stabilize and consolidate. Exceptions such as Switzerland can be mentioned, but states founded as a result of a revolution or decolonization inevitably have a strong Centre to establish control over their territory. Moreover, no formula could do away with the fact of majorities and minorities and the pluralist nature of Indian society unless a total transfer of power were to make an ethnically or religiously pure nation coincide with the territories of the state: and that could not happen without the use of force and terror, because in agrarian societies the peasants always resist being alienated from their lands, howsoever small. In 1947, that fact was abundantly demonstrated in the Punjab which was partitioned between India and Pakistan.

To argue for an effective Centre was, therefore, a systemic necessity. The type of federation the Nehru Report proposed was reasonable, practical and legitimate. This abstract point will be easier to explain concretely when we look at how Jinnah handled Centre–province relations when Pakistan came into being in 1947. More on that later. The Nehru Report had in principle accepted the demands that Sind should immediately be made a separate province and the reforms should also be introduced in the NWFP and Baluchistan at the earliest.

The All-Parties Muslim Conference in Delhi and the Fourteen Points, 30 December 1928

Jinnah had taken the rejection of the preconditions he had proposed for taking part in the deliberations of the committee which prepared the Nehru Report as a very great personal affront. Soon after the

IQBAL FORUM

discussion in Calcutta of the All-Party Convention on the Nehru Report, an All-Parties' Muslim Conference met in Delhi on 31 December, under the chairmanship of Sir Aga Khan. The delegates collectively came up with fourteen-point demands, better known as Jinnah's Fourteen Points:

1. Federal form of government with residual powers vested in the provinces.
2. Uniform measure of autonomy granted to all provinces.
3. Adequate and effective representation to minorities in every legislature and elected bodies of the country, without reducing the majority in any province to a minority or even equality.
4. Muslim representation in the central legislature should not be less than one-third.
5. Separate electorates for the communal groups, which any community could abandon in favour of joint electorates.
6. Any territorial redistribution should not affect the Muslim majority in Bengal, the Punjab and the NWFP.
7. Full religious liberty, i.e. liberty of belief, worship and observance, propaganda, association and education, should be guaranteed to all communities.
8. No bill, resolution or any part thereof should be passed in any legislature or elected body if three-fourths members of any community in that body opposed it on the grounds that it would be injurious to the interests of that community.
9. Sind should be separated from the Bombay Presidency.
10. Reforms should be introduced in the NWFP and Baluchistan as in other provinces.
11. Adequate representation of the Muslims in the state services and in local self-government should be with due regard to efficiency.
12. Adequate safeguards for the protection of Muslim culture and for the promotion of Muslim education, language, religion, personal law and charitable institutions.
13. At least one-third share for the Muslims in the central and all provincial cabinets.
14. Changes in the Constitution should be made with the concurrence of the states constituting the Indian federation.[63]

IQBAL FORUM

The main sticking points were a loose federation, with most powers vested in the provinces, and one-third Muslim representation in the Centre and provinces. The Congress rejected the Fourteen Points. Jinnah called it the parting of ways.

Goondas storm the March 1929 session of the Muslim League

Contrary to a popular myth, the Nehru Report was *not* rejected by all Muslims. The Muslim League met in Delhi in March 1929 under the chairmanship of Jinnah to discuss the Nehru Report. The Fourteen Points had been rejected by the Congress, but sections of Muslims were in favour of accepting the Nehru Report. This is reported by Chaudhry Khaliquzzaman soon after Pakistan came into being and he shifted to Karachi. He was initially a Khilafatist and Congress member but later joined the Muslim League. After Pakistan came into being, Jinnah appointed him the president of the Muslim League. Khaliquzzaman writes:

> The Khilafatists had gone fully prepared to fight for the Nehru Report and others were equally determined to see it rejected. Mr. Jinnah was very late in coming to the session as he was negotiating with the Shafi group about their acceptance of the Fourteen Points of the All Parties' Muslim Conference [. . .] Rafi Qidwai [Congress member and close friend of Jawaharlal Nehru] called me outside to inform me that there was a danger that there will be a mass raid on the hall. Hardly had he finished talking when hundreds of people from outside knocked down the doors of the hall and threw out the supporters of the Nehru Report one by one, clearing the hall. Mr. Jinnah came in soon after and in this meeting the Fourteen Points [. . .] were accepted by the Muslim League [. . .] The mob which had burst into the hall was led by Sayed Shamsul Hasan, Assistant Secretary of the Muslim League, who is still alive in Karachi.[64]

That high-handed methods were used to eliminate the opposition indicates that powerful forces had sanctioned such action. It may be recalled that several writers mention that in 1915 and again in 1919 the Bombay government had, through Seth Sulaiman Mitha, subverted

IQBAL FORUM

Muslim League meetings in Bombay when Jinnah was the leader of an initiative to bring the Congress and the League closer. One cannot discount that again British intelligence was involved in the ruckus which took place in March 1929. Did Jinnah neutralize or even wean Raja Mahmudabad away from his support to the Nehru Report? Who else changed loyalties? Khaliquzzaman does not give further details.

At the end of his second phase as Muslim communitarian, Jinnah's dissociation from the main freedom struggle became virtually irreversible. The overall political environment was not yet conducive to his asserting an alternative to the Congress model of federation. That he was a leader of great determination and ambition remained constant. He would not brook a secondary role to Gandhi. During this phase, Gandhi himself suffered isolation after his non-cooperation movement proved to be a failure. One does not find him playing any significant role except interventions on a number of occasions to protest communal violence and preach forgiveness and reconciliation. It was at the constitutional level that his core argument, that the provinces and communities were the natural units of Indian society and therefore a loose federation, with most powers vested in the Centre, was not shared by many of his Muslim peers and moderate Hindus such as Motilal Nehru and others who, after the Lucknow Pact, had been abandoned by the League and were no longer willing to make further concessions to his demands known as the Fourteen Points. For the British, Jinnah's isolation from the Congress and the support of Muslim loyalists and princes sufficed to ensure the Raj continued unchallenged.

Notes

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4. Mary Louise Becker, *The All-India Muslim League, 1906–1947* (Karachi: Oxford University Press, 2013), pp. 94–96.
5. Sikandar Hayat, *The Charismatic Leader: Quaid-i-Azam Mohammad Ali Jinnah and the Creation of Pakistan* (Karachi: Oxford University Press, 2014), p. 70.

IQBAL FORUM

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14. B.R. Nanda, *Road to Pakistan: The Life and Times of Mohammad Ali Jinnah* (New Delhi: Routledge, 2014), p. 99.
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IQBAL FORUM

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IQBAL FORUM

Chapter 6

The Two-Nation Theory: Jinnah Drifts towards Muslim Nationalism



The third and undoubtedly most crucial phase in Jinnah's political career was his demand for the partition of India on a religious basis to create Muslim states generically called Pakistan. The third phase has been the subject of unending controversy and massive distortion. The core argument Jinnah advanced during this phase was that Indians were not one nation but two nations—Hindus and Muslims—and several smaller nationalities. On such a basis, he advanced the argument that Muslims were not a large minority but a political nation entitled to the right of self-determination.

Ideationally, the concept of a Muslim nation which rejects the territorial and linguistic criteria of a shared homeland and instead bases itself on religion is the antithesis of the French territorial model of nation and nationalism. It descends instead from the contrasting German model of exclusive nationalism, which was a reaction to the Napoleonic expansion that happened in the name of the rationalism and universalism of the Enlightenment. German patriots began instead to idealize German cultural and ethnic purity and set in motion the Romantic movement, in which the uniqueness of cultural identity was emphasized and instead of individual rights the rights of the community or group were privileged.[1] Although originating as a defensive response to French expansionism, it transformed into a veritable ideology of expansionism and was later to be incorporated in the Nazi race theory, which rejected Jews as members of the

IQBAL FORUM

German nation even when they spoke and wrote in German and were a prominent part of the intellectual and cultural milieu of Germany. In short, shared homeland and language were rejected and, instead, presumed shared descent and pristine culture became the hallmark of the German model.

In the subcontinent, the group approach to rights and the nation assumed religious overtones. Hindu and Muslim communal reactions resulted in mutually exclusive versions of the two-nation theory emerging in the second half of the nineteenth century. Their hallmark was demonizing one another rather than seeking unity as Indians against British rule. For example, apprehensive upper-caste Hindus feared that unless conversions to Islam were arrested and recent converts brought back to Hinduism (other Muslims driven west of the Indus River), a coherent Indian-Hindu nation could not be consolidated: Indian Muslims would always act as a fifth column, siding with Muslim invaders from the West and Central Asia.[2] From the Muslim side, the first explicit formulation of the Muslim two-nation theory was put forward from the Punjab in an editorial dated 19 May 1888 in the weekly magazine *Rafique-i-Hind* by Muharram Ali Chishti of Lahore.[3] He opposed, even more strongly than Sir Syed, Muslim participation in the activities of the Indian National Congress.

The Hindu–Urdu language controversy of the United Provinces

During Mughal rule, Persian was employed as the official language. In 1837, the East India Company replaced Persian with Urdu as the official language at the lower echelons of the United Provinces. Such change favoured upper-class Muslims who were conversant in both Persian and Urdu. Among Hindus, Kashmiri Brahmins and the Kayasthas (a caste of scribes) who were also proficient in Persian and Urdu benefited from the change as well. However, a broader Hindu-led Hindi-language revival began to surface in the 1880s which demanded the replacement of Urdu written in the Persian script with Hindi written in the Devanagari script. Both Hindi and Urdu descended from Sanskrit, the classic language of antiquity, which, like Latin, was no longer spoken but was used mainly for religious purposes by Hindus. Consequently, their syntax and grammatical structure were

IQBAL FORUM

the same. Hindi and Urdu, when spoken by the common people, became Hindustani. However, their literary vocabularies differed significantly because Hindi purists began to increasingly derive words from Sanskrit, while Muslim counterparts did the same with Persian, Arabic and Turkish. Such a difference was compounded by the fact that both were written in entirely different scripts, Devanagari and Persian.[4]

The demand for Hindi as the official language for UP gained considerable support among Hindu intelligentsia because UP was predominantly a Hindu-majority province; the Muslimsconstituted only 13–15 per cent of its population. Earlier, in Bihar, Urdu had been replaced by Hindi, and now the heartland of the Muslim Ashrafia, the United Provinces of north India, feared the same. A Muslim agitation cropped up and included loud protests from Sir Syed and others. Sir Syed died in 1898. In 1900, the UP government, taking cognition of the Muslim protest, issued a decree granting equal status to both Hindi and Urdu. Despite constituting only some 15 per cent of the population of UP, the Muslims held 64 per cent of the jobs in 1857. After the introduction of Hindi, the Muslim numbers decreased, but even in 1913 the Muslims still held 35 per cent of jobs, which was more than double their population strength.[5]

The demand for Hindi was therefore not unfair. The preservation of Urdu, however, became, for Sir Syed's disciples, a matter of existentialist threat.

The twentieth century and the two-nation theory

The two-nation theory had proponents among the British as well. Among them was Theodore Beck who played a key role in the founding of the All-India Muslim League in 1906. Another Englishman was Theodore Morison. Both were convinced that the parliamentary system of majority rule would work to the disadvantage of Muslims.[6] Such ideas understandably were present among the native elites as well.

The Hindu version

Although the Arya Samaj reform movement originated in the western state of Gujarat, it was in the Punjab where the Hindus,

IQBAL FORUM

a substantial minority at just under 30 per cent, became its most enthusiastic converts. Upper-caste Punjabi Hindus were the main urban moneyed class with extensive moneylending practices, trade networks and shops. Among them, anxiety about Islam and Muslim invasions from the west were felt most acutely. Bhai Parmanand of Multan, Punjab, suggested the division of India in 1904 and again in 1912. In his autobiography, *Aapbiti*, published in 1923, Parmanand claimed that he had written a letter to Lala Lajpat Rai of Lahore in which he had proposed a Constitution for free India along with a proposal to push the Muslims across the Indus River.[7] On the other hand, Lajpat Rai—whose father had converted to Islam but then reverted to Hinduism because he had found Sir Syed hostile to Hindu–Muslim unity—suggested, in 1924, a division of the Punjab into Muslim-majority and non-Muslim-majority areas, with the latter a part of India and the former a Muslim state consisting of areas west of the Indus River. Lala's demand for Partition had been in response to gruesome riots against Hindus in Kohat in NWFP, which greatly shook his faith in Hindu–Muslim unity.[8]

Christophe Jaffrelot has, in a detailed study covering the period 1925–49, *The Hindu Nationalist Movement in India*,[9] traced the origins, ideology and politics of the Hindu version of the two-nation theory. We give examples of two main ideologues of that point of view.

Hindu Mahasabha leader Vinayak Damodar Savarkar

As noted earlier, the Hindu Mahasabha (initially under another name) was founded in 1915 in reaction to the founding of the All-India Muslim League in 1906. It became a constant opponent of all efforts aimed at forging Hindu–Muslim unity and especially separate electorates and weightage for Muslims. Its point of view was presented in the Indian National Congress through several leaders including Pandit Malaviya and others, but by and large the Congress represented inclusive nationalism and remained steadfast to it.

The most famous leader and ideologue of the Hindu Mahasabha was V.D. Savarkar. He explicitly advanced the view that Hindus and Muslims could not constitute one political nation. In his presidential

IQBAL FORUM

address at the session of the Mahasabha in Ahmedabad in 1937 he opined:

> As it is, there are two antagonistic nations living side by side in India, several infantile politicians [by that he meant Gandhi and Nehru] commit the serious mistake in supposing that India is already welded into a harmonious nation, or that it could be welded into a harmonious nation, or that it could be welded thus for the mere wish to do so. These were [sic] well meaning but unthinking friends take their dreams for realities. That is why they are impatient of communal tangles and attribute them to communal organizations. But the solid fact is that the so-called communal questions are, but a legacy handed down to us by centuries of cultural, religious and national antagonism between the Hindus and Moslems . . . Let us bravely face unpleasant facts as they are. India cannot be assumed today to be a Unitarian and homogeneous nation, but on the contrary there are two nations in the main: the Hindus and the Moslems, in India.[10]

RSS leader Madhav Sadashiv Golwalkar

An even more pronounced racist view on nationalism was held by Golwalkar, the Supreme Guru of the RSS, an organization ostensibly established to instil among Hindus martial values and solidarity. Golwalkar idealized the Nazi movement in Germany and considered its hostile attitude towards Jews the rightful way to consolidate a racially pure nation. He wrote in his book *We or Our Nationhood Defined* (1939):

> From this standpoint, sanctioned by the experience of shrewd old nations, the foreign races in Hindusthan must either adopt the Hindu culture and language (Sanskrit), must learn to respect and hold in reverence Hindu religion, must entertain no idea but those of the glorification of the Hindu race and culture, i.e. of the Hindu nation and must lose their separate existence to merge in the Hindu race, or may stay in the country, wholly subordinated to the Hindu Nation, claiming nothing, deserving no privileges, far less any preferential treatment not even citizen's rights. There

IQBAL FORUM

> is, at least should be, no other course for them to adopt. We are an old nation; let us deal, as old nations ought to and do deal, with the foreign races, which have chosen to live in our country.[11]

He further wrote:

> German race pride has now become the topic of the day. To keep up the purity of the race and its culture, Germany shocked the world by her purging the country of the Semitic Races—the Jews. Race pride at its highest has been manifested here. Germany has also shown how impossible it is for races and cultures, having differences going to the root, to be assimilated into one united whole, a good reason for us in Hindusthan to learn and profit by.[12]

Muslim versions

In the early twentieth century, several schemes based on the two-nation theory were being put forth in Muslim circles. The Kheiri brothers of Delhi famously presented the idea of an Islamic state based on Islamic socialism at the Socialist International Conference held in Stockholm in 1917. A year later, the head of Aga Khani Ismaili Shias, Sir Aga Khan, presented a fantastic idea of a Muslim state-like entity comprising not only India but also Afghanistan and possibly Persia (Iran) and other Muslim societies within the British Empire. It was to be a federation of provinces and states. The Aga Khan's grand idea did not attract much attention from Indian Muslims, who were sceptical about his Islamic credentials and close relations with the British. However, after Sir Syed, the Aga Khan had assumed a prominent role as the leader of Muslim notables when he led a delegation that met Viceroy Minto in Simla in 1906 to demand separate electorates. His father, Hassan Ali Shah, had been forced into exile from Iran in the nineteenth century. In India, he helped the British in Afghanistan and in the annexation of Sind. His claim to be the Imam was questioned by Ismailis in India but the British through a court ruling declared him the rightful Imam of the Ismailis and bestowed a gun salute on him.[13] Apprehensive Hindus saw in his ideas and leadership an Anglo-Mohammedan conspiracy to enslave Hindus.[14]

IQBAL FORUM

Allama (Dr Sir) Muhammad Iqbal was a pre-eminent Muslim poet and thinker of the early twentieth century. In his early youth he had been a proponent of Indian nationalism and even sung praises to the Hindu god Lord Ram, calling him Imam-e-Hind. But after returning from Europe, where he had studied at Cambridge and briefly at Heidelberg in Germany, he began championing Muslim causes and separatism and set forth the vague idea of a Muslim nation and a separate Muslim state at the annual session of the Muslim League on 30 October 1930 at Allahabad, which will be discussed presently. Suffice it to say that he argued that India could not be a nation based on territorial criteria. On the contrary, religion constituted the basis of community and nation. He asserted that communalism was not bad or negative but natural in the case of India. It need not be directed against other religious communities. Although he spoke about the Indian Muslim nation of 70 million, the idea of a Muslim state which he set forth was confined to less than 25 per cent of the Muslims who lived in north-western India.[15]

A more determined and unabashed proponent of the two-nation theory and communalism in its most extreme form was another Punjabi, Choudhary Rahmat Ali. Although he did not complete his law degree, he seems to have had a penchant for property disputes. He helped the powerful feudal family of southern Punjab, the Mazaris, win a dispute over their estate. For that he was generously remunerated. Rahmat Ali joined Cambridge University in England in the early 1930s, when he was thirty-five. In 1933, he and some other students produced the pamphlet *Now or Never*, in which the idea of a separate Muslim state, called 'Pakistan', was presented: it was an acronym derived from the five Muslim-majority regions of north-western India—Punjab, Afghania (North-West Frontier Province), Kashmir, Sind and Baluchistan. Rahmat Ali began to lobby conservative British politicians to support his political schemes. In 1935, he pleaded with a British member of the House of Lords:

> We, the Pakistanians, have lived from time immemorial our own life and sought our national salvation along our own lines. PAKISTAN has retained, during the whole of its existence, its own law and has cherished its own religious, spiritual and cultural ideals, which are basically different from those of

IQBAL FORUM

> HINDOOSTAN. We have, as a nation, nothing in common with them, nor they with us. In individual habits, as in national life, we differ from them as fundamentally as from any other civilised nation in the world . . . We do not interdine; we do not intermarry. Our national customs and calendars, even our diet and dress are different.[16]

Making such supplications to a scion of the British aristocracy makes little sense, considering that less than twenty years earlier Britain had used its advantage as the victor of World War I to bring about the dismemberment of the Ottoman Empire. Lord Curzon, the architect of the partition of Bengal, headed the ministry hell-bent on dismembering the Ottoman Empire, and Prime Minister Lloyd George gave him a free hand. Why would arch imperialists be interested in bolstering Muslim power in the subcontinent? It is reasonable to assume that Rahmat Ali's proposals held an appeal to those opposed to the emerging nationalist movement under Gandhi and the Congress. What response, if any, he got to his letters remains unknown.

Like Iqbal's project, in Rahmat Ali's original scheme, more than 70 per cent of Indian Muslims were going to be left outside Pakistan. Later, Rahmat Ali began to preach for the drastic Balkanization of India on religious and ethnic grounds. Thus, he wanted the creation of a Muslim-majority 'Bang-i-stan' in Bengal and several smaller Muslim states in pockets with sizeable numbers of Muslims. These mini states were to be called Siddiqistan, Farooqistan, Haiderstan and Osmanistan, after the pious caliphs of Islam. Some other enclaves such as Maplistan on the Malabar Coast in southern India, Muinistan in Rajasthan, and so on, were also proposed. The national language of the Muslim nation of Pakistan and its smaller units in the rest of India was to be Urdu. That Bengali Muslims and those from southern India spoke very different languages were of no consequence to him. Urdu was the *pak* (pure and pious) language of a pak nation composed exclusively of Muslims.[17]

Proceeding from the premise that Hinduism was a racist religion and the Congress a Hindu party, Rahmat Ali vehemently opposed the idea of an Indian federation. He even advocated the creation of a separate state for Sikhs, although they were a minority everywhere in the Punjab.[18] Similarly, he wanted southern India, which overwhelmingly comprised Dravidian people and languages, to be

IQBAL FORUM

separated from what he called the Aryan or Hindi-speaking northern India. He also wanted Muslims in Ceylon (now Sri Lanka) to have a separate state to be called Safiistan.[19] It is interesting to underline that Rahmat Ali's idea of independent Muslim enclaves in Hindu-majority regions included a complete exchange of populations so that no Muslim minorities would live outside Pakistan and the other Muslim mini states. He wanted a complete transfer of minority populations:

> [W]e must not leave our Minorities in Hindoo lands, even if the British and Hindoos offer them the so-called constitutional safeguards. For no safeguards can be a substitute for nationhood which is their birth-right. Nor must we keep Hindus and/or Sikh Minorities in our lands, even if they themselves were willing to remain with or without any special safeguards. For they will never be us. Indeed, while in ordinary times they will retard our national re-construction, in times of crisis they will betray us and bring our re-destruction.[20]

Jinnah later borrowed many of these ideas without acknowledging their original authors. After 1929, the direction of his politics was influenced by them, which, in March 1940, was expressed formally in a public meeting at Lahore—more on that later.

However, Jinnah had neither formally recanted Indian nationalism when he shifted to communitarianism as the prism through which he conducted his politics of championing communal rights of Muslims, nor did he abjure communitarianism when the transition began to Muslim nationalism in the aftermath of the rejection of his Fourteen Points. His intransigence on his preconditions being granted for participation in the committee set up under Motilal Nehru had nevertheless left him politically isolated from the mainstream freedom movement. He was not yet the supreme leader of Muslims; to resign himself to being out of the political limelight militated against his self-image as a great leader. He had to find a way to reassert his political worth.

Jinnah's letter to Prime Minister Ramsay MacDonald

In May 1929, Ramsay MacDonald was elected as the first Labour prime minister of the United Kingdom. It raised hopes in India of

IQBAL FORUM

progress on the 'Indian question'. The Labour Party ideology of Fabian socialism was sympathetic to Indian pleas for self-government. Jinnah wrote a long letter to MacDonald on 19 June 1929, in which he blamed the UK and India governments for adopting policies which alienated the people and, as a result, he said, 'I am not singular in my opinion that India is fast losing its faith in Great Britain.'[21] He, however, went on to warn:

> [The] policy of the Government of India [. . .] since 1924 of turning a deaf ear to all reasonable demands has led almost every political party to come to the conclusion that there is no hope of getting any fair play [. . .] and I may tell you without exaggeration that the movement for independence is gaining ground, as it is supported by the Indian National Congress [. . .] I would urge upon you [. . .] to persuade His Majesty's Government without delay to make a declaration that Great Britain is [. . .] pledged to [. . .] granting to India full responsible government with dominion status.[22]

Jinnah was apparently speaking as an Indian patriot and blamed the British for the radical nationalists winning ground but was advising them to frustrate the Congress's ambition to win independence for India by uniting all Indians. It is some indication of the popularity the Congress enjoyed at that time. Interestingly, Jinnah's line of reasoning echoed the line of argument Sir Syed had adopted in his famous treatise on the causes of the Indian mutiny mentioned earlier. He had warned the British that their wrong policies had alienated Hindustanis but advised them to abolish common kitchens for the native soldiers of the Company's army because it enabled Hindus and Muslims to socialize and dine together and thus build friendship and solidarity. To pre-empt such solidarity, Jinnah was now advising the British to grant dominion status to India and thus thwart the freedom movement led by the Congress.

Viceroy Lord Irwin and the Simon Commission report on dominion status

Viceroy Lord Irwin announced on 31 October 1929 that he had been authorized by His Majesty's Government (HMG) that leading India

IQBAL FORUM

towards dominion status was the intention of the government and that steps would be taken in that direction. It is not clear whether Irwin had received any explicit orders or had taken the initiative on his own in the light of some vague suggestions made by his superiors about the future policy of HMG. Walter Reid has noted that this was typical strategy of London: to keep tempting Indians with dominion status without ever meaning to grant it. Conservatives who called the shots on Indian policy and dominated the colonial administration took exception to that initiative.[23]

The Simon Commission finally published its findings and recommendations in May 1930. It recommended the abolition of diarchy and put forth instead the establishment of representative government in the provinces. Separate communal electorates were to be retained, but only until Hindu and Muslim tensions subsided and better understanding between them emerged. More immediately, it recommended a round-table conference to be held in London where diverse Indian interests should be represented including those of the princely states. The inclusion of the princely states was a continuation of their standard policy of giving representation to a diversity of opinion and interests on the one hand, while, on the other, using it to blunt Congress's claims that it represented all Indians. What is most important about the Simon Commission report was that there was no mention of a dominion status for India. The Right Honourable Winston Churchill, arch imperialist but paternalistic conservative, passed a scathing indictment of Hindus and Hinduism when he spoke out against the demand for dominion status. He asserted that British rule had saved India from barbarism and superstition and put it on the road to progress. Therefore, the continuation of it was good for India. Churchill observed:

> Dominion status can certainly not be attained by a community which brands and treats 60 million of its Members, fellow human beings, toiling at their side, as 'untouchables', whose approach is an affront and whose very presence is pollution.
>
> Dominion status can certainly not be obtained while India is prey to fierce racial and religious dissentions and when the withdrawal of British protection would mean the immediate resumption of medieval wars.

IQBAL FORUM

> It cannot be attained while the political classes in India represent only an insignificant fraction of the 350 [sic] millions for whose welfare we are responsible.[24]

Churchill chose to attack Hinduism's soft underbelly: the caste system. Undoubtedly, nothing comparable to the caste system exists that succeeds in degrading permanently a sizeable number of human beings because of a twisted theory of justice. However, on such a basis, to rule out any emancipatory reforms by Hindus was too absolute and categorical a judgement. After all, slavery had been a thriving business of the British and other European powers, and both Christian theology and theorists of democratic government such as John Locke had upheld slavery as a legitimate form of private property. The Congress Party had been trying to demonstrate that it was opposed to the caste system by nominating candidates from the lowest orders, including the so-called untouchables, to elections held under the 1919 Act. Malik Firoz Khan Noon, one of the biggest landlords of the Punjab and later a prime minister of Pakistan, noted with some annoyance, 'The Congress Party . . . put up candidates who were of low caste. From Gujranwala City they put up Bansi Lal, a Municipal sweeper and from Lahore they put up Raja Ram, a barber. Both of these succeeded.'[25]

In the Nehru Report, the elaborate list of fundamental rights, especially the equal rights of citizenship for men and women and the separation of state and religion had rejected Hindu theology as the basis of the Constitution of a democratic India, but Churchill rejected such commitments out of hand as deceptive and insincere. However, it is interesting to note that Churchill's views of Islam were no less damning. I quote him verbatim:

> How dreadful are the curses which Mohammedanism lays on its votaries! Besides the fanatical frenzy, which is as dangerous in a man as hydrophobia in a dog, there is this fearful fatalistic apathy. The effects are apparent in many countries, improvident habits, slovenly systems of agriculture, sluggish methods of commerce, and insecurity of property exist . . . The fact that in Mohammedan law every woman must belong to some man as his absolute property, either as a child, a wife, or a concubine, must delay the final extinction of slavery until the faith of Islam

IQBAL FORUM

> has ceased to be a great power among men. Individual Muslims may show splendid qualities, but the influence of the religion paralyses the social development of those who follow it. No stronger retrograde force exists in the world.[26]

This indictment of Islam was expunged from later editions of his book, but the reasons were not a change of heart or opinion about Islam or Muslims. Churchill otherwise was a great exponent of waging war on Ottoman Turkey, and during World War I, as First Lord of the Admiralty, ordered the massive naval attack through the Dardanelles on Turkey with a view to smashing that last, fledgling symbol of Muslim power.[27] In the case of India, Churchill considered Muslim leaders a counterweight to Congress ambitions to self-rule. Also, the fact that the Muslim soldiers of the Indian Army had remained loyal and even fought the Turks during World War I convinced him that Muslims could be used at several levels to blunt the Congress-led freedom movement. Churchill was otherwise a typical ideologue of the White Man's Burden theory which justified colonialism as an emancipatory intervention in Asia and Africa. In that sense, he was in the company of thinkers as diverse as John Stuart Mill and Karl Marx, though Marx had taken the dialectical position that the modernization taking place under British rule, which though thoroughly rapacious, had set in motion processes that would disintegrate Indian barbarism and medievalism, would lead to the emergence of a new society through the free press, railways, industrial production and so on.[28]

For Churchill, that would never happen, or happen a very long time later in the future. During that period continuous colonial rule was imperative to help Indians grow out of their infantile superstitions, fatalism and narrow world views. Educated Hindus had acquired progressive views and sensibilities, but Churchill was not far from the truth that the bulk of Hindus were conservative and wedded to premodern ideas and values. That was true of Muslims as well, but politics demanded that his ire be directed only against Hinduism and Hindus.

Congress demands independence in Lahore 1929

While imperial thinking considered India unfit for self-rule, young radicals such as Jawaharlal Nehru and Subhas Chandra Bose and

IQBAL FORUM

anti-colonial Muslims such as Maulana Hasrat Mohani and the Jamiat Ulema-e-Hind, too, demanded independence for India. On 19 December 1929, the Congress declared 'Purna Swaraj', or complete independence, as its goal, which was consummated in a moving ceremony by raising the Congress flag over Lahore's Ravi River. The JUH, which was unhappy with the dominion status that the Nehru Report had proposed, now again joined the Congress-led freedom movement. On 26 January 1930, the Congress formally declared Purna Swaraj as the prime objective of the freedom movement.[29] This meant that the Nehru Report lapsed; however, its recommendations on secularism, nationalism, federation, adult franchise and fundamental rights became part of the permanent Congress position with regard to the Indian Constitution of free India.

Gandhi's 1930 Dandi March

Another leader who could never reconcile to political isolation was Mahatma Gandhi. After the non-cooperation fiasco of 1920, Gandhi had been left in the political wilderness, and during the rest of that decade he had continued quietly to plead for Hindu–Muslim unity. He staged a comeback by launching a 241-mile-long Salt March on 12 March 1930 to the coastal village of Dandi in Gujarat to protest the British-imposed tax on salt extracted from seawater. He had invited the world media to witness thousands of people joining his non-violent civil disobedience action. Some 60,000 people were arrested, including Gandhi and other Congress stalwarts.[30] Jinnah understandably viewed the return of Gandhi and his mass movement with dismay. It caused concern among other Muslim leaders too. Efforts had been under way for some time to bring Jinnah and Shafi back on to the same platform, and on 28 February 1930, their factions were reunited. The AIML was again one body, though it remained a closed elite party of Muslim landowners and professionals.

The first Round-table Conference, November 1930– January 1931

In any event, the round-table talks took place in London. Congress leaders were in prison because of the long Dandi March. With the princes on board and a sizeable Muslim representation, the view

IQBAL FORUM

that prevailed was that India should be a federation with maximum autonomy for the provinces and internal sovereignty for the princely states. All Indian delegates agreed that India should be granted dominion status. Winston Churchill and others were furious about this.[31] The Muslim leaders were willing to give up separate electorates if seats were reserved for them instead. It was the Hindu Mahasabha which displayed the least willingness to accept the demands of the Muslims.[32] The most noteworthy event was that the leader of the untouchables, Dr Ambedkar, demanded separate electorates for his people.

Jinnah took part in the first conference. Fazli Hussain was not pleased with Jinnah speaking as the only leader of the Muslims. He viewed him as a man who was keen on matters which affected the Centre, while he wanted the provincial interests of Muslims to be given greater importance. Moreover, both Jinnah and Shafi were poised to claim the leadership of the Muslim League, with factionalism still rampant in the League despite the Jinnah and Shafi faction having amalgamated. Both parties, with some fifty-eight other leaders, attended the first conference. Sir Aga Khan was elected as the spokesperson of the Muslim delegates and later of all Indians except the princely states. The conference ended without any major agreement or declaration. The fact that the Congress was not represented meant that Indian opinion was not adequately represented. However, the reason was that despite wide agreement the British were not prepared to grant dominion status to India.

Jinnah decided to stay on in Britain. He was frustrated with the likes of the Aga Khan and Fazli Hussain. Durga Das reports that Jinnah told him, 'The Muslims do not accept my views, for they take their orders from the Deputy Commissioner [chief civil servant in a district].'[33] Moreover, Lord Willingdon, with whom Jinnah had clashed when the former was governor of Bombay, was now the viceroy of India. Under such circumstances Jinnah decided to set up home in London.

Allama Iqbal's 29 December 1930 address in Allahabad

Although the first Round-table Conference had been attended by many leading figures from India, Allama Iqbal had not been invited.

IQBAL FORUM

However, after his speech at the annual AIML session in Allahabad, his importance as an opinion builder was significantly enhanced. Some of the core arguments he advanced in the presidential address are quoted here verbatim:

> The units of Indian society are not territorial as in European countries. India is a continent of human groups belonging to different races, speaking different languages, and professing different religions . . . The principle of European democracy cannot be applied to India without recognising the fact of communal groups . . . The Muslim demand for the creation of a Muslim India within India is, therefore, perfectly justified . . . I would like to see the Punjab, the North-West Frontier Province, Sind and Baluchistan amalgamated into a single state. Self-government within the British Empire, or without the British Empire, the formation of a consolidated North-West Indian Muslim state appears to me to be the final destiny of the Muslims, at least of North-West India . . . The life of Islam as a cultural force in the country very largely depends on its centralisation in a specified territory. This centralisation of the most living portion of the Muslims of India, whose military and police service has, notwithstanding unfair treatment from the British, made the British rule possible in this country, will eventually solve the problem of India as well as Asia. It will intensify their sense of responsibility and deepen their patriotic feeling. Thus, possessing full opportunity of development within the body politic of India, the North-West Indian Muslims will prove the best defenders of India against a foreign invasion, be that invasion the one of ideas or of bayonets. The Punjab with 56 percent Muslim population supplies 54 percent of the total combatant troops in the Indian Army . . . This does not take into account nearly 6,000 combatants supplied to the Indian Army by the North-West Frontier Province and Baluchistan . . . The Muslims of India cannot agree to any constitutional changes which affect their majority rights, to be secured by separate electorates in the Punjab and Bengal or fail to guarantee 33 percent representation in any Central Legislatures . . . The . . . repudiated Lucknow Pact . . . originated in a false view of Indian nationalism . . . No Muslim politician

IQBAL FORUM

> should be sensitive to the taunt embodied in that propaganda word 'communalism' . . . We are 70 [sic] millions and far more homogeneous than any other people in India. Indeed, the Muslims of India are the only Indian people who can truly be described as a nation in the modern sense of the word. The Hindus, though ahead of us in almost all respects, have not yet been able to achieve the kind of homogeneity which is necessary for a nation, and which Islam has given you as a free gift . . . One lesson I have learnt from the history of Muslims. At critical moments in their history, it is Islam that has saved Muslims and not vice versa. If today you focus your vision on Islam and seek inspiration from the ever-vitalising idea embodied in it, you will be only reassembling your scattered forces, regaining your lost integrity, and thereby saving yourself from total destruction . . . I am opposed to nationalism as it is understood in Europe . . . because I see in it the germs of atheistic materialism which I look upon as the greatest danger to modern humanity.[34]

This quotation succinctly captures Iqbal's thinking. It raised far more issues than his famous dream of a Muslim state. He objectified religious communities as the constitutive, immutable, discrete units of society. While he defined the 70 million Muslims as a nation, his idea of the state for Muslims referred to only about 20 per cent of the total Muslim population of India. The remaining 80 per cent were left in the lurch to fend for themselves in a Congress-dominated India, which Iqbal considered representative of Hindu nationalism. Moreover, the claim that Muslims were a homogeneous community in comparison to Hindus with their compartmentalized castes was an overstatement. The doctrinal differences within the Muslim community were proverbial, and Iqbal was fully informed about them.

Although, in the long run, Jinnah and the Muslim League incorporated Iqbal's ideas in the discourse of the two-nation theory, which they leveraged to excite and fascinate Muslims to support the demand for Pakistan, Iqbal's speech went unnoticed at that time. The organizers in Allahabad had great difficulty in attracting Muslims to attend the session. Political scientist Khalid bin Sayeed has recorded that the organizers went around town looking for Muslims to fill the quota of seventy-five members in order to pass the resolution.[35]

IQBAL FORUM

The British, however, took notice of his address. In a letter to the editor of *The Times* of London, dated 10 October 1931, Iqbal refuted forcefully a comment from a Dr E. Thompson who accused him of fanning pan-Islamic ideas. Iqbal explained his idea of a Muslim political entity in north-western India in the following words:

> I do not put forward a 'demand' for a Muslim State outside the British Empire, but only a guess at the possible outcome in the dim future of the mighty forces now shaping the destiny of the Indian subcontinent. No Indian Moslem with any pretence to sanity contemplates a Moslem State or series of States in North-West India outside the British Commonwealth of Nations as a plan of practical politics.
>
> Although I would oppose the creation of a cockpit of communal strife in the Central Punjab, as suggested by some enthusiasts, I am all for a redistribution of India into provinces with effective majorities of one community or another on lines advocated both in the Nehru and the Simon Reports. Indeed, my idea of Moslem Provinces merely carries forward this idea. A series of contented and well-organised Moslem provinces on the North-West Province of India will be a bulwark of India and of the British Empire against the hungry generations of the Asiatic highlands.[36]

This explanation probably allayed British concerns about Iqbal's scheme. While Iqbal's poetry was charged with romanticism, in which he celebrated Muslim invaders of the subcontinent as harbingers of Islamic enlightenment, he prudently evaded antagonizing the British. For example, he kept away from the Khilafat and non-cooperation movements on the grounds that they were inimical to Muslim interests.[37] Moreover, he maintained silence at the time of the Jallianwala Bagh massacre of 1919. The British had conferred a knighthood on him in 1923. The Allahabad speech is an apt example of a poet writing with a broad sweep, advancing controversial postulates as if they were self-evident truths. In short, Iqbal was a categorical opponent of territorial nationalism and considered man without religion not only an impossibility but a veritable danger to humanity. For him, Islam was the panacea for Muslims to regain their rightful place in the comity of nations and the establishment of a Muslim state

IQBAL FORUM

(however vaguely he described it) the essential prerequisite to realize their cultural identity and genius.[38] In any case, he found a seat at the second Round-table Conference as the British were anxious to have influential voices present to checkmate the Congress.

The execution of Bhagat Singh and his comrades on 23 March 1931

While at the level of high politics, the territorial nationalism of the Congress was being challenged by Muslim leaders such as Iqbal, revolutionary fervour at the popular level had been aroused by Bhagat Singh and his comrades and that radicalized some youths. Bhagat Singh and others were on trial for the bomb blast in the Central Legislative Assembly. It so happened that even after the arrest of Bhagat Singh and B.K. Dutt, other revolutionaries continued to carry out more such actions. The Punjab police intensified its search for the revolutionary network. Bomb factories were found in Saharanpur and other places.[39] Some of those who were part of the movement became informers and approvers, and the authorities learnt that Bhagat Singh and his associates were responsible for the murders in Lahore. It resulted in Bhagat Singh, Rajguru and Sukhdev being charged with the murder of Saunders and police constable Chanan Singh.

The Congress was under intense pressure to take up their case for clemency with the government. Gandhi, otherwise opposed to the use of violence, did ultimately issue a statement pleading for mercy for the three revolutionaries.

> M.K. Gandhi
> 1 DARYAGANJ, DELHI,
> March 23, 1931
>
> The Viceroy,
> Govt. of India.
>
> DEAR FRIEND,
>
> It seems cruel to inflict this letter on you, but the interest of peace demands a final appeal. Though you were frank enough to tell

IQBAL FORUM

me that there was little hope of your commuting the sentence of death on Bhagat Singh and two others, you said you would consider my submission of Saturday. Dr. Sapru met me yesterday and said that you were troubled over the matter and taxing your brain as to the proper course to adopt. If there is any room left for reconsideration, I invite your attention to the following.

Popular opinion rightly or wrongly demands commutation. When there is no principle at stake, it is often a duty to respect it.

In the present case the chances are that, if commutation is granted, internal peace is most likely to be promoted. In the event of execution, peace is undoubtedly in danger.

Seeing that I am able to inform you that the revolutionary party has assured me that, in the event of these lives being spared, that party will stay its hands, suspension of sentence pending cessation of revolutionary murders becomes in my opinion a peremptory duty.

Political murders have been condoned before now. It is worth while saving these lives, if thereby many other innocent lives are likely to be saved and maybe even revolutionary crime almost stamped out.

Since you seem to value my influence such as it is in favour of peace, do not please unnecessarily make my position, difficult as it is, almost too difficult for future work.

Execution is an irretrievable act. If you think there is the slightest chance of error of judgment, I would urge you to suspend for further review an act that is beyond recall.

If my presence is necessary, I can come. Though I may not speak, I may hear and write what I want to say.

Charity never faileth.

I am,
Your sincere friend[40]

Originally the hangings were to take place on 24 March, early in the morning, as was standard practice, but they were carried out several hours earlier in the evening of the 23rd, to achieve a fait accompli. The viceroy dismissed Gandhi's plea by showing surprise that 'the apostle of non-violence should so earnestly be pleading the cause of

IQBAL FORUM

the devotees of a creed so fundamentally opposed to his own'.[41] The three were hanged in Lahore on 23 March 1931.

Nehru wrote in his autobiography:

> It was this sense of national humiliation that weighed on the mind of India, and when Lalaji's death came soon after, inevitably it was connected with the assault, and sorrow itself gave pride of place to anger and indignation . . . Bhagat Singh . . . did not become popular because of his act of terrorism, but because he seemed to vindicate, for the moment, the honour of Lala Lajpat Rai, and through him of the nation. He became a symbol; the act was forgotten, the symbol remained, and within few months each town and village of Punjab, and to a lesser extent in the rest of northern India, resounded with his name. Innumerable songs grew up about him, and the popularity that the man achieved was something amazing.[42]

It is important to note that Bhagat Singh and his friendsthemselves carried out a self-criticism of their actions. They realized that revolutionary violence isolated from the mass of society would not serve the freedom cause. At the same time, their actions convinced the Congress leaders that they should hasten the freedom movement. Nehru and Bose were now at the forefront, and Gandhi came along as well.[43]

The Gandhi–Irwin Pact of 1931

On the other hand, British hardliners were determined to continue with repressive measures against the Indians. However, much to the chagrin of the conservative establishment, Lord Irwin met Gandhi on 5 March 1931 and the Gandhi–Irwin Pact was agreed upon, according to which satyagraha was called off and the government agreed to release people arrested during the Dandi March of 1930. The public was angry with Gandhi for having entered a pact with the viceroywithout negotiating clemency for the three revolutionaries. He was greeted with black flags when he arrived in Karachi. However, the Gandhi–Irwin Pact was endorsed by the Congress at the Karachi session of 1931, held during 26–31 March. Moreover, Gandhi was

IQBAL FORUM

nominated to represent the Congress in the second Round-table Conference.[44]

The British and the Congress movement

It is important to put into perspective the role of Gandhi and Congress in the overall freedom movement of India. The British considered Congress and Gandhi a menace, and their overall policy was directed at containing them. However, since Gandhi and the INC eschewed violence, the British were willing to tolerate them. In the meantime, they dealt with revolutionary ideas and their socialist and communist proponents with an iron fist. The revolutionaries were arrested on conspiracy charges several times and subjected to severe repression including long sentences in jail, facing exile in the Andaman Islands and hangings. In one sense, then, the Congress, from the British point of view, was the lesser threat. Historians S.K. Mittal and Irfan Habib have, in an article, 'The Congress and the Revolutionaries in the 1920s' (1982), shed much-needed light on the similarities and differences between the Congress and the revolutionaries. Both wanted to win freedom for India. However, Gandhi would not approve of violence under any circumstance. After the bomb incident, Nehru issued a statement on Bhagat Singh and Dutt in the Congress bulletin in which he explained why British rule had to be opposed. Gandhi had not liked it.[45] On 8 August 1929, Nehru visited Lahore jail and criticized the government for forcibly trying to feed the prisoners when they were on hunger strike. The Punjab Congress was especially leading the campaign. Part of the defence committee were Dr Satyapal, Dr Saifuddin Kitchlew, Dr Gopi Chand, Master Tara Singh and others.[46] After the execution of the revolutionaries, Nehru expressed his feelings in the following words: 'I have remained silent though I felt like bursting, and now all is over.'[47]

In a detailed three-volume study, *Struggle for Hegemony in India*,[48] Shashi Joshi and Bhagwan Josh have argued that British rule was not as oppressive and brutal as in the case of czarist Russia, and therefore an armed revolution carried out by the brutalized masses under the leadership of a communist party was out of the question. Therefore, Leninism's call for social revolution in India was irrelevant. Only Gandhi could, through the adroit use of cultural symbols and peaceful resistance, put the British on the defensive and thus advance

IQBAL FORUM

the nationalist movement forward. He could thus occupy the high moral ground by breaking the law but by peaceful means: satyagraha, or 'soul-force', instead of violent force.

The argument is cogent and backed up by solid empirical research, but two things need to be noted. One, it is true British rule was not that brutal and in fact was seen by many as benevolent, as, for example, in the Punjab, where the canal colonies and employment in the Indian Army had increased overall prosperity. We review that later in the book. Also, those crushed by the caste system found in it some guarantee against the naked onslaught on them by caste Hindus. Two, culture, too, had its limits. While Gandhi could use religious symbols skilfully to generate a mass movement which included poor Muslims, Jinnah could later use it to split Hindus and Muslims. The problem was that ethnic, religious, sectarian and linguistic differences were so numerous that a nation state of equals—all Indians, or, all Muslims—was an almost impossible objective to realize. It was, however, not impossible if the elites could join ranks and move forward.

The British were fully aware of that possibility and their policy, understandably, was directed at preventing it, because granting dominion status or independence to Indians was never their intention. As already noted, neither Gandhi's mass movement nor Jinnah's parliamentary strategy was going to change that fundamental objective of the British Raj.

The Congress takes a leftist turn on citizen rights

At the Karachi session of the Indian National Congress held during 26–31 March 1931, indignation was widespread over Gandhi failing to save Bhagat Singh and his comrades as part of the pact he signed with Irwin. He was greeted with black flags and booed. A resolution, however, was passed dissociating the Congress from political violence in any form, but simultaneously the bravery and sacrifice of the three young men was hailed as martyrdom. An ambitious resolution on fundamental rights and economic policy was also adopted. Some important aspects of these resolutions were: the fundamental civil rights of the freedom of speech, press, assembly and association, equality before the law, elections based on universal adult franchise and free and compulsory primary education. The protection of minorities

IQBAL FORUM

was also included among policy matters. In the economic policy were included reduction in rent and taxes. Better conditions for workers including a living wage and limited hours of work. The protection of women and peasants was also announced, as well as government ownership or control of key industries, mines and transport.[49] These were left-wing ideas and Jawaharlal Nehru had drafted the resolution. It was a period when a left turn in radicalization emanating from the Punjab and personified by Bhagat Singh had caught the fancy of the people, and the Congress had to respond in some measure to retain its credibility as the spearhead of the Indian freedom struggle.

The Congress scheme on communal rights, 28 October 1931

The strong emphasis on fundamental civil and political rights that the Nehru Report had recommended and the addition of social and economic rights at Karachi was not viewed with favour by not only the Muslim League, the Sikhs and other minorities but also by Congress allies such as the Jamiat Ulema-e-Hind. Consequently, in the resolution on communal rights, the Congress underscored that whereas a communal approach on rights was inimical to national integration and the fundamental rights of citizens, it assured that the minorities shall be guaranteed the protection of their cultures, languages, scripts, education, profession and practice of religion and religious endowments. It was also added, 'Personal laws shall be protected by specific provisions to be embodied in the Constitution.'[50] The specific mention of personal laws became the basis of the alliance between the Indian National Congress and the Jamiat Ulema-e-Hind on the future of India as a united country.

These two resolutions plus the Nehru Report are very important to understand the Congress ideology based on equal and inclusive rights, while simultaneously being flexible enough to accommodate the concerns of minorities regarding their personal matters.

The second Round-table Conference, September–December 1931

In the meantime, following the Gandhi–Irwin Pact, the Congress had decided to take part in the second conference. It was decided to send

IQBAL FORUM

only Gandhi to represent the party. Gandhi wanted to take some nationalist Muslims with him to demonstrate that not all Muslims supported the communalist leaders. However, Sir Fazli Hussain successfully prevented nationalist Muslims belonging to the Congress being invited to the conference.[51] Therefore, Dr Ansari, whom Gandhi wanted to bring along, was not invited. Sir Fazli told the Muslim delegates that Islam was in danger after the Gandhi–Irwin Pact and that they should consider the Aga Khan as their leader. All eyes were, however, on Gandhi as the government had recognized his leadership and influence as vital for a constitutional settlement of the Indian problem. The Congress had chosen him to be its sole representative. He was unanimously elected by all delegates to be the mediator in the settlement of controversial issues.

Jahan Ara Shahnawaz, the daughter of Sir Shafi, had written that negotiations had gone very well. The Muslims had whittled down their demands to the minimum and the mood was upbeat that Gandhi would find an acceptable formula, but Gandhi assumed a rather uncompromising maximalist stance. He asserted that the Indian National Congress was the only representative body of Indians; that the untouchables were Hindus and should not be treated as a 'minority'; and that no separate electorates or special safeguards for Muslims or other minorities were needed. The Aga Khan, Sir Shafi and others tried to persuade Gandhi to be more accommodating but to everyone's great disappointment he announced, 'Gentlemen, I am sorry to report that I have failed in my effort for settlement. The Sikhs and the Mahasabhites are not prepared to accept the terms decided upon by us.'[52]

I quote her at length to highlight the shock she claims it caused when her father pleaded to Gandhi:

> Father [Sir Shafi] suddenly folded his hands before Mr. Gandhi and said:
>
> Gandhiji [. . .] [I]f the Mahasabhites and Sikhs are not prepared to accept the terms settled between us [. . .] let us, the Muslims and the Congress, come to a settlement [. . .] There would be a wave of happiness all over India and the Aga Khan, Jinnahand myself will take our marching orders from you from tomorrow.

IQBAL FORUM

> We Muslims do not fold hands before anyone except before Allah, but I know that the Almighty will understand and forgive me, because I am doing it to avoid bloodshed and terrible suffering in India.
>
> Mr. Gandhi replied: 'Shafi, I know my own limitations and I cannot do it . . .'
>
> At that time I could not understand what those limitations of Mr Gandhi were, but I did when he was murdered.[53]

The Sikhs remained adamant that separate electorates be given up altogether, but if that system was retained, they wanted 30 per cent representation in the Punjab. Kirpal Singh informs us that Sikh leaders took the following stand:

> If the Muslims refuse to accept in this province, where they are in a slight majority in population anything but their present demand of reserved majority, we ask for a territorial rearrangement which would take from the Punjab and Multan divisions (excluding Montgomery and Lyallpur districts). These divisions are overwhelmingly Muslim as well as racially akin to the North West Frontier Province. These . . . can either form a separate province or be amalgamated with the North West Frontier Province.[54]

Moreover, the Hindu Mahasabha's opposition to separate electorates was ideologically a given. Veteran journalist Durga Das knew the leading Indian politicians as well as the British. According to him, Gandhi had realized that the British were planning to divide Hindus because of caste.[55] It was under such circumstances that Gandhi had taken the stand that only Congress was a nationalist party open to all, while others were communalists. According to Rajmohan Gandhi, there was a direct showdown between Gandhi and Dalit leader Dr Ambedkar: the former was strongly opposed to, while the latter insisted on, separate electorates.[56]

On the other hand, even when the conference failed to arrive at a unanimous position on the Indian Constitution, reforms on a par with other provinces were accepted along with weightage for Hindus in NWFP and Sikhs in the Punjab. Progress on the separation

IQBAL FORUM

of Sind was also made, provided it could be financially viable. The sticking point was how much self-rule the British were willing to grant Indians. The Congress wanted independence, which was anathema to the British. The Congress sent only Gandhi because Sir Fazli had successfully blocked the inclusion of nationalist Muslims in the Congress delegation. That would mean only Hindus and other non-Muslims could be included in the Congress delegation. That was unacceptable to the Congress; hence, only Gandhi was sent by them to represent the party. The Hindu Mahasabha was at hand to counter the Muslim leaders, the Muslim and Dalit leaders to counter the Congress and the Sikhs to counter the Muslims. Moreover, the princes were always at hand to further complicate the issue of self-rule. Such arithmetic obviously ensured that British rule could continue through these balancing acts.

The Statute of Westminster

On 31 December 1931, Prime Minister MacDonald, now heading a coalition government with the Conservative Party, announced the Statute of Westminster. It codified the relationships which had developed by convention among Commonwealth members around the idea of a dominion. It did not define a dominion clearly but identified the dominions by naming them and enumerating certain general characteristics which they shared. Those named were Australia, Canada, the Irish Free Republic, New Zealand, Newfoundland and the Union of South Africa. The British Parliament could no longer legislate for the dominions unless a dominion requested it and consented to it. However, the dominions still owed allegiance to the Crown and were constitutionally linked with other dominions. India was conspicuous by its absence from the list. Indian representatives were present at the conference at which the future of the dominions was discussed, but the 1931 Statutes did not mention India even as a future candidate for dominion status.[57]

Thus, Jinnah's advice to grant India dominion status to checkmate the advance of the Congress towards complete independence had been ignored for the simple reason that the British had no faith in the Indians' ability to govern themselves. The British were, if at all, willing to listen to Jinnah only to the extent that he was now opposed

IQBAL FORUM

to the freedom movement led by the Congress, but they were not interested in taking advice on core policy on India.

In terms of Jinnah's leadership of Muslims, the first of the major contenders, Sir Mian Muhammad Shafi, died on 7 January 1932. Shafi was part of the Simla deputation of 1906. He had served as the education minister and later as Law Member in the viceroy's Executive Council. He and Jinnah were rivals and clashed several times. More contenders to Muslim leadership were to pass away later, thus paving the way for Jinnah to become the sole spokesman of the Muslims some years later.

The third Round-table Conference

A third conference was held in November 1932. Neither the Congress nor the Labour Party nor Jinnah attended it. Thus, the series of round-table conferences ended without any progress on a new Constitution for India.

Jinnah's London exile: 1930–34

Of all of Jinnah's phases of life, there is very little researched and written about his self-imposed exile in London. All we know is that he bought a house in the fashionable upscale Hampstead Heath, where he, his sister Fatima and his young daughter, Dina (born 15 August 1919), lived for some four years. Ruttie had died in February 1929, which had induced a deep depression in Jinnah. His efforts to mediate a deal between the Congress's inclusive nationalism and the separatism of his Muslim peers, centred on the issue of separate electorates, had failed. He now devoted his legal skills to preparing briefs on behalf of his clients before the Privy Council. Such cases were usually about property and involved big sums of money. Jinnah made a large fortune and continued to increase his wealth. Though one does not know much about this period, it is certain that he made a lot of money and lived in great style with an English housekeeper and chauffeur. M.C. Chagla, however, has argued that Jinnah did not do well before the Privy Council, where, instead of court-room performance, the knowledge of law was important, and Jinnah was not a particularly good lawyer; he was a skilled advocate.[58]

IQBAL FORUM

As already noted, Choudhary Rahmat Ali and his friends at Cambridge had published the famous *Now or Never* pamphlet in 1933, in which they had proposed a division of India to create a separate Muslim state to be called Pakistan. Such an idea had been aired by British bureaucrats who had served in India. It again began to make the rounds in the corridors of power. For example, the former governor of the Punjab Sir Michael O'Dwyer, during whose tenure the Jallianwala massacre of 1919 had taken place, testified against Indian unity before the Parliament's Joint Committee on the grounds that:

> If the Federal Government, with a Hindu majority, endeavours to force its will on provinces with a Muslim majority, what is it to prevent a breakdown of the Punjab, Sind, Baluchistan and N.W.F.P. as already foreshadowed in their possibly forming a Muslim Federation of their own.[59]

Wolpert wonders where the 'Muslim Federation' was 'foreshadowed', and concludes that it must be based on the pamphlets published by Rahmat Ali.[60]

At that point in time, Jinnah had refused to meet Rahmat Ali, and even Iqbal had been dismissive of such a scheme. The reason seems to have been that both were not willing to provoke the British about a possible Muslim intention to break away from the British Empire. More importantly, both were yet not convinced that such an idea could be realized in India, where the Congress with its mass support steadfastly held on to the notion of a united India with a strong Centre. The idea of a Muslim state was being thrown around in the corridors of power by other British officials as well as a counterweight to the freedom movement of the Congress and it was suspected that the novel idea of Pakistan was financed by British intelligence. For example, J. Coatman, who had served as a publicity officer in the central government, wrote in his book *Years of Des*tiny (1932) that the 'creation of a strong, united India, including the whole of British India and the Indian States and the borderland in the north-west, whose inclusion in India was one of the first and most fundamental condition for it to be established was rapidly being made impossible, and in its place it seemed a powerful Muslim state in the north and north-west may be established, with its eyes definitely turned away from India, towards the rest of the Muslim world'.[61]

IQBAL FORUM

Coatman's observations were purported to caution the British about the trends which had emerged in Indian politics, with Muslim separatism becoming a powerful force that could result in the break-up of India. Considering that only recently the British had dismembered the Ottoman Empire, with a viciousness that no other victorious allied power matched, it made no sense to now establish a Muslim state in north-western India except probably to use it to control Arab politics and the oil which had been discovered in that region.

In any event, Jinnah was not satisfied with a life of political inactivism in London. In his absence, the Muslim League had continued to hold meetings. Conflicting claims exist as to who persuaded him to return to India. Nawabzada Liaquat Ali Khan, Allama Iqbal and several other lesser players had been urging him to return. He had kept in touch with his supporters. In February 1934, nomination papers were submitted on his behalf by his supporters for his election to the Central Legislative Council. He returned to India in April 1934. In January 1935, he was elected to the Indian Legislative Assembly. He resumed constitutional activities forthwith, taking part in different initiatives and discussions.

The Communal Award of 4 August 1932

In the meantime, British policy on India continued to be formulated in the framework of retaining India as a Crown colony. The much-awaited Communal Award was announced by Ramsay MacDonald, which extended separate electorates to more ethnic and caste groups: Anglo-Indians, Europeans and Dalits were under the category of depressed classes granted separate electorates. Seats were also reserved for women, labour, landholders, universities and commerce and industries. The Congress found the expansion of separate electorates proof of continuing British policy to fractionalize the electorate, and Gandhi especially took exception to the Dalits being categorized as a group outside the Hindu fold. The Muslim League was disappointed that the Muslim majorities in Bengal and the Punjab had been reduced to minorities. Further, it demanded one-third representation for Muslims in the central legislature. In a supplementary Communal Award announced on 24 December,

IQBAL FORUM

the government agreed to grant Muslims 33.3 per cent seats in the central legislature.[62,63]

It was clear that notwithstanding a Labour leader announcing the Communal Award, British strategy remained steadfast: to counter the Congress, the government continued to diversify representation and more groups were identified to be represented through separate electorates, thus frustrating any attempt to build up a broad united front against colonial rule.

The Gandhi–Ambedkar Poona Award, 24 September 1932

The recognition of Dalits as a separate community entitled to separate electorates was greatly resented by the Congress leaders. On the other hand, their leader, Dr Ambedkar, welcomed separate electorates. Gandhi now threatened to undergo a fast unto death to convince Ambedkar to relent on separate electorates. Ambedkar felt morally blackmailed and conceded Gandhi's demand. It led to the Poona Pact of 1932, wherein, while Ambedkar agreed to give up separate electorates, the Congress Party agreed to an increased number of seats to be reserved for the depressed castes for ten years. In the Central Assembly, 19 per cent of the seats were to be reserved for them. Further, seats were to be reserved for the Dalits in government services, representative institutions and educational institutions.[64]

Unlike the 90 million Muslims who were concentrated in the north-western and north-eastern zones of India and were represented at all levels of social classes and were prominently present in the army and police, the 60 million Dalits were present everywhere but nowhere in a majority. They were truly a comprehensively oppressed community but stood no chance of escaping from it through the creation of a separate state. For them, the only way forward was to work for vertical mobility, as separatism leading to independent statehood was out of the question. Therefore, Ambedkar had no other choice but to agree to a commitment for better treatment in a future, independent India. In the Nehru Report, the plight of the depressed classes had been recognized and social reform, educational facilities and other inputs had been proposed, but it had proved insufficient and, now, a special pact was needed to assuage the apprehensions of that vulnerable community.

IQBAL FORUM

The 1935 Government of India Act

As noted already, Jinnah returned to India in April 1934 and was elected in January 1935 to the Central Legislative Assembly. Everybody in India was now waiting for the government to announce constitutional reforms. Finally, the Government of India Act was announced in August 1935. As noted several times earlier, constitutional reforms were premised on the presumption that Great Britain would, for the foreseeable future, retain overall control over India. The new act removed any doubts about such an intention because dominion status was conspicuous by its absence from the very long text elaborating different aspects of the reforms. The Communal Award was incorporated into the 1935 Act, with the exception of the Dalits, who were excluded from the extended separate electorates.

The Communal Award clearly supported the Muslim League's stand on minorities and minority representation by extending separate electorates to other communities rather than making concessions to the Congress stand against separate electorates. Jinnah and the Muslim League, however, were not satisfied because of the continuing centralized structure of control of the federation even when the wholly elected government was introduced in the provinces. Moreover, weightage to Muslims in the Hindu-majority provinces was abolished (it had similarly been abolished for Hindus in the Muslim-majority provinces).

The most interesting feature of the new act was that the princely states were included in the new dispensation. The Government of India Act, 1935, envisaged the following, among other points:

1. India was to be a federation comprising provinces directly under British suzerainty as well as the princely states.
2. The right to vote was expanded from 2 million under the 1919 Act to 35 million under the new act. It translated to roughly 11 per cent of the population being enfranchised.
3. The governor-general was to remain the head of the central administration and enjoy wide powers concerning administration, legislation and finance.
4. The inclusion of the princely states in the proposed federation added a new twist as it required the princes to join it voluntarily. Unless half the aggregated population of the princely states,

IQBAL FORUM

entitled to not less than half of the seats in the federal legislatures, joined the federation, the federal part of the act could not come into operation.

5. The provinces were given autonomy with respect to subjects delegated to them. However, although wholly elected ministries were to be formed, Section 93 provided for the governor to issue proclamations in consultation with the governor-general (viceroy) to take over the civil administration, should he feel that the constitutional machinery was no longer functioning satisfactorily. Such a proclamation was to cease to operate after six months, but the British Parliament could prolong it for another twelve months by passing a resolution to that effect.
6. The Communal Award modified by the Poona Pact became the basis of separate representation of different groups.[65]

The 1935 Act had virtually granted most of Jinnah's Fourteen Points of 1929, yet, in its resolution of 12 April 1936, the Muslim League came out strongly against the 1935 Act, describing it as 'most reactionary, retrograde, injurious and fatal to the vital interests of British India vis-à-vis the Indian States, and it is calculated to thwart and delay indefinitely the realization of India's most cherished goal of *complete responsible government* [emphasis added] and is totally unacceptable'.[66] The reason it seems was that the act granted overriding powers to the governor-general, and the special powers of the provincial governors also perpetuated effective control remaining in British hands. Jinnah was still anxious not to let his credentials as a nationalist be compromised, though he had left the Congress a long time ago and had locked horns with its leaders on several occasions. Among Muslims, anti-British feelings existed in important circles, and Jinnah wanted to maintain his reputation as a mainstream Muslim leader. The Congress in its resolution of 12–14 April 1936 stated that, 'In the opinion of the Congress such a constitution must be based on the *independence of India as a nation* [emphasis added] and it can only be framed by a Constituent Assembly elected on adult franchise or a franchise which approximates to it as nearly as possible.'[67]

The main difference was that while the Muslim League was still labouring under the illusion of the British granting dominion status to India, the Congress Party demanded independence, and the British

IQBAL FORUM

were determined not to let anything of the sort happen under any circumstance. The Congress went further and said that it could not commit itself to accept office by Congress members elected to the legislature under the 1935 Constitution. It was something to be decided by the All-India Congress Committee after consultation with provincial Congress committees.[68]

Walter Reid remarks that the British policy was to make the federation unrealizable given the complicated patchwork of directly administered provinces and the hundreds of princely states. Consequently, the federal provisions of the 1935 Act promulgated:

> A federal plan [. . .] primarily to protect Britain's interests rather than hand over control in vital areas [. . .] The scheme was structured first and foremost as a means of stopping any chance of a Congress majority at the centre. This policy reached its most cynical, and foolish, point in 1938–39, when the Conservative-dominated Cabinet decided, despite almost universal opposition in India, to sit pat on the Act, knowing full well that the Princes would never agree to federate.[69]

As Reid points out, it was clear that the British were not thinking of conferring dominion status on India, much less independence. The paramount strategic objective was to keep India within the empire. The position taken on the princely states left no doubt that as long as the princes were not willing to join the federation, India's integration as one coherent political order or political system was well-nigh impossible.

Jawaharlal Nehru's lurch towards Soviet-type socialism

Although the son of a rich and successful lawyer, Jawaharlal Nehru was the pioneer of left-leaning cosmopolitan and anti-imperialism ideas in the INC. He was profoundly influenced by British Fabian socialism as well as the more radical Soviet Union. Several Indian communists were his close friends. In 1927, he attended the Congress of Oppressed Nationalities in Brussels, which put him in touch with the ongoing anti-colonial movements all over the world. He has vividly and graphically recorded his shock when he personally saw

IQBAL FORUM

the sad plight and abject poverty of the rural poor during his travels in UP to propagate the Congress mission. At that juncture in history, India was going through the agony of global chronic inflation and economic recession. An initial gathering in London in 1935 of Indian intellectuals of Marxist persuasion consummated with the Progressive Writers' Association, holding its inaugural meeting in Lucknow in April 1936 and announcing a programme to awaken resistance among Indians to colonial domination. It was observed:

> Right now, the Indian society is going through Revolutionary changes, but at the same time, moribund reactionary forces—whose death is inevitable, are desperately trying to survive. The contemporary literature has fallen prey to mindless Formalism and misleading negative trends. It is a solemn obligation of the Indian writers to comprehensively portray the changes occurring in our national life, and support progressivism by promoting scientific rationalism in art and literature. The primary purpose of our Association is to liberate art and literature from the clutches of these regressive forces, who want to take art and literature with them in the depths of decadence and degeneration. We want to bring the literature near to the common man, make it a mirror of life and an important tool to ameliorate our future. We want that this new literature discusses our life and its real issues including hunger, poverty, social deprivation and slavery.[70]

Such anti-imperialist modes of thinking were reflected in Nehru's presidential address at Lucknow in 1936. He spoke about the need to throw off the yoke of British imperialism and combine it with far-reaching socialist transformation. He remarked on 12 April 1936:

> I am convinced that the only key to the solution of the world's problems and of India's problems lies in socialism, and when I use this word I do so not in a vague humanitarian way but in the scientific, economic sense [. . .] That means the ending of private property, except in a restricted sense, and the replacement of the present profit system by a higher ideal of cooperative service [. . .] Some glimpse we can have of this new civilisation in the territories of the U.S.S.R.[71]

IQBAL FORUM

The Lucknow presidential address of Nehru was by no means representative of the variegated multi-class social composition and ideological strands present in the Indian National Congress. Rather, he represented a vocal but minor tendency in the party. Powerful industrialists who backed the Congress such as G.D. Birla mounted a concerted campaign against Nehru and socialism for several months. Other Congress leaders including Sardar Patel, Rajendra Prasad, C. Rajagopalachari and Acharya Kripalani resigned in June 1936 from the party in protest over Nehru's advocacy of radical socialism. It was Gandhi (in defiance of whose village communes Nehru had adopted Soviet-type socialist rhetoric) who persuaded them to withdraw their resignations.[72] The Congress was a grand front and alliance of a limited nature of an assortment of people and interests who had come together with the objective of ending British rule in India. Beyond that, their interests clashed head-on.

Jinnah's address in Bombay on 12 April 1936 at the annual session of the Muslim League

Since both Jinnah and Nehru spoke on the same day, one cannot assert that they were involved in polemics with each other on that occasion in their respective speeches, but the thrust of Jinnah's speech was in that vein. He asserted that there were four parties in India: the British, the Indian princes, the Hindus and the Muslims. He considered the 1935 Act unrepresentative of the will of the people of India and said that he would submit to it under protest because the power in India was with the British. He then alleged that the Congress was behaving like an ostrich burying its head in the sand and pretending that nobody was observing it. He dismissed its claim to represent all Indians. He hoped that the Muslims could arrive at an understanding with the Hindus as two nations, if not as partners.[73]

What is noteworthy is the fundamental conceptual difference between Nehru's and Jinnah's description of the people of India. While the former considered communal categorization as unacceptable, the latter considered it objective and essential to his approach on Indian politics and the future of India. These speeches were delivered before the elections.

IQBAL FORUM

The 1936–37 provincial election

During 1936, Jinnah toured various parts of India addressing Muslims and informing them that the Muslim League was opposed to the 1935 Act, but that he wanted to take part in the elections if and when they were held under it. On 11 April, the Muslim League announced that it would take part in the election. On 11 June, it announced its election manifesto. It referred to its Constitution adopted in December 1912, which had the following salient points:

1. Full responsible government for India with adequate safeguards for Muslims.
2. To protect and advance the political, religious and other rights and interests of Muslims.
3. To promote friendship and union between Muslims and other communities of India.
4. To maintain and strengthen brotherly relations between the Muslims of India and those of other countries.[74]

It then went on to say that the 1935 Act was unacceptable because it did not provide for full responsible government. It reiterated that the federal scheme was reactionary, retrograde and injurious to the vital interests of India. The manifesto emphasized the need for Muslims to organize as one body and for the Muslim League to be their representative political party. It went on to discuss the need to improve the economic conditions of the Muslims and lift them out of poverty. It declared that separate electorates would be retained if necessary. The Muslim League Central Parliamentary Board was to adopt the following programme specifically on behalf of Muslims to ensure the elections: 'In all matters of purely religious character, due weight shall be given to the opinions of Jamiat-ul-Ulema Hind and the Mujtahids'; and to protect and promote Urdu language and script, to devise measures to ameliorate the general conditions of Muslims. Other issues taken up included measures to reduce expenditure of the government; to nationalize the Indian Army and reduce military expenditure; to promote development of industries, including cottage industries; to ensure social and economic uplift of the rural population, provide debt relief to the peasantry, reduce heavy taxation; to make

IQBAL FORUM

elementary education free and compulsory; and to promote healthy political consciousness throughout the country.[75]

On 25 August, the Congress Party announced its election manifesto. It took up its long history of struggling for the democratic rights of all Indians. It critiqued the 1935 Act with no less intensity than the Muslim League, considering it subversive of the right of the people of India to exercise true democratic Swaraj. It considered the Communal Award of 1932 and the continuation of communal representation as British strategy to divide the Indian people. It committed itself to the elimination of all discrimination against Dalits and women. It reiterated that its Karachi declaration of 1931 on fundamental rights was the basis of soliciting votes for its candidates during the election. It mentioned that India's poverty could not be eliminated through merely the election process and that more radical measures were needed. A list of those fundamental rights was given; some of them were:

1. Freedom of expression, belief and conscience.
2. The culture, language and script of all the minorities and of the different linguistic areas shall be protected.
3. Equal rights of all citizens before the law without reference to religion, caste or sex.
4. No person shall be deprived of his liberty including property, save in accordance with the law.
5. The state shall observe neutrality in regard to all religions.
6. The franchise shall be on the basis of universal adult franchise.
7. There shall be no capital punishment.

Reforms on labour, agriculture and taxation were mentioned under separate headings. An agrarian programme was also enumerated. It was opined that the antiquated and repressive land tenure and revenue systems which the British had imposed on the people needed to be reformed drastically so that peasants were not exploited and crushed ruthlessly.[76]

A comparison of the two manifestos makes it clear that they were similar in many ways. The difference in them was also familiar. While the Muslim League sought to represent Muslim interests, the Congress claimed to represent all Indians. The Muslim League had mentioned universal adult franchise in earlier resolutions, but it was

IQBAL FORUM

missing in the manifesto. While the Muslim League was clear that by responsible self-government it meant a government within the British Empire, the Congress used the term 'Swaraj', which was somewhat ambiguous as it was understood to mean both full self-government within the British Empire as well as complete independence.

At any rate, the Muslim League was an elite party without any mass base or mass movement to its credit, while the Congress was a grass-roots party with a long history of mass agitation against British rule. Although the 1935 Act limited the right to vote to roughly 11 per cent of the Indian population, 35 million people were enfranchised on the basis of property ownership and education. Both parties engaged in the election campaign with great vigour. Both, however, faced a major problem: in the Muslim-majority regions of north-western and north-eastern India, it was regional leaders and regional parties that enjoyed the popular support.

The election results were announced in February 1937. The Congress did well in the Hindu-majority provinces, winning 711 general seats out of a total of 1585. It also contested fifty-eight reserved seats for Muslims, but won only twenty-six, out of which seventeen were in the NWFP, a 93 per cent Muslim-majority province where the Khudai Khidmatgars were its support base. The Muslim League fared miserably in the Muslim-majority provinces (Punjab, Sind and the NWFP in north-western India), winning only two seats in the Punjab (which became one when Raja Ghazanfar Ali Khan crossed the floor and joined the PUP, which made a clean sweep of the reserved Muslim seats in the Punjab) and none in Sind and the NWFP. The Congress too did not win enough reserved Muslim seats to make its claim credible that it represented Muslims as well. On the other hand, the Muslim League did modestly well in the Hindu-majority provinces. Its performance in Bengal was not that too bad. It won forty seats out of a total of 117 reserved for Muslims. Altogether it won 108 reserved Muslim seats out of a total of 484.[77]

Jinnah's interview to the press on the election results, 28 February 1937

Although the Muslim League had received a severe drabbing in the 1937 election, Jinnah maintained a calm and composed posture as

IQBAL FORUM

he talked to the press on the election results. He asserted that the Muslim League contested the elections without effective provincial or district organizations. He said that two things will represent the Muslim League in the legislatures:

1. That the present provincial Constitution and the proposed central Constitution should be replaced immediately by full democratic self-government.
2. That in the meantime, the representatives of the Muslim League in the various legislatures should work to extract the maximum benefit out of the Constitution for the uplift of the people in the various spheres of national life. He said that he and his party would cooperate with any progressive group in the legislatures for the welfare and in the interests of the provinces and the country generally.

Regarding the results, he asserted that the performance of the League was quite satisfactory in Bengal, while it did well in several Hindu-majority provinces. He admitted that it had failed badly in the Punjab. Factionalism and lack of proper organization were the main reasons for the bad performance of the League.[78] The same day Jinnah issued a statement to the press in which he said, 'We are free and ready to cooperate with any group or party if the basic principles are determined by common consent.'[79]

The offer of cooperation was made from a position of weakness because there was little doubt that most Muslim voters had voted for other parties, especially in the north-western zone of India where Muslims were in a clear majority.

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IQBAL FORUM

Chapter 7

The Congress Ministries and Jinnah's Reaction



In the euphoria of the impressive electoral success, Nehru asserted on 19 March 1937 that the election results showed that the Muslim League was by no means the only representative political organization of Muslims; several other regional and Islam-oriented parties also claimed their allegiance and support. This had been amply corroborated by the way Muslims had voted for the reserved Muslim seats. Nehru went on to say that the Muslims rejected the League because it was a party of pro-British landowners. Further, the Muslim masses, just like other poor Indians, wanted radical economic reform. He claimed that the Congress programme for complete socio-economic political reform had been validated.[1] The election results, strictly speaking, did not warrant such an inference because the electorate was limited to around only 11 per cent of the population. However, since the Congress had in its manifesto taken up social justice, particularly agricultural reforms, Nehru could assume that the Muslim peasantry was also impressed by its programme as well. Given the fact that the Muslim League had never approached the Muslim poor in the past and that its membership and leadership was narrowly drawn from the landed elites and professionals, such an assumption was reasonable.

The bottom line in Nehru's thinking was that there was no Hindu–Muslim problem in India, and that communalism was a divisive ideology. Such thinking was intrinsic to socialist political thought ranging from the British Fabians to Russian communists: that class

IQBAL FORUM

and not religion or ethnicity represents the true, objective interests of the people. Such rationalism had frustrated socialists in the past. Karl Marx, Friedrich Engels and their followers time and again had to face the harsh truth that nationalism often trumped class consciousness. In an underdeveloped, custom- and tradition-bound country like India, where the world of most people was defined by their caste and religion and local affiliations, the idea of class consciousness cutting across cultural barriers was a singularly difficult task. Nehru had therefore erred in a serious way by underestimating the appeal of religion, especially of Islam to Muslims in Indian politics.

In reaction to Nehru's rejection of the Hindu–Muslim issue as central to the politics of the subcontinent, on 21 March Jinnah underscored that any agreement on the future of India was dependent on the recognition of the two communities as separate entities who subscribed to different world views but who could enter an alliance based on such a recognition. In practical terms, it meant that he could not agree to a federation, with most powers vested in the Centre. He wanted the continuation of separate electorates and excessive representation for Muslims, or weightage, as it was called. Consequently, on 21 March, while speaking to the council of the All-India Muslim League, he told the gathering, 'Sink or swim; die or live; but live as a united nation.'[2]

He issued a press statement on 19 April to the effect that some Congress idealists were trying to divide Muslims under the false pretext of patriotism. The Muslim League was no less patriotic, but it stood for Muslims being partners in the struggle for independence. He regretted that they were adopting policies towards the Muslim intelligentsia and the Muslim League which required them to merge with the Congress and now they wanted to appeal to the Muslim masses so that the Muslim nation is divided. He remarked, 'We are prepared to co-operate as equals, but we will not submit to dictation or subjugation.'[3]

On 27 April 1937, Nehru upped the ante when at Allahabad he announced a Muslim mass-contact campaign. He observed:

> We talk of approaching the Muslim masses. That is no new programme for us although the stress may be new . . . It must be remembered that the Congress has always had large numbers of

IQBAL FORUM

> Muslims in its fold and large numbers have sympathized with its activities. Some of the most eminent of our national leaders have been and are Muslims. But it is true the Muslim masses have been largely neglected by us in recent years. We want to repair that omission and carry the message of Congress to them. Why do others object to this?[4]

The Congress decides to form ministries

As noted already, the Congress was initially not willing to contest the elections, but it finally had done so. Although under Gandhi's leadership the Congress had radicalized towards mass agitation and civil disobedience, it was not entirely isolated from mainstream constitutional politics. It had liberals and moderates such as Sir Tej Bahadur Sapru and Motilal Nehru who represented its point of view in the Central Legislative Council. After winning the election handsomely, the Congress was now reluctant to take up office in any province where it had a majority because of the excessive powers vested in the governors under the 1935 Act. The government had, however, gone ahead and installed ministries with the help of other parties and independents because it wanted to institutionalize the 1935 Constitution as a workable formula. Therefore, after considerable discussion and exchange of views with the government, an understanding was reached between them that the governors would not obstruct normal procedure by invoking their special powers on minority issues and through other devices.[5] The Congress therefore decided to form ministries in six provinces—Madras, Bombay, Orissa, Bihar and UP. Later, it formed the government in two more provinces: in Assam and the NWFP. These began to take office in July 1937.

The blunder which elicited a communalist reaction in Jinnah

A gentlemen's agreement existed between the Muslim League and the Congress in UP, to the effect that no matter what result emerged in the elections, they would form a coalition government. Presumably, both parties expected to do well and had not campaigned against one another. The elections were fought more on a class basis. Hindu

IQBAL FORUM

and Muslim landlords faced the Congress and the Muslim League as parties representing mainly middle-class professionals. Thus, for example, Hindu and Muslim landlords and some sections of the capitalist class formed the National Agricultural Party.[6] In any event, the Congress won an absolute majority in the UP legislature. It bagged 134 seats in a house of 228. The Muslim League won twenty-nine out of thirty-six seats, while the other reserved seats went to the National Agricultural Party of landlords which had both Hindus and Muslims as members. None of the Muslims who contested on the Congress ticket won.

What happened subsequently in UP can only be described as the first of a series of decisions of the INC which came to haunt it in the years that followed, before the British left India divided and bleeding. The Congress leaders demanded in July 1937 that elected Muslim Leaguers should resign from the League and join the Congress; that the Muslim League parliamentary board should be wound up and it should no longer nominate any candidates for any by-election. It demanded that those members elected on Muslim League tickets should submit to the discipline of the Congress. It was an ultimatum to compel the Muslim League to complete capitulation and merger with the Congress if the Muslim members elected on the League ticket wanted to be considered for a ministerial post.[7]

There is a lot written on this topic and many explanations and excuses or apologies have been put forth, but the political impact it had was a classic case of an unintended consequence producing just the opposite result: it galvanized Jinnah and the Muslim League to shout foul and accuse the Congress leadership of bad faith and dictatorship. A key player in that drama, Chaudhry Khaliquzzaman, mentions that while Jinnah tried to make the Muslim League and Muslim members of the landlord-based National Agricultural party merge, Maulana Hussain Ahmed Madani wanted the Muslim League to accept the Congress's terms so that Muslims could be included in the Congress ministry. He has particularly blamed Maulana Abul Kalam Azad for the conspiracy to sign the death warrant of the Muslim League organization, and Nehru for going along with a high-handed attitude towards the Muslim League.[8] The allegation against Azad is based on the following precondition Azad set, 'It was hoped that, if the terms were agreed to and Muslim League

IQBAL FORUM

group of members joined the Congress Party as full members, that group would cease to exist as a separate group. In the formation of the Provincial Cabinet it was considered proper that they should have representatives.'[9]

Azad, on the other hand, has blamed Nehru for being inflexible and not letting two Muslim Leaguers join the UP cabinet unless they resigned from the League.[10] Others have alleged that Khaliquzzaman was tempted by the prospects of a ministership and was willing to join the Congress again, but he was overruled by Jinnah.[11] Suffice it to say that such bickering and manoeuvring produced just the opposite reaction because Jinnah overruled any agreement between local leaders which was not endorsed by him and the main leadership of the Muslim League.

Nehru compounded the anxiety of the Muslim League further by claiming that there were only two powers to reckon with in India: the British and the INC. To the injury he added insult by saying that the Muslim League represented only 'a small group functioning in the higher regions of the upper middle classes and having no contacts with the masses'. He described Jinnah as a communalist. Jinnah retorted by speaking of Nehru as 'Peter Pan who refused to grow up . . . the busybody president [of INC], who must poke his nose in everything except his own business'.[12]

The Muslim Personal Law (Shariat) Application Bill, 9 September 1937

Amid the growing acrimony between Jinnah and Nehru, the introduction of a private member's bill in the Central Legislative Assembly by a member from the Punjab, H.M. Abdullah, to allow Muslim women to inherit their share in family property in accordance with Islamic law, needs to be put into perspective. During the British period, sharia rulings had been confined chiefly to matters pertaining to belief, the observation of rituals related to worship, birth and death, including burial; the inheritance law laid down in the Quran was observed only by a few communities and was confined to some parts of India. Elsewhere, the customary laws of the various tribes and communities who had converted to Islam were followed. It confined ancestral property to male heirs

IQBAL FORUM

only. Voices had been raised from time to time by Muslims for the resuscitation of the Islamic law of inheritance. The Quran conferred shares on both male and female heirs according to a set formula: two shares to sons and one to daughters. The bill also proposed the right of women to claim divorce on certain grounds. We shall confine our attention to the succession or inheritance of ancestral property affecting female heirs.

Abdullah regretted that since agriculture has been placed in the provincial list, his bill could not apply to agricultural property. Several other members of the Central Legislative Assembly spoke on the bill, including Hindu and British members. The Muslim members by and large took the line that since agriculture and agricultural property were provincial subjects, the issue of succession to it could not be included in the bill. Jinnah was one of them.[13] However, Major Nawab Sir Ahmad Nawaz Khan questioned this.

> Major Nawab Sir Ahmad Nawaz Khan: Why should agricultural land be exempted?
>
> Mr M.A. Jinnah: Because we cannot legislate here [because of agricultural land being placed in the provincial list] [. . .]
>
> Major Nawab Sir Ahmad Nawaz Khan: And, therefore, you cannot touch the jagirs [large agricultural land grants] too.
>
> Mr M.A. Jinnah: May I be allowed to go on? If I understand, we cannot touch those grants which are governed by the term of grants as to how they devolve upon the successive heirs. This Bill does not touch them.[14]

Thereafter ensued a discussion on the different types of jagirs and the legal implications which followed regarding succession. Finally, it was agreed that in the 'Muslim Personal Law (Shariat) Application Bill' it should be inserted that the property of Muslims should be distributed among the male and female heirs in accordance with sharia but that a proviso also be added to the bill to the effect that with regard to succession, it applied to inherited property 'save as regards agricultural land'.[15]

IQBAL FORUM

That most Muslims who took part in the debate on the bill tamely accepted that agricultural land should be exempted was not surprising because most of them were landowners. Jinnah had thrown his weight behind that positioning. This stand needs to be analysed. Since the bill purported to apply to all Indian Muslims and cut across the administrative boundaries of the provinces, a case could be made to have the bill extend to agricultural land as well because sharia itself makes no distinction between diverse types of ancestral property. Since the British depended on the support of landowners, and among them Muslims were a significant component, the government understandably approved of the bill not extending to agricultural land. Moreover, for Jinnah, this was an opportunity to widen his appeal to the large landowning classes in the Muslim-majority north-western India where they backed up regional parties with a strong support base among landlords.

Jinnah's record as a parliamentarian shows that on many occasions he argued against government policies but now to accept the 1935 Act's declaration that agriculture was a provincial matter meant that he saved the Muslim landowners as a class and the concomitant feudal and tribal structure of society which excluded females from inheriting parental property. This was especially true for the Punjab where Muslim landowners supported the Punjab Unionist Party. Now, Nehru's socialist threat focusing on radical land reform on behalf of peasants and tillers compounded by the threat of a Congress bid to win over Muslims, meant that the INC was poised to cross the redline and trespass into forbidden territory which had been reserved for Muslim leaders ever since the 1909 Act introduced separate electorates and isolated Muslims from the mainstream freedom movement.

Muslim League session at Lucknow, 15 October 1937

The occasion to mobilize Muslim opinion against the INC was the twenty-fifth session of the Muslim League held in Lucknow, the capital of the United Provinces. The choice of venue was significant because it was in that province that the Congress had issued a political life-threatening ultimatum to Jinnah and the Muslim League. Jinnah was not one to back down; on the contrary, he remained defiant.

IQBAL FORUM

Some seventy Muslim dignitaries and leaders had been invited. Among them were the Punjab and Bengal premiers, Sir Sikandar Hayat Khan and Chowdhury Fazlul Haq, who headed the PUP and the Krishak Praja Party, respectively. The Congress's success was a cause of concern to both. For the first time, Jinnah wore non-Western attire. He was dressed in an achkan and salwar and had donned a karakul cap. which later became famous as the Jinnah cap. The dramatic change elicited shouts of 'Allahu Akbar' (God is great). The late Col. Amjad Hussain Sayed, who was a young student at that time in Lahore, attended the Lucknow session. In an interview given to me on 2 February 2014, he narrated that people had started calling Jinnah 'Quaid-e-Azam' (great leader) at the conference, but Jinnah said he only wanted to serve the Muslims of India. The Lucknow session was a demonstration of Muslim leadership opposed to the Congress and its claims to represent all Indians.

The most crucial gain for Jinnah was the Sikandar–Jinnah Pact which permitted the Muslim members of the PUP to join it. However, when Sikandar returned to Lahore, he found his colleague Sir Chhotu Ram, leader of the Hindu component of the party, unhappy with the decision. Sir Sikandar explained that the PUP would continue to function as an independent party, with membership in the Muslim League supposed to assert Muslim unity only at the national level. On the other hand, Jinnah had annoyed Allama Iqbal, who wanted the delegation from the Punjab to consist of Muslim intelligentsia, and advised him against entering an alliance with the Unionists who represented the landed class.[16] The pact, however, helped Jinnah achieve a foothold in the Punjab's politics, which he capitalized on later to make a breakthrough in the biggest and most developed province in north-western India from where soldiers and police and other functionaries were employed in large numbers in the state machinery. Most Punjabis in those services were Muslims, as Allama Iqbal had mentioned in his 1930 Allahabad speech. Without the Punjab, any idea of a Pakistan was a non-starter.

Nehru tones down his socialist threat, 26 December 1937

As noted already, Nehru had received stiff opposition to his socialist scheme presented in Lucknow in 1936 from powerful forces within

IQBAL FORUM

the Congress Party. The following year at the village of Faizpur, Maharashtra, Nehru toned down the spectre of a socialist India. The immediate goal was freedom from the imperialist stranglehold and the establishment of democracy:

> We do not fight for socialism in India to-day, for we have to go far before we can act in terms of socialism . . . The Congress stands to-day for full democracy in India and fights for a democratic State, not for socialism. It is anti-imperialist and strives for great changes in our political and economic structure. I hope that the logic of events will lead it to socialism for that seems to me the only remedy for India's ills. But the urgent and vital problem for us to-day is political independence and the establishment of a democratic State.

He then took up the issue of federalism:

> We are not against the conception of a federation. It is likely that a free India may be a federal India, though in any event there must be a great deal of unitary control. But the present federation that is being thrust upon us is a federation in bondage and under the control, politically and socially, of the most backward elements in the country [. . .] Backward Russia, with one mighty jump, has established a Soviet Socialist State and an economic order which has resulted in tremendous progress in all directions.

He then took up the problem of princely states which the British had, through the 1935 Act, deployed to offset any move towards India becoming an integrated political system. He remarked:

> The world has gone on changing and hovers on the brink of yet another vast change. But not so the Indian States [princely states]; they remain static in this ever-changing panorama, staring at us with the eyes of the early nineteenth century. The old treaties are sacrosanct, treaties made not with the people or their representatives but with their autocratic rulers . . . The Indian States will have to fit into the scheme of a free India and their peoples

IQBAL FORUM

> must have, as the Congress has declared, the same personal, civil and democratic liberties as those of the rest of India . . .

Then he declared the opposition of the Congress Party to the 1935 Constitution and acceptance of office:

> Our policy is to put an end to the Constitution Act . . . The Constitution cannot be wrecked by action inside the legislatures only. For that, mass action outside is necessary, and that is why we must always remember that the essence of our freedom struggle lies in mass organisation and mass action . . . we are not going to the legislatures to co-operate in any way with the Act but to combat it [. . .] It seems to me that the only logical consequence of the Congress policy, as defined in our resolutions and in the Election Manifesto, is to have nothing to do with office and ministry . . .

He then spoke about the abject poverty afflicting the mass of people, focusing on the suffering of the peasantry in particular:

> The real object before us is to build up a powerful joint front of all the anti-imperialist forces in the country . . .
>
> [A] vaster and more pressing problem is that of the peasantry, for India is essentially a land of the peasants . . . Demands for radical reforms in the rent and revenue and the abolition of feudal levies have been made from most of the provinces. The crushing burden of debt on the agricultural classes has led to a widespread cry for a moratorium and a substantial liquidation of debt. In the Punjab *Karza* (Debt) Committees have grown up to protect the peasantry . . . an obvious step is to remove the intermediaries between the cultivator and the State. Co-operative or collective farming must follow.

He then connected the overall development of India to self-reliant industrial development:

> The reform of the land system is tied up with the development of industry, both large-scale and cottage, in order to give work

IQBAL FORUM

> to our scores of millions of unemployed and raise the pitiful standards of our people. That again is connected with so many other things—education, housing, roads and transport, sanitation, medical relief, social services, etc. Industry cannot expand properly because of the economic and financial policy of the Government which, in the name of Imperial Preference, encourages British manufacturers in India and works for the profit of Big Finance in the City of London.[17]

Nehru was no longer speaking of an immediate socialist transformation; he was presenting it as a cumulative process in which industry and agriculture and education were integrated togradually lead to democratic socialism. Such modification was more in line with Fabian socialism, which he had learnt to admire during his stay in England as a student. He was surrounded by a number of Marxists as well, and his participation in international conferences had made the Soviet model of an effective state attractive to him.

Nehru's socialist threat proved useful for Jinnah to respond with the defence of agricultural land being excluded from theapplication of Islamic law of inheritance. By doing so he was not only trying to assuage the apprehensions of the Muslim landowning classabout an India ruled by the Congress but also laying the foundations of a strategy to win them over to the League. However, evoking such anxiety and fear would not suffice to turn Muslim opinion against the Congress because most Muslims were poor peasants or artisans. The Congress had to be depicted as a veritable danger to Islam and Muslims if Jinnah were to mobilize the amorphous Muslim community against it. According to a letter written by the governor of Bombay, Lord Brabourne, to Viceroy Lord Linlithgow six weeks before the Congress decided to form the government in six provinces:

> Jinnah went on to tell me some of his plans for consolidating the Muslim League throughout India and how he is doing his utmost to awaken the Muhammedans to the necessity of standing on their own feet more than they do now. His policy is to preach communalism morning, noon and night and to endeavour to get the Muhammedans to found more schools, to open Muhammedan hospitals, children's homes, etc., and to teach

IQBAL FORUM

them generally 'to stand on their own feet and make themselves independent of the Hindus'.[18]

Communalism

The exact origin of the term 'communalism' is difficult to trace, but according to Gyanendra Pandey, it gained currency when secular, territorial nationalism emerged as a challenge to British rule. The British began instead to encourage religious and caste identities to counter the Indian National Congress which was spearheading the freedom movement.[19] One can argue that whereas communitarianism was deeply rooted in the cultural mores of the subcontinent, it transformed into communalism as a result of the political manoeuvring by the colonial state to obviate a united front being formed against it. Scholars have used communalism to include both non-antagonistic (communitarian) and antagonistic proclivities inherent to the behaviour of group-based politics.[20,21]

The classic definition of communalism was formulated by Wilfred Cantwell Smith:

> Communalism in India may be defined as that ideology which has emphasized as the social, political and economic unit the group adherents of each religion, and has emphasized the distinction even the antagonism, between each group; the words 'adherents' and 'religion' being taken in the most nominal sense. Muslim Communalists, for instance, have been highly conscious of the Muslims within India as a supposedly single, cohesive community to which they devote their loyalty—paying little attention to whether the individuals included are religiously ardent, tepid, or cold; orthodox, liberal, or atheist; righteousor vicious; or whether they are landlord, prince or proletarian; also paying little attention to Muslims outside India.[22]

However, British imperialism began deploying communalism essentially to sharpen antagonism between Hindus and Muslims. What Jinnah was alluding to Brabourne was that he was ready to use communalism to underline the antagonism between Hindus and Muslims and wanted the British to reward him. Ayesha Jalal confirms

IQBAL FORUM

this move of Jinnah. She mentions that in August 1938, when Lord Brabourne was the acting viceroy, Jinnah met him 'and hinted at a deal by which the League might support the British at the centre if in return the British accepted the League as the sole spokesman of the Muslims'.[23] When Secretary of State Lord Zetland heard about Jinnah's offer, it only confirmed his 'conviction that the dominating factor in India would prove to be the All India Muslim League'.[24] He held the view that 'the solidarity of Islam is a hard fact against which it is futile to run one's head'.[25]

Jinnah accuses Congress ministries of representing the Hindu Raj

As noted earlier, the Congress was ambivalent about forming ministries under the 1935 Act, because doing so would lend legitimacy to a Constitution it considered unacceptable because it confirmed British rule in India. Nevertheless, a decision to form ministries was taken. It was an occasion when Mahatma Gandhi could explain his famous idea of 'Ram Rajya' in concrete terms. On 7 July 1937, when speaking in Bihar, he surprised everyone by the example he gave:

> Lest Congressmen think they have a monopoly over simplicity and that they erred in doing away with the trousers and the chair, let me cite the example of Aboobaker (RA) and Omar (RA). Rama and Krishna are prehistoric names. I may not use their names . . . There is no division of opinion about the Prophet, Aboobaker (Abu Bakr (RA)) and Omar (Umar (RA)). They had the riches of the world at their feet. It will be difficult to find a historical parallel to match their rigorous life. Omar (RA) would not brook the advice of his lieutenants using anything but the coarse cloth and coarse flour.[26]

The examples of Abu Bakr (RA) and Umar (RA) as the ideal rulers rather than Hindu figures, such as Krishna and Ram given by Gandhi, rested on the reputation of the first two successors of Prophet Muhammad (PBUH) as just, incorruptible rulers who were accessible to the people and answerable for their actions. Gandhi wanted the Bihar Congress ministry to emulate those standards drawn from Muslim history rather than Hindu mythology. Such ethical exhortation notwithstanding,

IQBAL FORUM

the ministries adopted policies and a range of measures which manifested the open defiance of British overlordship. These included opposing the governors presiding over the provincial cabinet meetings, the wish to hoist the Congress flag instead of the Union Jack, adopting simplicity and austerity measures and making the ministries easily accessible to the public. The main thrust of the defiant attitude of the Congress was directed towards the paramount imperial power.

However, Jinnah and the Muslim League depicted the Congress ministries as veritable threats to the Muslims living in those provinces. Detailed data was given purporting to prove that comprehensive discrimination, intimidation, victimization and persecution were employed by them against the Muslim minorities. Since some Muslims had decamped from the Muslim League and joined the Congress, the advent of Congress rule in the provinces was perceived as directly threatening the existence of the party and its leadership. It was alleged that the systematic and recurring humiliation of Muslim League leaders and cadres was taking place. Muslims were being thrown out of work and being forced to join the Congress.

The Pirpur Report and the more detailed Shareef Report go into great detail about the alleged wrongs and atrocities committed against Muslims. Even a resolution of the pro-Congress Jamiat-ul-Ulema-i-Hind dated 3–6 March 1939 raises alarm about anti-Muslim sentiments and the introduction of Sanskrit words in the Hindustani language. The Bengali leader A.K. Fazlul Haq also wrote about his visits to several Congress-ruled provinces and reported that Congress politicians were acting aggressively towards Muslims. In concrete terms, the main policies that were denounced included the Muslim mass-contact campaign, the singing of 'Vande Mataram' as the national song in schools, the introduction of the Wardha Scheme of Education, also known as the Vidya Mandir Scheme, the hoisting of the Congress flag instead of the Union Jack over government buildings and restrictions on cow slaughter.[27]

These accusations need to be put into perspective. The song 'Vande Mataram' first appeared in the novel *Anandamath* (1882) by Bankim Chandra Chatterjee, which portrayed both the British and Muslims as foreigners who conquered Bengal. When objections were raised against the song by sections of the Muslim community, a committee was set up by the Congress to look into the matter. The committee,

IQBAL FORUM

headed by Nehru, included Subhas Chandra Bose, Maulana Azad and Narendra Dev. It proposed that only those stanzas should be retained which were of a patriotic nature and the rest expunged. In that form it could continue to be sung.[28] It was also pointed out that earlier when Jinnah was in the Congress, the song was recited from Congress platforms and he had never objected to it then. Equally, that the Congress flag represented saffron for Hindus, green for Muslims and white for the smaller minorities and became popular as a symbol of national unity from the time of the Khilafat movement onwards.[29,30] Regarding the Wardha Educational Programme, it was argued by the Congress that it was formulated under the chairmanship of Dr Zakir Husain. Its main objectives were:

1. Free and compulsory education for everyone for seven years.
2. The medium of instruction to be the mother tongue.
3. The education imparted should include both abstract, mental stimulation as well as physical skills, including training in handicrafts, which should conform to the environment around.[31]

That scheme was called the Vidya Mandir Scheme in the Central Provinces, a description to which the Muslim League took exception since the word 'mandir' meant temple, the Hindu place of worship, but it had nothing to do with Hindu temples as such. This was explained to the satisfaction of the Muslim League secretary, Nawabzada Liaquat Ali Khan, by the premier of the Central Provinces, Pandit Shukla. The agreement was published in December 1939, a month after the Congress ministries had resigned.[32] The Muslim League adopted a resolution on 4 December 1938 appointing a committee to examine whether the Wardha scheme would inhibit the progress of the Urdu language and if it would 'tend to obliterate or weaken the religious traditions and culture of Indian Muslims'; it was further stated that within three months the committee should provide an educational scheme 'for Muslim boys and girls as would create in them an Islamic mentality, strengthen the Islamic characteristics, and at the same time, fully equip them to meet the exigencies of the present age'.[33] The Wardha scheme was more of a practical education scheme meant to provide secular education, while the Muslim League wanted education based on Islamic principles.

IQBAL FORUM

In all the Congress ministries except Orissa, at least one minister was a Muslim and included among others Rafi Ahmed Kidwai in the UP, Syed Mahmud in Bihar, who headed the education and development ministry, and three in Assam, Fakhruddin Ali Ahmed (later President of India), Maulvi M. Ali and Khan Bahadur Maulvi Mahmud Ali. In the NWFP, the chief minister was Dr Khan Sahib, and of the other three ministers two were Muslims. Among the achievements claimed by the ministries was the release of all political prisoners except a few who were charged with violent activities. On their release, the governors objected strongly. Tenancy and agrarian reforms were carried out, peasant debt-relief schemes were introduced and remissions on old debts were introduced, adult education courses were introduced and many development projects were initiated.[34,35]

The by-elections and the Islamic state

Venkat Dhulipala's exhaustive study *Creating a New Medina: State Power, Islam, and the Quest for Pakistan in Late Colonial North India* puts in sharp relief the processes which led to the idea of Pakistan being associated with the ideal Islamic state founded in the seventh century by Prophet Muhammad, Peace be Upon Him (PBUH). Initially, while adopting confrontational positions vis-à-vis the INC, Jinnah avoided taking recourse to Islamist ideas. However, during the by-elections which were held in the UP from March 1937 onwards, mainly because of the death of elected members, the ulema began to introduce Islamic terms and arguments to present their standpoints for and against the Congress and Muslim League. A faction of the Jamiat Ulema-e-Hind, led by Ashraf Ali Thanvi and including Shabbir Ahmed Usmani and Zafar Ahmed Usmani, broke with the main organization, led by Hussain Ahmed Madani, and started supporting the Muslim League.[36] Madani had propounded the theory of *muttahida qaumiyat* (composite nationalism), in which all Indians, including Hindus and Muslims, would be equal partners. He advised Muslims to join the Congress Party. He further made the interesting argument that even if the Muslims were to establish an Islamic state, such a state would be authoritarian because of the bitter sectarian differences prevalent among Indian Muslims.[37,38]

IQBAL FORUM

This argument was challenged by Ashraf Ali Thanvi, who argued that although joining Congress was in itself not against Islam, for Muslims to join any political organization it was imperative that the supremacy of Islam was guaranteed. Additionally, non-Muslims had to be in a position of subservience in such an organization. He rejected Madani's argument that the covenant signed by Prophet Muhammad, Peace be Upon Him (PBUH) and Jews created equality between Muslims and the Jews. On the contrary, asserted Thanvi, the covenant required Muslims to be the leaders, while the Jews could only be in the position of followers.[39] However, he took the position that the ulema should confine their activities to the legal sphere of politics—meaning, the implementation of sharia—and let politicians conduct the business of the state and government. This, too, was meant as a critique of Madani who was actively taking part in politics at that time.[40] Ironically, the Jamiat Ulema-e-Hind had supported Muslim League candidates initially because both the Congress and the League had similar manifestos and Madani wanted to facilitate the Congress–League coalition government in the UP. Later, Madani sided with the Congress after the election result showed that the League was by no means a party enjoying wide support among Muslims.

Five by-elections were held for reserved Muslim seats in the UP during March–October 1937. The Muslim League candidates won four of them, while one was won by the Congress-supported Muslim candidate. Hafiz Ibrahim Maulana Zafar Ali Khan from the Punjab and Khawaja Hassan Nizami, the custodian of Delhi's prominent shrine of Nizamuddin Auliya, participated in the election campaign on the side of the Muslim League. Zafar Ali Khan set forth the contrast between the two parties:

Hafiz Ibrahim [Congress candidate, protégé of Hussain Ahmed Madani] Udhar hain, Abdus Sami [Muslim League candidate] Idhhar,
Hardwari dars udhar hai, Shari'i taleem idhar,
Us Taraf Gandhi ke farman par Sar-i-Taslim Kham,
Aur Rasul Allah ki Taslim ki Tanzim Idhar,
Uss Taraf Nehru Paraston ke liye Bharat ka Raj,
Hift Aqleem Idhar

IQBAL FORUM

Vote Dene waalon Sunon Kaan Dil ke Kholkar,
Khatra Imaan ko Udhar se Hai, Nahi yeh baham Idhar

On one side stands Hafiz Ibrahim, here stands Abdus Samih
On that side is Hardwari learning, here we have Shari'i training
On that side lies submission to Gandhi, here stands the organisation that submits to Allah's Prophet (PBUH)
On that side is Nehru's Bharat, here you have the whole world
O voters, open the ears of your hearts and listen, the threat to your Faith comes from the other side, There are no such dangers here.[41]

Using the Islamic card in north India did prove effective, but in Hindu-majority provinces it stood no chance of materializing into a state. It was not until Jinnah shifted his concentration to north-western India that it worked wonders for him—but of that later.

Muslim League–Congress correspondence

A crisis no doubt had occurred with the Congress forming provincial governments. The Muslim League was determined to oppose Congress rule and Jinnah managed to set in motion a hectic campaign against it. Letters were exchanged between different leaders. Gandhi and Jinnah exchanged letters in which Gandhi complained that from the latest public statements of Jinnah, one wondered if something of the old Indian nationalist Jinnah was still left in him. To that, Jinnah replied that he would be willing to discuss with Gandhi the future of India only if the latter were to openly admit that the Congress was a Hindu organization and he a Hindu leader. Gandhi responded by saying that such a precondition could not be demanded from him because he was neither the leader of a Hindu Congress nor the Hindu community, but that he would try to exercise his full influence to facilitate an honourable settlement with the Muslim League.[42]

The most crucial exchange of letters was between Jinnah and Jawaharlal Nehru, because at that crucial moment in history, they represented the rival leadership of the two parties. It began with a

IQBAL FORUM

letter from Nehru to Jinnah dated 18 January 1938, with Jinnah responding on 25 January. The crux of the letters and those that followed (Nehru on 4 February; Jinnah on 17 February; Nehru on 25 February; Jinnah on 3 March; Nehru on 8 March) was complaints and counter complaints about misunderstandings, rumours and false allegations levelled by one side against the other and so on. Nehru took the position that he and the Congress would be willing to discuss ideas and proposals which could enhance the unity of the Indian people, but he was not sure what the fundamental differences were that needed to be sorted out. Jinnah expressed wonderment at Nehru pleading ignorance of the main differences between their respective parties.

In the letter dated 17 March, Jinnah replied. It included two newspaper editorials, of the *Statesman* and the *New Times*, Lahore-based and considered pro–Muslim League. He told Nehru that the main concern of the Muslim League was the following:

> Of safeguarding the rights and interests of the Mussalmans with regard to their religion, language, personal laws and political rights in national life, the government and administration of the country. Various suggestions have been made which will satisfy the Musalmans and create a sense of security and confidence in the majority community. I am surprised when you say in your letter under reply, 'But what are the matters which are germane?' . . . Perhaps you have heard of the Fourteen Points.

The Lahore *New Times*' editorial stated:

> Mr. Jawaharlal Nehru proceeded on the basis that there was no communal question. We should like to reproduce the trenchant manner in which he put forward the proposition. He said: 'I have examined the *so-called communal question* through the telescope and, if, there is nothing, what can you see?' It appears to us that this is the height of dishonesty to move a resolution with these premises. If there is no minority question, why proceed to pass a resolution? Why not state that there is no minority question? This is not the first time Pandit Jawaharlal

IQBAL FORUM

Nehru has expressed his complete inability to understand or see the communal question.[43]

The editorial then set forth several demands.

On 6 April 1938, Nehru wrote to Jinnah and took up the demands, which the *New Times* had enumerated, and gave his answers to them:

1. Jinnah's Fourteen Points of 1929 should be the basis of a settlement.
2. The Congress should withdraw all opposition to the Communal Award and not describe it as a negation of nationalism.
3. The share of the Muslims in the state services should be fixed by statutory enactment in the Constitution.
4. Muslim personal law and culture should be guaranteed by statute.
5. The Congress should use its moral pressure to enable Muslims to gain possession of the Shahidganj Mosque in Lahore.
6. The Muslims' right to call azan and perform their religious ceremonies should not be fettered in any way (this referred to some village in Kasur tehsil of Lahore where the Sikhs were allegedly preventing the call to prayers).
7. Muslims should have the right to slaughter cows.
8. In provinces where Muslims have a majority, any territorial redistribution should not affect their majority.
9. The song 'Vande Mataram' should be abandoned.
10. Muslims want Urdu to be the national language of India and they desire that through statutory guarantees the use of Urdu not be damaged or curtailed.
11. Muslim representation in local bodies should be based on the Communal Award, that is, on the basis of separate electorates and population strength.
12. The tricolour should be changed, or the flag of the Muslim League should, alternatively, be given equal importance.
13. The Muslim League should be recognized as the one authoritative and representative organization of Muslims.[44]

Nehru replied that the Congress considered the freedom of India as the precondition for it to fulfil some of the demands Jinnah had made. Therefore, first, both parties should work out on what basis they can

IQBAL FORUM

cooperate to win India's freedom together. He then commented on the points raised by Jinnah.

1. Nehru said he was fully aware of the need raised in the Fourteen Points of 1929 to give adequate representation to minorities in state services and in local bodies. Also, if a community is backward, it must be provided with special facilities such as education (which in the Nehru Report of 1928 was taken up as a commitment to the Scheduled Castes and Tribes). He referred to the unity conference of 1933 in which a mutually satisfactory solution to the issue of representation in state services was agreed.
2. About the question of protection of culture, the Congress had declared its willingness to embody it in the Constitution and that it has already declared (in 1931) not to interfere with the personal law of any community.
3. Regarding the Shahidganj issue, Nehru expressed surprise at the Congress being asked to take that issue in hand. He asserted that such matters should be decided through legal procedure or mutual agreement. The Congress was willing to facilitate discussions leading to mutual agreement between the Muslims and the Sikhs.
4. He agreed that the right to perform religious ceremonies should be guaranteed to all communities.
5. About cow slaughter, he said that it was false propaganda that the Congress ministries had banned it. He assured Jinnah that Congress had no intention of preventing Muslims from slaughtering cows through any legislation.
6. Regarding territorial redistribution, if and when such a question arises, it will be dealt with on the basis of mutual agreement of the parties concerned.
7. About 'Vande Mataram', Nehru said that it was not the formal national anthem adopted by Congress at any time. It was a popular song associated with the thirty years of the freedom struggle and therefore it would be wrong of a political party to prohibit its recitation. However, only two stanzas, which purely express the sentiment of freedom for India, have been accepted to be sung at public meetings.

Nehru then took up the issue of national language. He explained:

IQBAL FORUM

> The Congress has declared in favour of guarantees for language and culture. It wants to encourage all the great provincial languages of India and at the same time to make Hindustani, as written in both Nagri and Urdu scripts, the national language. Both scripts should be officially recognised and the choice should be left to the people concerned. In fact this policy is being pursued by the Congress ministries.[45]

Regarding the other points, Nehru explained that joint electorates were preferred for the sake of national unity and harmonious unity between different communities, but the Congress was clear that joint electorates should not be imposed on unwilling groups. He pointed out that Congress ministries were following that policy and that in Bombay the Congress government had accepted separate electorates, but an option was given to the people to opt for joint electorates if they so wished. He reminded Jinnah that such a policy was in accordance with Jinnah's fifth point in his Fourteen Points. He expressed surprise that the Muslim League had in Bombay voted against the bill, which accepted separate electorates but gave the option to the various groups to opt for joint electorates. Further, he said that in the Fourteen Points it was stated that as long as Sind is not granted status of province, and reforms in the NWFP and Baluchistan were not adopted on the same footing as in other provinces, the Muslim League would not give up separate electorates. Since then Sind has become a separate province, and in the NWFP reforms have been introduced which put that province on the same footing. As far as Baluchistan is concerned, the Congress was committed to a levelling up of that area in the same way.

Nehru argued that the tricolour was adopted by the Congress in consultation with eminent Muslims and Sikhs, and many freedom fighters from all communities have suffered police lathi charge, imprisonment and even death for the idea represented by that flag: the unity of all Indian people. Therefore, introducing a communal flag (which, in those days, was only green) would be inappropriate. He regretted that League workers had been insulting the Congress flag, but he and his party decided to bear such insults with equanimity. Finally, Nehru said that he could not understand how the Muslim League alone could claim to represent all Muslims when there are so

IQBAL FORUM

many Muslims in the Congress and there are other regional parties led by Muslims. On the other hand, many other organizations such as trade unions, peasant unions, zamindar associations and chambers of commerce had members from all religious communities.

He commented on the issue of coalition governments as well. Nehru argued that a coalition government could only be possible if the parties concerned agreed on political and economic programme and policy. He did not refer to what happened in the UP but gave examples from the NWFP and Bombay, where attempts were made to develop a programme on which a coalition could be worked out, but it failed.

In a general review of the situation Nehru complained that a vilification campaign had been launched by the Muslim League in the Urdu press against Congress ministries. He took up the allegations made against the UP government in which he asserted there was not an iota of truth. He then said that the international situation had drawn his attention most because of the volatile circumstances (war clouds were gathering over Europe with the advent of Hitler and the Nazis) threatening world peace.[46]

On 12 April, Jinnah wrote back to Nehru. He alleged that Nehru was giving his responses in a definitive manner to demands named in a newspaper, when proper negotiations between the Muslim League and Congress had not yet taken place. He expressed his anger vividly:

> Your tone and language again display the same arrogance and militant spirit as if the Congress is the sovereign power and, as an indication, you extend your patronage by saying that 'obviously the Muslim League is an important communal organisation and deal with it as such, as we have to deal with other organisations and individuals that come within our ken. We do not measure the importance or distinction they possess', and then you mention various other organisations. Here I may add that in my opinion, as I have publicly stated so often, unless the Congress recognises the Muslim League on a footing of complete equality and is prepared as such to negotiate for a Hindu–Muslim settlement, we shall have to wait and depend on our inherent strength which will 'determine the measure of importance or distinction it possess'. Having regard to your

IQBAL FORUM

> mentality it is really difficult for me to make you understand the position any further.[47]

Jinnah countered Nehru's allegations about the Muslim League vilifying the Congress, by giving examples of the latter doing the same to the former.

In that chain of letters, the final was Nehru's reply of 16 April 1938. In it he apologized to Jinnah if he found his tone arrogant and uncompromising. He asserted that since Jinnah had included the *New Times* editorial as one of the two enclosures in his letter to him, he presumed that the demands raised in it were the demands Jinnah and the Muslim League had as the basis of a settlement. Additionally, he submitted that he had tried to give honest answers to the points raised and that that was the way he thought about such matters. He said that the differences were by no means insurmountable. He informed Jinnah that he would notify him when he could come to Bombay so that they could meet and find a solution that would be acceptable to both Congress and the League.[48]

Correspondence between Subhas Chandra Bose, the Congress president in 1938, and Jinnah also took place at that time. Bose handed a note to Jinnah on 14 May 1938 in which he recorded his discussion with the latter. In the note it was said that Jinnah wanted that, first, the principle should be agreed upon that the Congress represented all Hindus and the Muslim League all Muslims. Bose suggested a different wording for the basis of negotiations: 'The Congress and the All-India Muslim League, as the authoritative and representative organisation of the Musalmans of India, have hereby agreed to the following terms of a Hindu–Muslim settlement by way of a pact.'[49]

Further it was written:

> The Congress cannot possibly consider itself or function as if it represented one community only, even though that might be the majority community. Its doors must inevitably be open to all communities and it must welcome all Indians who agree with its general policy and methods. It cannot accept the position of representing one community and thus itself becoming a communal organisation . . . It is obvious that the Musalmans of India, though a minority in the whole country, form a very

IQBAL FORUM

> considerable part of the population and their wishes and desires must be considered in any scheme affecting India. It is also true that the All-India Muslim League is an organisation representing a large body of Muslim opinion which must carry weight . . . The Congress, however, would be bound to consult other existing Muslim organisations which have co-operated with the Congress in the past. Further, in the event of other group or minority interests being involved, it will be necessary to consult representatives of such interests.[50]

Jinnah informed Bose that he would put the note submitted by him to the Muslim League Executive Council. The process was set in motion. Finally, on 5 June 1938, Jinnah conveyed to Bose the following decision described as Resolution No. 1:

> The Executive Council of the All India Muslim League has considered the note handed over by the President, Mr. S. Bose, on behalf of the Congress to Mr. Jinnah, the President of the All India Muslim League on the 14th of May, 1938, and find that it is not possible for the All India Muslim League to treat or negotiate with the Congress the question of Hindu–Muslim settlement except on the basis that the Muslim League is the authoritative and representative organisation of the Musalmans of India.[51]

Thereafter, more letters followed between them in which the respective standpoints of the two parties were reiterated: Bose rejecting that the Congress was a communal organization and Jinnah asserting that since the Lucknow Pact of 1916, the Congress had accepted the Muslim League as the representative body of Muslims and that that position had not been questioned. Bose argued that Muslims were in the Congress at all levels and the government in the NWFP and other Muslim organizations were steadfast allies of the Congress, therefore, the Muslim League could not claim to represent all Muslims although the word 'only' had not been included in the 5 June Resolution No. 1 of the League. Jinnah rejected Bose's argument. The round of letters and enclosed notes ended in a deadlock in October 1938.[52]

IQBAL FORUM

Existing literature on Congress ministries

The existing literature on the conduct of the Congress ministries is understandably conflicting, controversial and confusing. It is important to note that none of the British governors of the provinces where the ministries functioned accused them of anti-Muslim communal policies. The governors had, however, complaints about the ministries striving to limit their (the governors') powers and other acts of non-cooperation. The governors were reporting through secret dispatches the activities of the ministries to the viceroy. They refuted League allegations as baseless and misleading. Governor Haig of the UP wrote to Linlithgow that the Muslim League was indulging in 'deliberate falsity to a degree which even the manoeuvres of politics can hardly excuse'.[53] Sir Maurice Hallett, governor of Bihar, sent a similar opinion. He informed: 'Speaking from my experience of Bihar and the United Provinces, I cannot see any orders passed by Government have been really detrimental to Muslim interests.'[54] Sir Francis Wylie, governor of the Central Provinces and Berar, also did not find any substance in the complaints the Muslim League was using in its propaganda. About the Wardha education scheme, he wrote that its basic function was to impart elementary education by means of a basic craft and tackle the problem of mass illiteracy in the rural areas.[55] There were incidents of a communal nature in some places, but the Congress governments went out of the way to prevent the misuse of power.

Gowher Rizvi in his authoritative work on Linlithgow's viceroyalty sums up the Linlithgow–Jinnah liaison succinctly:

> In order to offset Congress hostility during the war Linlithgow encouraged the Moslem League to adopt an intransigent attitude towards the Congress . . . Caught up in his anti-Congress manoeuvrings, Linlithgow at crucial junctures provided a certain amount of reasonably direct support to those within the Moslem League . . . the failure to form a coalition ministry in the United Provinces has been the subject of much controversy . . . This is to make a mountain of a molehill . . . it was too trivial an event to set in motion currents which have determined the course of Indian history. There were other major reasons.[56]

IQBAL FORUM

He then mentions in detail that in the UP 'most of the big talukdars and landowners were Moslems'.[57] The zamindari system provided the means of livelihood not only to the upper-class Muslims but also a large number of government servants who derived subsidiary income from it. He then writes, 'Assured of the financial backing of the landlords and the support of middle-class Moslems, the League rapidly expanded its organization in many districts of the United Provinces.'[58]

He continues:

> Apart from publishing stories, mostly unverified, about the 'atrocities' committed by the Congress governments, the main charges contained in all these reports were concerned with the Congress's 'campaign of mass contact' . . . It is difficult to understand how it became an offence on the part of the Congress, a secular organization, to try to reach the Moslem masses.[59]

He argues that the Congress sought the support of the Muslims on the basis of an economic programme conceived in the interests of peasants and labourers. Therefore, the League's stand amounted to a denial of the right of any party, Muslim or Hindu, to speak to the Muslims about political matters or any others of general interest.[60]

He goes on to argue that the idea of a separate Muslim state grew out of the threat that the Congress posed to landowning Muslims. That Jinnah exploited that fear to convert it into a conflict between Hinduism and Islam was his master stroke. He asserts that by insisting that the Congress must acknowledge that the Muslim League was the sole representative of all Muslims, Jinnah wanted the Congress to accept that it was essentially a Hindu organization. Jinnah was compelling Gandhi, Nehru, Azad and others to acknowledge they were communalists, which was unreasonable and unfair. It was tantamount to the Congress accepting self-destruction. Not only were Muslims members of the Congress Party but also Christians, Sikhs, Parsis and others besides Hindus.[61] Rizvi confirms that the real reason why Jinnah was taking such extreme positions was to preclude direct negotiations with the Congress.[62] The outbreak of war and the resignation of the Congress ministries made Jinnah even more rigid and inflexible in his approach to the Congress. Since the British held

IQBAL FORUM

the trump card, it was to them he needed to have turned for help to confront the Congress demand in the name of democracy and self-determination for independence.

Jinnah's presidential address in Patna, 26 December 1938

After the 1937 Lucknow session of the AIML, Jinnah assumed a patently strident stand against the Congress. In his presidential address in Patna, after expressing sorrow over the deaths of Maulana Shaukat Ali, Mustafa Kemal Atatürk and Iqbal who had died during 1938, he lashed out at the Congress, describing it as a fascist party which had killed all hopes of a settlement with the Muslims. He underlined that there were four parties in India to reckon with: the British government, the rulers of the princely states, the Hindus and the Muslims. He dismissed the INC's claims of being a non-communal party and displayed fireworks of rhetorical skills for which he was by now famous. He asked the people:

> The Congress is nothing but a Hindu body . . . The presence of the few Muslims—the few misled and misguided ones and the few who are there with ulterior motives—does not, cannot make it a national body . . . I ask, does Congress represent the Muslims? (Voices: no, no).
>
> I ask, does Congress represent the Christians? (Voices: no, no). I ask does Congress represent the Scheduled Castes? (Voices: no, no).
>
> I say the Congress does not even represent all the Hindus. What about the Hindu Mahasabha? What about the Liberal Federation? The Congress, no doubt, is the largest single party in the country.[63]

He alleged that the Congress was determined to crush the minorities, that Gandhi's Wardha Scheme of Education was meant to promote Hindu revivalism, and so on, and then he made a remark referring to the NWFP which is most interesting:

> I am told in that province our co-religionists—credulous Pathans as they are—have been told that . . . the Muslim League is the

IQBAL FORUM

> supporter of imperialism and an ally of imperialism . . . I say the Muslim League is not going to be an ally of anyone, but would be the ally of even the devil if need be in the interest of the Muslims.[64]

Editor and compiler Yusufi makes this remark in italics: 'A pin-drop silence suddenly appeared to seize the House at this stage. Mr. Jinnah paused for a moment and then continued.'

> It is not because we are in love with imperialism; but in politics one has to play one's game as on the chessboard. I say the Muslims and the Muslim League have only one ally and ally is the Muslim nation, and one and only one to whom they look for help is God![65]

Obviously, the open admission that Jinnah was seeking British patronage—the devil that would deliver Muslims from Congress rule—was too drastic; hence the pin-drop silence and his own pausing for a moment before he resumed talking. Invoking God as the only real help to which he as a Muslim could turn was most certainly an indication of his extraordinary ability to make Muslims accept his collaborationist stand with imperialism. The Muslim League was no doubt a stronghold of pro-British elite Muslims, but Jinnah himself had hitherto never expressed himself in such unequivocal and categorical loyalist terms. That politics was a game of chess on which all moves needed to be calculated was indicative of his willingness to gamble his future and that of Muslims. However, while God remained the ultimate power to whom he said he was turning, it was in real, palpable terms that he was turning towards British imperialism. On 29 December, he said in his concluding remarks that he was contemplating 'Direct Action' but patience was needed so that 90 million Muslims could be brought under the banner of the Muslim League.[66]

Most of 1939 was spent by Jinnah touring the length and breadth of the country urging Muslims to join the Muslim League. He continued with unwavering resolve to denounce the Congress governments as persecutors of Muslims and its educational schemes as cover for a Hindu revival. He dismissed the Congress claim that it alone could solve the problems of the people of India; equally, he rejected out of hand the idea of a federation with a strong Centre.

IQBAL FORUM

Non-violence taught through the Wardha scheme unacceptable

In a report of the AIML dated 8 April 1939, it was alleged that the Wardha education scheme was based on the Gandhian ideology of non-violence. It was argued that the League had nothing against non-violence being imparted to pupils through the educational system, but to make it an absolute principle was unacceptable to the Muslim League. There should be room for other points of view as well (it was not mentioned explicitly but obviously the allusion was to jihad, or holy war and armed struggle). It insisted that such an educational scheme would be totalitarian, the same way as education was in Soviet Russia or fascist Italy. Also, it was alleged that the Wardha scheme was meant to degrade the Urdu language and Urdu script. It was asserted that the choice of Hindustani—the spoken form of Hindi and Urdu—as the national language with two scripts, Devanagari and Urdu, was misleading and a ploy to promote Hindi at the expense of Urdu. As regards mother tongues being used as the medium of instructions in the different provinces, the report claimed, 'As one's Mother-tongue is the foundation of all education, we recommend that in the case of Muslim boys, their mother-tongue, namely, Urdu, should be employed.'[67]

The most interesting allegation levelled was that although the Wardha educational scheme claimed to exclude religious instructions of different Indian communities, 'it really aims at supplanting all other religions by a new religion, Gandhism'.[68] Special mention was made of non-violence as a cornerstone of the Wardha educational programme. It was asserted that although non-violence was not in itself objectionable, Muslims cannot subscribe to it in an absolute manner. Jinnah scholar and director of Jinnah Archives online, Saleena Karim, who, like Safdar Mahmood, considers Jinnah an exemplary Muslim whose decisions were guided by Islam and the Quran, makes the following observation:

> The Wardha Scheme of education, the brainchild of Gandhi, was enforced in the Congress-ruled provinces in March 1938. Its commendable provision of free, self-sustaining and compulsory primary education notwithstanding, it had many facets that were

IQBAL FORUM

> deemed unacceptable by Muslims, including the inculcation of the concept of *Ahimsa* (non-violence) and the introduction of the Hindustani language.[69]

The AIML report therefore strongly recommended that Muslims will have to formulate a separate education system centred on their religious ideals. Based on it, on 2–3 July 1939, the AIML working committee passed a resolution rejecting the Wardha scheme categorically as inimical to the interests of Muslims.[70] It is interesting that Saleena Karim mentions Hindustani and not Hindi as the language adopted by the Congress ministries, which meant that in accordance with the Congress stand on language, both Hindi and Devanagari scripts enjoyed equal official status.

In any event, on 5 August, Jinnah said that parliamentary democracy was unsuited to India because of the fact that communal groups were very different from one another. He said he was willing to be branded a communalist if it helped him do his duty to Muslims: 'I was born a Muslim, I am a Muslim and shall die a Muslim.'[71] Jinnah was now catering to populism and using communalism, first confided privately to Governor Brabourne in 1937, openly, in an unabashed manner.

Shia–Sunni clashes in Lucknow

As noted already, sectarian tensions between Shias and Sunnis were part of the historical Muslim experience; in India, too, such tensions served as the basis of palace intrigue and even wars. Emperor Aurangzeb spent almost half a century in southern India fighting not only Marathas but also the Shia states of Golconda and Bijapur. In the nineteenth century, Shia nawabs ruled Awadh, although most of the population was Sunni. At the time of Ashura (commemoration of the Tragedy of Karbala) every year, tensions rose between Shias and Sunnis. Recitation of the *tabarra*, or cursing of the first three pious caliphs, was part of Shia ceremonies, but was usually conducted discreetly. Sunnis constituted the majority of the population of Lucknow, and leading Sunni seminaries such as Firangi Mahal enjoyed considerable prestige and influence.

In 1939, the Congress ministry allowed the Sunni ulema to take out a Madh-e-Sahaba (Praise of the Companions of the Prophet (PBUH))

IQBAL FORUM

procession in the city. The Shias retaliated by openly reciting the tabarra. It attracted volunteers and activists of both sects from other parts of India including the Punjab. Hundreds courted arrest. The Khaksars sent their outfit to Lucknow to help restore peace between the two groups. In 1940, the government banned both tabarra and Madh-e-Sahaba processions.[72]

The breakout of World War II and Jinnah's meeting with Linlithgow

Meanwhile, war clouds had been gathering over Europe for quite some time since Nazi Germany invaded Czechoslovakia in March 1939. On 1 September 1939, Germany invaded Poland. Britain and France declared war on Germany and thus World War II broke out. On 3 September, Linlithgow committed India to the war amid Congress protests. Jinnah met Viceroy Lord Linlithgow on 7 September. He regretted the outbreak of massive violence. He advised the viceroy: 'If . . . Britain wants to prosecute this war successfully it must take Muslim India into confidence through their accredited organisation the All India Muslim League.'[73] It was a tall claim because the 1937 election result had shown that it was a party with its support base mainly in the Hindu-majority provinces. However, for Linlithgow, Jinnah's opposition to Congress was a most useful counterweight. Ayesha Jalal observes:

> This ambassador of Hindu–Muslim unity now seemed the best guarantee the British could find in India against an [sic] united Indian political demand. With his limited mandate from the Muslim-majority provinces, Jinnah now had a semblance of a right to speak for Muslims at the centre. This is where the British needed him and where they were ready to acknowledge his standing.[74]

Statement of the Congress on the war, 14 September 1939

The Congress Working Committee issued a statement that it viewed Nazism and fascism as great threats to democracy and peace, but now that the war had begun, it considered it essential that without the free and voluntary decision of the Indian people, they should not

IQBAL FORUM

be committed to take part in it. It asserted that India would take part in the war if it were itself first liberated from imperialist rule. It was stated:

> The Working Committee therefore invite the British Government to declare in unequivocal terms what their war aims are in regard to democracy and imperialism and the new order that is envisaged, in particular, how these aims are going to apply to India and to be given effect to in the present.[75]

If the Congress ministries provided an opportunity to Jinnah and the Muslim League to launch a doomsday scenario of an India under Congress rule, the demand that first India should be declared independent and only then would it join the anti-fascist struggle was the second major blunder, because, this time, the British government was determined to hold on to India at all costs. Its vital geostrategic importance and the prestige the empire enjoyed worldwide as a great power were at stake.

Rajendra Prasad's offer for independent inquiry, 5 October 1939

Meanwhile, a year had elapsed since the round of communications between Jinnah and the Congress leaders had ended. It had not helped improve the political climate. On the contrary, their relationship had worsened. The Muslim League continued its relentless campaign that the Congress ministries represented the Hindu Raj and that Muslims were being victimized. On 5 October 1939, Congress president, Rajendra Prasad, wrote Jinnah a long letter in which he proposed an independent inquiry into the allegations of the Muslim League. He wrote:

> It is stated that provincial autonomy in several provinces has resulted in the domination of the Hindus over the Muslim minorities whose life and liberty, property and honour are in danger, and even their religious rights and culture are being assailed and annihilated every day under Congress Governments in various provinces . . .

IQBAL FORUM

> We feel that these charges are wholly unfounded. If you agree we could request the highest judicial authority in India, Sir Maurice Gwyer, Chief Justice of the Federal Court, to inquire into this matter. In the event of his not being available some other person of a similar status and judicial position might be approached.[76]

Jinnah replied on 10 October 1939:

> I beg to inform you that I have already placed the whole case before the Viceroy and Governor-General and requested him to take up the matter without delay, as he and the Governors of the provinces have been authorised under the constitution and are entrusted with the responsibility to protect the rights and interests of the minorities.
>
> The matter is now under His Excellency's consideration, and he is the proper authority to take such action and adopt such measures as would meet our requirements and would restore complete sense of security and satisfaction among the Muslims in these provinces where the Congress Ministries are in charge of the administration.[77]

The 17 October statement of Viceroy Lord Linlithgow declared that the goal of the British government was to grant dominion status, but for the present the constitutional set-up would remain unchanged. It would be open to modification only after the war, in which the interests of the minorities would be given full weight. He repeated his earlier proposal about the establishment of a consultative group, representing all major parties in British India and the Indian princes. The governor-general himself would preside over such a body.[78]

Gowher Rizvi makes the following assessment of Jinnah's strategy:

> Jinnah was apparently trying to avoid any inquiry because he knew that many of the charges would not stand up to judicial probing [. . .] The important point to bear in mind is not whether the Moslem grievances were true or exaggerated, but whether Moslems believed in them [. . .] Jinnah's anti-Congress attitude admirably suited Linlithgow since it demonstrated to the people

IQBAL FORUM

> in Britain and the USA that there was deep rivalry between the two communities.[79]

Rizvi suggests that the government could thus claim that unless the two communities resolved their differences, they could make no further constitutional advance. However, the viceroy personally believed that there was little substance in the League's allegations. He had informed Jinnah that there was no evidence of 'any positive instance of real oppression'. And to Secretary of State Amery he had confessed that he never took these complaints seriously, and he should be surprised if they did not prove to be psychological in character.[80]

Congress ministries resign

Gross Congress miscalculations continued to multiply. On 22 October the Congress high command called upon its provincial ministries to resign by 22 December. Both Linlithgow and Jinnah were relieved. The British had during the twenty-eight months of Congress ministries put up with the defiant behaviour of the Congress provincial governments, while the ministries had tamed down their radical rhetoric and learnt to work largely in consultation with the governors and other civil servants. Now the Congress itself had relinquished power out of vain claims as representatives of the people. The Congress writ was limited to the Hindu-majority provinces, with the NWFP being the exception to the rule in the Muslim-majority provinces. Sir Sikandar was hoping to raise half a million soldiers from the Punjab and had even considered inviting the young Muslim president of the Punjab Congress, Mian Iftikhar-ud-Din, and another Congressite to join his ministry but the high command's decision not to support the British during the war rendered that out of the question.[81] On 6 December, Jinnah gave a call to Muslims to celebrate 22 December as the Day of Deliverance from Congress Raj.

Another round of Jinnah–Nehru communications

Talks between Jinnah and Nehru had resumed in early December but after the call for a 'Day of Deliverance', the atmosphere soured markedly. On 9 December, Nehru wrote that he was shocked by such an

IQBAL FORUM

idea being celebrated by the League. He thought that the gulf between the two parties had increased instead of improved communication to resolve their differences. On 13 December, Jinnah replied that since the Congress was not willing to recognize the Muslim League as the authoritative body of Muslim opinion, there was nothing left to discuss or negotiate. A repeat of their past arguments then followed, with Nehru saying that the Congress recognized the AIML as an important and influential organization but there were Muslims in the Congress and several other Muslim parties that were allies of the Congress. It could not therefore claim to be the sole representative of Indian Muslims. Jinnah's position was that neither was the Congress the representative of all Indians; Nehru conceded that point.[82]

The difference was that while the INC had won a landslide victory in several provinces, including the overwhelmingly Muslim NWFP, for the general seats, which included Hindus and all other communities except Sikhs and some other minuscule groups which had been granted separate electorates under the Communal Award, the Muslim League had been roundly rejected for claiming to represent Muslims. Regional parties headed by Muslims had won them. Jinnah's claim, therefore, that the League represented all Muslims was far less credible than the Congress's claim to represent all Indians.

Rizvi asserts that some evidence suggests that Jinnah at that stage could have been working in collaboration with Linlithgow. He quotes the viceroy:

> He [Jinnah] had given me valuable help by standing up against the Congress claims and I was duly grateful. It was clear that if he, Mr Jinnah, had supported the Congress demand and confronted me with a joint demand, the strain upon me and His Majesty's Government would have been very great indeed. I thought therefore, I could claim to have a vested interest in his position.[83]

At this juncture in Indian politics, Jinnah's main strategy was to stonewall all endeavours by the Congress leaders to convince him to come to the negotiating table to find a mutually acceptable settlement, which would mean him and the Muslim League integrating into a united front against the British who were now at war and in a more vulnerable position than ever before.

IQBAL FORUM

Notes

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4. K.K. Aziz, *Muslims under Congress Rule, 1937–1939: A Documentary Record* (Lahore: Sang-e-Meel Publications, 2007), pp. 124–25.
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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 8

Jinnah Embraces the Politics of Othering and Polarization

The Congress Party with its secular–democratic inclusive ideology was not only considered a threat by the Muslim League but also by several other parties and interests. The Hindu Mahasabha and the RSS stood for a Hindu supremacist Akhand Bharat which would reduce non-Hindus (Muslims and Christians primarily) to secondary status. The Scheduled Castes and the Dravidian population of south India also had serious concerns about an India without the British and a Congress dominated by upper-caste Hindus. The Scheduled Castes were everywhere, but nowhere in a majority. They were therefore seriously handicapped in making a case for a separate state. They could only hope for vertical mobility through reservations and other development inputs by the state. On the other hand, the Muslims and the Dravidians of south India had concentrations in specific regions of the subcontinent.

Dr Ambedkar, leader of the Dalits, E.V. Naicker (also known as Periyar), leader of the non-Brahmin movement in south India, and Jinnah met in early January 1940 in Bombay to discuss forming a united front against the Congress, which, they perceived, was dominated by upper-caste Hindus.[1] Gandhi was aware of those moves and since his basic commitment was to keep India united, he came up with a suggestion to Jinnah which would have created an alternative national party consisting of Muslims, the Scheduled Castes and Dravidians and others as a democratic alternative to the Congress.[2] I quote excerpts of his letter dated 16 January 1940:

IQBAL FORUM

January 16, 1940

DEAR QUAID-E-AZAM,

I hate to write 'Mr.' before any Indian name. It is so unnatural. Hence I have been writing of you as 'Janab Jinnah Sahib', according to the usage taught to me by the late Hakim Sahib [Hakim Ajmal Khan]. But Amtul Salaam [a devout Muslim lady who was a close follower of Gandhi] tells me that in the League circles you are always called 'Quaid-e-Azam'.

[. . .]

I have written it to further the end I have read in your recent messages and actions [to forge a front of Indians opposed to the Congress]. I know you are quite capable of rising to the height required for the noble motive attributed to you. I do not mind your opposition to the Congress. But your plan to amalgamate all the parties opposed to the Congress at once gives your movement a national character. If you succeed you will free the country from communal incubus and, in my humble opinion, give a lead to the Muslims and others for which you will deserve the gratitude not only of the Muslims but of all the other communities. I hope that my interpretation is correct. If I am mistaken, you will please correct me. It is a purely personal, private, friendly letter. But you are free to make public use of it if you think it necessary.

Yours sincerely,
M.K. GANDHI[3]

Jinnah dismissed such a suggestion summarily on the following grounds: 'India is not a nation. It is a subcontinent composed of nationalities.'[4] It was an idea which he had adumbrated repeatedly in his speeches and, over time, it became a cardinal belief of his, from which he never withdrew. Consequently, Jinnah encouraged Dravidian leaders to demand a separate state for themselves and issued statements supporting their demand for a Dravadistan, while

IQBAL FORUM

to Ambedkar he offered sympathy but nothing else substantial. Conceptually, the whole idea of Indian nationalism constituted by individuals belonging to different castes, creeds and colours had become anathema for him. Behind it he saw a sinister Gandhi hand aiming to prevent the division of India. In any case, Ambedkar and the Dravidian leader Ramaswamy Naicker were disappointed and moved away from Jinnah.[5] Ambedkar was later to express his disappointment in his major work on Pakistan. We shall look at Ambedkar's position (or, rather, positions) later.

However, in the wake of World War II and his courtship of Viceroy Linlithgow, Jinnah was not interested in being the leader of an amorphous mix of Scheduled Castes, Dravidians and Muslims. Therefore, he spurned all overtures to build an alternative nationalist party vis-à-vis the Congress. His insistence that Indians were a heterogeneous collection of discrete nationalities was encouraged strongly by Linlithgow, who wanted him to come up with some concrete political demand.[6,7,8] The *Time and Tide*, of London, published on 19 January a statement of Jinnah in which he rejected the idea of an Indian federation, but wanted the British to frame a new Constitution based on the concept of 'two nations who both share the governance of their common motherland'.[9]

As I shall demonstrate in the several chapters which follow, this was the last time Jinnah ever, even obliquely, seemed agreed to a power-sharing deal between Hindus and Muslims in a united India—until his sudden and momentary acceptance on 6 June 1946 of the Cabinet Mission Plan of 16 May 1946, even while declaring that he would continue working towards the creation of a separate Pakistan.

In any case, on 18 March 1940, the INC passed a resolution at its annual session in Ramgarh, which reiterated its demand that India should forthwith be granted independence from imperialist rule and that pledges of granting India dominion status were completely unacceptable.

The 27th Lahore session of the All-India Muslim League, 22–25 March 1940

The turning point in Indian politics during the late colonial period was undoubtedly the historic 27th session of the AIML held in

IQBAL FORUM

Lahore. The Nazi juggernaut seemed unstoppable as German troops moved westwards towards France with amazing speed, overrunning all resistance on the way. If France fell, the next target would be Britain. In these circumstances, for Britain, retaining control over India was paramount. A liaison between Jinnah and Linlithgow had already been established. It was in such an environment that during 22–25 March 1940, Jinnah advanced his two-nation theory with great authority and rhetorical flourish and assigned it a clear objective: the creation of Muslim states in the north-western and north-eastern zones of India where the Muslims were in a majority. Henceforth, the epicentre of Muslim separatism shifted decisively and irreversibly from the Muslim-minority provinces to the Muslim-majority provinces. And in the north-west, it was the Punjab Muslims who could play the decisive role in Jinnah's game of chess.

The Punjab was the largest and economically most advanced province in the north-west. It was from the Punjab that the British had been conducting the 'great game' to prevent perceived Russian advance in Central Asia and further southwards into the subcontinent. To win over the Punjabis, Britain had undertaken elaborate modernization and development. The biggest land-irrigation network of canals and waterworks had been laid in western Punjab, where land had been granted to retired army personnel, other loyalists and the agricultural castes from the overpopulated eastern districts and northern Punjab where conditions for agricultural production were poor. Agriculturists, including the rural gentry, became the main beneficiaries of British benevolence.[10] Moreover, as Tan Tai Yong demonstrated, the British, through their ingenious concoction of the so-called martial races theory, had selected some Punjabi castes and regions for preferential recruitment into the British Indian Army.[11] In both the World Wars, Punjabi representation in the Indian Army exceeded, by a large margin, that of other linguistic nationalities. The Muslims constituted the clear majority of Punjabi troops.[12]

The British were now laying out a red carpet for Jinnah. However, it would be too hasty to draw the conclusion that the British were already plotting to divide India. At that point in time, British strategy was mainly to checkmate Congress ambition to drive the British out. Consequently, widening and deepening the wedge between the Congress and the Muslim League was imperative for them, but for

IQBAL FORUM

Jinnah, it was the occasion to try to go beyond that limited scope and instead herald in Muslim separatism in a big way as the third force in Indian politics.

All this was abundantly demonstrated in Lahore when Muslim leaders and intelligentsia from all over India congregated at Minto Park, next to the famous Badshahi Mosque built by Emperor Aurangzeb Alamgir. Thousands of people attended the public meetings, which took place over three days, 22, 23 and 24 March 1940. The host was the Punjab's premier, Sir Sikandar Hayat Khan, who had entered into a pact with Jinnah in 1937 to present a joint front against the Congress.

The atmosphere in Lahore was upbeat among Muslims, but a pall of gloom hung over the festivities because of an ugly incident on 19 March, when the police opened fire on the semi-military Khaksar Tehrik, founded by Allama Inayatullah Khan Mashriqi in 1931. Khalid Latif Gauba (formerly Kundan Lal Gauba, the son of a rich Hindu industrialist of Lahore), who was a member of the Punjab Legislative Assembly, has given some details of the events which transpired on 19 March 1940 in Lahore.[13] Sir Sikandar, a proverbial loyalist, was anxious that the fiercely anti-British Khaksars would disturb the meeting; the war in Europe had created an emergency-like situation, and Sir Sikandar was keen to keep the Khaksar menace at bay. Therefore, prior to the session of the Muslim League in Lahore, Prime Minister Sir Sikandar Hayat had banned all political manifestations in Lahore. This the Khaksars were determined to defy. Consequently, on 19 March 1940, 313 Khaksars, wearing burial shrouds and carrying sharp-edged metal spades on their shoulders, started parading through the walled city of Lahore. They were ordered to stop, but refused to do so, which resulted in an altercation with the police officers. One of the Khaksars was slapped by Police Superintendent Gainsford, which created a fracas. Gainsford and Deputy Superintendent Beatty were then attacked by the Khaksars with their spades. They received deep gashes on their skulls and were rushed to hospital. The police opened fire. According to official figures, nineteen Khaksars were killed but Gauba claims that in fact 100–200 were killed. The Khaksar Tehrik was banned. Jinnah expressed grief at the police firing on 20 March from Delhi. He arrived in Lahore in the early morning of 21 March. The *Civil & Military Gazette* of

IQBAL FORUM

Lahore of 22 March reported the speech Jinnah made at the Muslim League flag-hoisting ceremony:

> I want to tell you what is uppermost in my mind as I have just returned from the Mayo Hospital. I am sure we all grieve over the unfortunate tragedy which has resulted in a large number of lives being lost and injured . . . The Muslim League, I am sure, will not fail to rise to the occasion irrespective of the parties concerned, to handle this situation in a manner which is just and fair. You must realise that ours is the only organisation of the Muslims of India. We must, therefore, stand as one man with one voice under this flag which you have honoured me to unfurl.[14]

We have an eyewitness account from Colonel (retd) Amjad Hussain Sayed of Jinnah's engagement with the Khaksars on 21 March, before he went to the flag-hoisting ceremony. I met the colonel at his residence in Muslim Town, Lahore, on 2 February 2014. This is what he told me:

> Jinnah arrived by the morning train to Lahore on 21 March. A large crowd had gathered at the Lahore railway station to welcome him. I and Hameed Nizami were present there. He was escorted out of the station through a side exit by his Pathan bodyguards. Coming out, Jinnah said, 'I must go and see the misguided Khaksars who are in hospital.' However, he needed to change his clothes, so we took him to Islamia College, Railway Road, where he changed his clothes. Then he went to the nearby Mayo Hospital and called upon the injured Khaksars being nursed there. He went to each one of them, expressed his sympathy and gave them an envelope with money in it. He then left for Mamdot Villa where he was staying. Sir Sikandar had imposed Section 144, which restricted the assembly of more than five people. He wanted to postpone the meeting. When Jinnah heard this, he said, 'The word *postponement* does not exist in my dictionary.'
>
> The next day, Quaid-e-Azam was driven in regal style in an open buggy to Minto Park. My cousin, Syed Khalid Hussain, filmed the journey with his movie camera. Had it not been for

IQBAL FORUM

> him, this historic event would not have been preserved in live images. We donated the film to the Pakistan government. Every year, on 23 March, it is shown on television. The public meeting was attended by thousands of people.

That Jinnah was willing to embarrass his host Sir Sikandar and show such sympathy for a political party with visible militarist overtones indicated that he sensed an opportunity to make the crucial breakthrough in the Punjab by sidelining the PUP, which, since its founding by Sir Fazli, had been off limits to both Jinnah and Gandhi.

The foundational two-nation speech, 22 March 1940

The main event on 22 March 1940 was the marathon presidential address delivered by Jinnah. He began with an upbeat review of the popularity of the Muslim League since the last session of the Muslim League in Patna in 1938. He told the audience that the Muslim League had established provincial leagues and won all by-elections. He emphasized the importance of mobilizing Muslim women into the growing movement of Muslim assertiveness. He presented a dismal picture of the Muslims during Congress rule. He said that the Congress was now regretting the resignation of their ministries, but for the Muslims, it was a great relief. Jinnah then frankly admitted that Congress intransigence had had the unintended consequence of making the British government turn to him for help. He remarked:

> After the war was declared, the Viceroy [Lord Linlithgow] naturally wanted help from the Muslim League. It was only then that he realised that the Muslim League was a power. For it will be remembered that up to the time of the declaration of the war, the Viceroy never thought of me but of Gandhi and Gandhi alone. I have been the leader of an important Party in the Legislature for a considerable time, larger than the one I have the honour to lead at present, the Muslim League Party in the Central Legislature. Yet the Viceroy never thought of me before. Therefore, when I got this invitation from the Viceroy along with Mr. Gandhi, I wondered within myself why I was

IQBAL FORUM

> so suddenly promoted, and then I concluded that the answer was the 'All-India Muslim League' whose President I happen to be . . . our position is this. We stand unequivocally for the freedom of India. But it must be freedom of all India and not freedom of one section or, worse still, of the Congress caucus—and slavery of Mussalmans and other minorities.[15]

Comparison with Gandhi had become an obsession with Jinnah, which, it seems, dictated his launching of the two-nation theory as the ideological basis for Muslim nationalism and the demand for separate Muslim states. Jinnah was brutally candid, saying that the new relationship which was being forged between him and the British was dictated by the latter's instrumentalist need to checkmate the Congress's claim to represent all Indians.

Jinnah reviewed several proposals of Congress leaders to accommodate Muslim concerns while simultaneously critiquing the British idea of a federal but united India as laid down in the 1935 Act. As expected, special contempt for Gandhi, whom—amid laughter and clapping—he took to task for demanding that the British should set India free and transfer power to the elected representative of the Constituent Assembly, before Congress would extend support to the war. Next, he took up Gandhi's statement that the Congress was willing to accept that the Constituent Assembly be elected on the basis of adult franchise or as low a franchise as possible—whatever is agreed. Gandhi also had proposed that the 'assembly will of course satisfy the minorities' legitimate interests and that if they were not satisfied then he was willing that a "tribunal of the highest character and most impartial should decide the dispute"'.[16] Jinnah retorted:

> Apart from all that, suppose we do not agree as to the franchise according to which the Central Assembly is to be elected, or suppose the solid body of Muslim representatives do not agree with the non-Muslim majority in the Constituent Assembly, what will happen? . . . Of course, Mr. Gandhi says that the constitution will decide whether the British will disappear, and if so to what extent. In other words, his proposal comes to this: First, give me the declaration that we are a free and independent nation, then I will decide what I should give you back . . . In the

IQBAL FORUM

> event of there being a disagreement between the majority of the Constituent Assembly and the Mussalmans . . . who will appoint the tribunal? And suppose an agreed tribunal is possible and the award is made and the decision given, who will, may I know, be there to see that this award is implemented or carried out in accordance with the terms of that award?[17]

Next, Jinnah reviewed some other proposals. About C. Rajagopalachari's idea that 'the only panacea for Hindu–Muslim unity is the joint electorates',[18] Jinnah dismissed it with the following quip: 'This is his prescription as one of the great doctors of the Congress organisation!'[19]

He then quoted another leading Congress member Rajendra Prasad's proposal: 'If Britain would concede our right of self-determination, surely all these differences would disappear.'[20] Jinnah wondered how the differences would disappear because Prasad had simply assumed it to be self-evident. He continued to quote Prasad:

> But so long as Britain remains and holds power, the differences would continue to exist. The Congress has made it clear that the future constitution would be framed not by the Congress alone but by representatives of all political parties and religious groups. The Congress has gone further and declared that the minorities can have their representatives elected for this purpose by separate electorates, though the Congress regards separate electorates as an evil. It will be representative of all the peoples of this country, irrespective of their religion and political affiliations, who will be deciding the future constitution of India, and not this or that party. What better guarantees can the minorities have?[21]

Jinnah retorted, 'So according to Babu Rajendra Prasad, the moment we enter the Assembly we shall shed all our political affiliations, and religions, and everything else. This is what Babu Rajendra Prasad said as late as 18th March, 1940.'[22]

Again, returning to Gandhi, he took up his statement of 20 March 1940 in which Gandhi had said: 'To me, Hindus, Muslims, Parsis, Harijans, are all alike . . . I cannot be frivolous.' To that, Jinnah retorted, 'But I think he is frivolous.'[23] Continuing with Gandhi, he quoted him as saying, 'I cannot be frivolous when I talk of Quaid-i-

IQBAL FORUM

Azam Jinnah. He is my brother.' Jinnah made fun of that remark by saying, 'The only difference is this: that brother Gandhi has three votes and I have only one vote.'[24] The statement caused a lot of laughter.

Jinnah went on:

> He is fighting the British. But may I point out to Mr. Gandhi and the Congress that you are fighting for a Constituent Assembly which the Muslims say they cannot accept; which, the Muslims say, means three to one; about which the Mussalmans say that they will never be able, in that way by the counting of heads come to an agreement . . . why does not Mr. Gandhi honestly now acknowledge that the Congress is a Hindu Congress, that he does not represent anybody except the solid body of Hindu people? Why should not Mr. Gandhi be proud to say, 'I am a Hindu. Congress has solid Hindu backing?' I am not ashamed of saying that I am a Mussalman. Why then all this camouflage? Why all these machinations? . . . Why not come as a Hindu leader proudly representing your people, and let me meet you proudly representing the Mussalmans? (Hear, hear and applause.)[25]

Clearly, neither universal adult franchise nor an agreed tribunal was acceptable to Jinnah, because he was determined to take a negative stand to whatever Gandhi and the Congress leaders proposed. It is to be noted that adult suffrage was never granted by the British, while both the Congress and the Muslim League had in their programmes demanded it. Jinnah was now opposing any suggestion which would lead to a settlement with the Congress for power-sharing in a united India without the British. He wanted the British to pledge the right of self-determination to Muslims on the grounds that they were a nation and not a minority. It is important to underline that on 22 March 1940 Jinnah was solid as a rock in his demand for Partition to create separate Muslim states, which came to be known by the generic name of Pakistan, covering constellations consisting of several, two and one Muslim state.

Negotiations with the British

Next, Jinnah took up the negotiations which were going on with the British. The important points on which he had demanded assurances

IQBAL FORUM

were: firstly, that no declaration should be made by the government about the future Constitution of India without the approval of the Muslim League, and without its approval and consent no settlement of any question should be made with any party behind their back; secondly, the British should 'meet the demands of the Arabs in Palestine'; and thirdly, he said that he was not opposed to Indian troops being sent abroad but he wanted the British government to give the League the assurance that Indian troops would not be used against any Muslim country or Muslim power.[26]

The first point was Jinnah's price for the Muslim League supporting the war effort. Concretely, the war effort consisted of help in recruiting soldiers into the Indian Army. That role was already being played in the Punjab by the PUP, but the reach of the Muslim League to the Muslims extended far beyond the rural areas of the Punjab where the unionists had their strength. In urban Punjab and the rest of India, it was the Muslim League, a national-level party which alone could help in the recruitment of Muslim soldiers.[27]

The third point on which Jinnah wanted British assurances was that Indian soldiers would not be used against a Muslim power. Turkey had wisely decided to remain neutral, and elsewhere most of the Muslim world was under either British or French colonial rule. Both imperial powers had Muslims fighting for them as soldiers.

The Hindu–Muslim situation

Speaking on the internal situation, Jinnah vehemently rejected any suggestion that Muslims were merely a minority. He said that Muslims occupied large parts of the country where they were a majority. Next, Jinnah quoted at length a letter written by Lala Lajpat Rai (the Hindu Mahasabha leader of Lahore who was killed in 1928 after receiving blows from a lathi charge by the police at the Lahore Railway Station) to the Bengali leader C.R. Das, who was famous for supporting the idea that the Hindus should be willing to make generous concessions to Muslims so as to placate their fears of Hindu domination. Rai wrote to Das:

> I have devoted most of my time during the last six months to the study of Muslim history and Muslim law and I am inclined

IQBAL FORUM

> to think it is neither possible nor practicable. Assuming and admitting the sincerity of Mohammadan leaders in the non-cooperation movement I think their religion provides an effective bar to anything of the kind . . . I can only hope that my reading of Islamic law is incorrect.[28]

Jinnah commented: 'I think his reading is quite correct.'[29]

Jinnah continued with the quotation of Rai:

> And nothing would relieve me more than to be convinced that it is so. But if it is right then it comes to this, that although we can unite against the British we cannot do so to rule Hindustan on British lines. We cannot do so to rule Hindustan on democratic lines.[30]

Then Jinnah quoted his letter further to establish that Rai said that he was not afraid of the 70 million Indian Muslims (total strength in the 1920s) but 'the seven crores in Hindustan plus the armed hordes of Afghanistan, Central Asia, Arabia, Mesopotamia and Turkey, will be irresistible'.[31]

In conclusion, Lajpat Rai wrote to Das:

> I do honestly and sincerely believe in the necessity or desirability of Hindu–Muslim unity. I am also fully prepared to trust the Muslim leaders. But what about the injunctions of the Koran and Hadis? The leaders cannot over-ride them. Are we then doomed? I hope not. I hope your learned mind and wise head will find some way out of this difficulty.[32]

By calling Rai a great Hindu who understood Islam correctly (that there could not be any concord between Hindus and Muslims), he rubbished C.R. Das's belief that through the generosity of Hindus, Muslims could be won over. By the same stroke Gandhi's views were rubbished. He had said that he had studied Islam and it allowed for good relations with non-Muslims. In the past, Gandhi had given example of the caliphs Abu Bakr and Umar as ideal rulers, who, for him, were the true embodiment of his idea of Ram Rajya, and had paid homage to Imam Hussain. He even conducted prayers every day

IQBAL FORUM

which included recitations from Buddhist scriptures, the Quran, the Bible and the Bhagavad Gita. The idea was to demonstrate that all great religions represented at their core the same truths and higher moral and ethical values. Jinnah was now taking a dismissive stand and instead invoking Rai's interpretation of the Quran and the Hadith as proof that it was not his (Jinnah's) personal opposition to any nation-building with Hindus which mattered, but that the sacred scriptures of Islam forbade any such attempt.

There was an obverse side to such argumentation, which Jinnah perhaps did not reflect much upon. He was ascribing to Islamic injunctions a supremacy and binding authority which would then logically apply in all other circumstances, including if and when a state created for Muslims comes into being. Such a clever argument put forth in a debate or in a court of law may not carry implications except for the moment to win a point, but in the political arena where the purpose of ideas and the choice of words is to generate support and mobilize opinion in favour of a point of view, connections made between a set of ideas to explain relations between individuals or groups can become a mode of thinking with binding effects on state policy. The political fallout of the 22 March 1940 speech will be examined later after Pakistan had been achieved and the question of state ideology took centre stage in Pakistan.

Separate national states

Jinnah then expounded the underlying reasoning and philosophy on which the two-nation theory was premised:

> It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religions in the strict sense of the word, but are, in fact, different and distinct social orders; and it is a dream that the Hindus and Muslims can ever evolve a common nationality; and this misconception of one Indian nation has gone far beyond the limits and is the cause of more of our troubles and will lead India to destruction if we fail to revise our notions in time. The Hindus and Muslims belong to two different religious philosophies, social customs, and literatures. They neither

IQBAL FORUM

> intermarry nor interdine together, and, indeed, they belong to two different civilisations which are based mainly on conflicting ideas and conceptions. Their aspects on life and of life are different. It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics, their heroes are different, and different episodes. Very often the hero of one is a foe of the other, and likewise their victories and defeats overlap. To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent, and final destruction of any fabric that may be so built up for the government of such a state.[33]

He went on:

> The present artificial unity of India dates back only to the British conquest and is maintained by the British bayonet, but the termination of the British regime, which is implicit in the recent declaration of His Majesty's Government, will be the herald of the entire break-up, with worse disaster than has ever taken place during the last one thousand years under the Muslims... Muslim India cannot accept any constitution which must necessarily result in a Hindu-majority government. Hindus and Muslims brought together under a democratic system forced upon the minorities can only mean Hindu Raj. Democracy of the kind with which the Congress High Command is enamoured would mean the complete destruction of what is most precious in Islam.[34]

The crescendo was reached when he refuted that Muslims were merely a large minority:

> Mussalmans are a nation according to any definition of a nation, and they must have their homelands, their territory and their state. We wish to live in peace and harmony with our neighbours as a free and independent people. We wish our people to develop to the fullest our spiritual, cultural, economic, social and political life in a way that we think best and in consonance with our ideal and according to the genius of our people.[35]

IQBAL FORUM

As noted earlier, the British had been considering the creation of a separate Muslim state in north-western India, and Rahmat Ali and his Cambridge group had come out with such a scheme in 1933. There were rumours that the Cambridge group was being financed by British intelligence. This, according to Durga Das, was confided to him by Sir Fazli Hussain.[36]

Jinnah's speech epitomized the process of 'othering', which began to take shape in the aftermath of the 1937 election. Henceforth, he would exploit differences to polarize Indian society into two hostile nations constituted by Hindus and Muslims and look for all opportunities to prevent any move to bring them together in a united front seeking freedom for India.

Linlithgow acknowledged Jinnah's importance to the British

From the British point of view, Jinnah and the Muslim Leaguewere invaluable in checkmating the Congress demand for power being transferred to Indians. For Jinnah, British support and patronage was essential to frustrate Congress ambitions. Linlithgow candidly admitted Jinnah's usefulness to him: '[Jinnah] had given me very valuable help by standing against the Congress claims and I was duly grateful. It was clear that if he, Mr Jinnah, had supported the Congress demand . . . the strain upon me and His Majesty's Government would have been great indeed. I thought therefore I could claim to have a vested interest in his position.'[37] Privately, the viceroy said that it would have been difficult to resist a joint demand for independence of India but in public he extolled the Indian leaders 'to spare no endeavour to reach agreement'.[38]

In any case, the leader of Bengal, Maulvi Fazlul Haq, moved the following day, on 23 March 1940, the key resolution in Lahore. We examine each paragraph.

1. 'While approving and endorsing the action taken by the Council and the Working Committee of the All India Muslim League, as indicated in their resolutions dated the 27th of August, 17th & 18th of September and 22nd of October, 1939, and the 3rd of February, 1940 on the constitutional issue, this session of the All India Muslim League emphatically reiterates that the scheme

IQBAL FORUM

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.'[39]

The resolution begins by a categorical rejection of the federal scheme that was introduced by the India Act of 1935. Does it mean that if instead of a strong Centre a weak one was introduced, then the Muslim League would be willing to accept it? We need to continue examining the subsequent paragraphs which follow.

2. 'It further records its emphatic view that while the declaration dated the 18th of October, 1939 made by the Viceroy on behalf of His Majesty's Government is reassuring in so far as it declares that the policy and plan on which the Government of India Act, 1935, is based will be reconsidered in consultation with various parties, interests and communities in India, Muslims in India will not be satisfied unless the whole constitutional plan is reconsidered *de novo* and that no revised plan would be acceptable to Muslims unless it is framed with their approval and consent.'[40]

The resolution welcomed the assurance of the viceroy that the 1935 Act will be reconsidered in consultation with the specified concerned entities but expressed strong opposition to its reconsideration unless it is done de novo, which means 'from the beginning' or 'afresh'. Moreover, it demanded that its reframing shall be undertaken with the approval of the Muslims.

3. 'Resolved that it is the considered view of this Session of the All India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principles, viz., that geographically contiguous units are demarcated into regions which should be 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 (British) India should be grouped to constitute "independent states" in which the constituent units should be autonomous and sovereign.'[41]

This is the paragraph which is almost always the only one quoted in academic and popular works on the Lahore Resolution. No other reasonable reading is possible except that independent states should be established in the north-western and

IQBAL FORUM

north-eastern zones. The independent states are to comprise units which are to be autonomous and sovereign. So, while India should be partitioned to create independent Muslim states within them, the units are to be autonomous and sovereign. Now, while the subunits being autonomous is perfectly understandable in a federation, especially one in which residual powers are vested in the units, the term 'sovereign' creates confusion. Is it that the resolution seeks to describe the independent Muslim states as confederations of Muslim subunits entitled to withdraw if they so wanted? In constitution theory, there is literature suggesting divided sovereignty is possible as in the case of the United States. However, such an inference is unwarranted. The civil war which raged in the United States during the early 1860s was just about determining whether the country was a confederation or a federation. That issue was settled in blood in favour of a federation, which does not permit the right of secession to the states which joined the United States. The USSR did have in its Constitution the right of the republics to secede, but it was simply a fiction which nobody ever tested until the Soviet Union collapsed in 1991.

4. 'That adequate, effective and mandatory safeguards should be specifically provided in the constitution for minorities in these units and in the regions for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them and in other parts of India where the Mussalmans are in a minority, effective and mandatory safeguards shall be specifically provided in the constitution for them and other minorities for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them.'[42]

This paragraph needs to be read in the context of the assumption that India is partitioned. The preceding paragraphs reject outright a united India but minorities—the Muslims in India and the Hindus in the Muslim states—are presumed to be present. It is proposed that constitutional provisions be included to safeguard the interests of the minorities. No exchange of population is proposed.

Rahmat Ali had proposed a complete exchange of population but here the underlying logic of the resolution was tacitly

IQBAL FORUM

proposing a hostage theory to ensure that minorities are not mistreated by the respective states. A corollary of such reasoning which followed logically was that if Muslims in Hindu India were not treated well, then Hindus in the Muslim states could face the consequences and vice versa. The idea was not unreasonable if approached in purely retributive terms. However, a moral question arises: Should a state avenge the wrongs done to its co-religionists by another state on minorities living in its territories? Democratic states do not follow such crude and simple logic. If that were true, the 2001 9/11 terrorist attacks on the United States, ordered by Al-Qaeda and later by ISIS, should have meant millions of Muslims in the West being expelled or punished in a similar manner. On the other hand, Bush and Blair decided to attack Iraq in 2003 without considering the revenge which would follow for the Christians living among Muslims.

5. The resolution ends with: 'The Session further authorizes the Working Committee to frame a scheme of constitution in accordance with these basic principles, providing for the assumption finally by the respective regions of all powers such as defence, external affairs, communications, customs, and such other matters as may be necessary.'[43]

Speeches and the passing of the resolution, 23–24 March 1940

The supporters of the resolution spoke on 23 and 24 March. The motion was unanimously carried on 24 March. The speeches delivered on the occasion were summarized in a pamphlet by Nawabzada Liaquat Ali Khan, honorary secretary of the AIML, as follows:

> Fazlul Haq said, 'They have stated definitively and in unequivocal terms . . . [that] the idea of federation must not only be postponed but abandoned . . . If any constitution was forced on them, they would make such a constitution absolutely unworkable.'[44] Chaudhry Khaliquzzaman asserted that there were three reasons for the Muslim League demanding separate states: one, the British first declared Indians as one nation and then created the problems of majority and minority when 'in fact it did not exist'.[45] Two, the Congress and the majority community was

IQBAL FORUM

> responsible for the separation demand. The experiences of the Congress ministries sufficed to remove any doubt how life would be for Muslims in a united India. Three, it was the activities of Muslims who set up rival organizations against the Muslim League or encouraged Muslims to join the Muslim League.[46] He particularly chided Maulana Abul Kalam Azad for arguing that 80 million Muslims had no reason to fear Hindu domination. Khaliquzzaman remarked, 'If the issue between the Hindus and Muslims was to be decided by means of the sword, the Muslims had no fear. They did not need 9 crores (90 million) to settle it. As it was, the issue depended on votes.'[47]

Khaliquzzaman said that the Muslims should not worry about India being divided into 'Hindu India' and 'Muslim India'. 'The same thing would happen to them as to the minorities in the Punjab and Bengal.'[48] Maulana Zafar Ali Khan blamed the Congress and said it attained the high position it did because of the support of the Muslims but now it was indifferent to them. (Zafar Ali Khan was once a member of the Congress.) He proposed that a Constituent Assembly be elected on the basis of '650 representatives—360 Muslims, 300 Hindus and 50 minorities—for deciding a constitution for India'.[49] Khan Aurangzeb Khan congratulated Muslims living in 'Hindu' provinces for supporting the resolution which sought freedom for 6 crore (60 million) Muslims. He assured them that the Muslims of the majority provinces would lay down their lives 'to safeguard them'.[50] He said that the British system of democracy for counting heads was unacceptable and the Muslims wanted 'a home for the Muslim nation'. Sir Abdoola Haroon assured the Muslims in the minority provinces that, 'if they were oppressed, it would be the duty of the Muslims "to do for them what the Germans did for Sudetenland"'.[51] The ruler of Bhopal in north India, Nawab Ismail Khan, said that the Muslims of the minority provinces had decided to support the resolution: 'They fully realised the implications of the resolution and they had given their support with the fullest sense of responsibility . . . They would employ all constitutional means to achieve the rights of Muslims but if those methods failed they knew very well what to do next.'[52]

Qazi Issa declared amid cheers that 'the Hindus in the Muslim-majority provinces would be given a similar treatment which they in their

IQBAL FORUM

majority provinces would accord to the Mussalmans'. Abdul Hameed Khan, speaking from the deep south of India, said, 'The Muslims who had never been slaves anywhere except in India during the last 150 years could not tolerate perpetual subjection to a Hindu majority. To remain in subjection was against their religion.'[53] Chundrigar alleged that the Congress 'really wanted a Federation under which they could foist their role on the Muslims and "kill" their culture and civilization'.[54] Syed Abdul Rauf Shah referred to the 'oppression and atrocities' being committed in the Central Provinces and Berar. He told the Muslims of the majority provinces not to worry about those from the minority provinces because they had faith in their God and knew that 'they would be able to defend themselves and their rights without depending on any support from outside'.[55]

Dr Alam, who had, until twenty days earlier, been a member of the Congress Party, refuted allegations that he was a turncoat. He said he had realized that the Congress wanted to establish Hindu Raj under British patronage. He said he had now accepted Jinnah as his leader. He said that before joining the Muslim League he asked Jinnah that since he had never believed in 'Direct Action', what would he be willing to do to achieve his programme (of achieving independent Muslims states). Jinnah told him, 'If necessity arose I will give my life.' When Alam asked if Jinnah would go to jail, the latter said, 'Before you, and you will follow me.'[56] Therefore, Alam 'had understood that League programme, to accept Mr. Jinnah as his leader'.[57]

He went on to declare the Lahore Resolution as a 'declaration of war against the British and against the Hindus'.[58] Further, he said that he wanted to tell the Muslims in the minority provinces: 'From New Delhi to Iran, it would be one independent Muslim kingdom and they not fear anyone.'[59] Syed Zakir Ali supported the resolution and referred to the atrocities which were 'perpetuated upon them in the Congress governed provinces'.[60] Begum Maulana Mohammad Ali told the listeners, 'Muslim women of India will fight shoulder to shoulder with their men for the achievement of the goal which has been laid down by this resolution.'[61] Maulana Abdul Hamid Qadri supported the resolution. Finally, Jinnah as the president of the Muslim League, put the resolution to vote, which was 'declared carried unanimously amidst loud cheers'.[62]

It is interesting to note that among those fourteen speakers who supported the resolution, eight were from the Muslim-minority

IQBAL FORUM

provinces. Region-wise, the greatest representation—of six—was from the Urdu-speaking belt including the United Provinces, the Central Provinces and Bihar. Any division of India based on the idea of Muslim states in the north-eastern and north-western zones of India, as demanded in the resolution, could not include them in those states. Presumably, the hostage theory was considered effective enough to prevent wrongs being done to Muslims in Hindu India.

It is also possible that some bizarre ideas of Muslim enclaves being established in Hindu-majority areas had been going around with the connivance of British intelligence. Rahmat Ali had the Balkanization of India in mind and possibly more such schemes were circulating around. I have anecdotal evidence of Qamar Rais, a well-known literary figure of the UP, whom I met in Delhi in 1990. He narrated several instances of the British giving assurances to Muslim leaders that their interests would be protected through such enclaves.

Controversy over the authorship of the Lahore Resolution

According to Ahmadi stalwart Sir Zafrulla and his admirers, the Lahore Resolution was Zafrulla's brainchild. It can be mentioned that Zafrulla had, in 1930, served as president of the AIML. Only Wali Khan, son of Khan Abdul Ghaffar Khan, has confirmed that he has seen with his own eyes a document that Lord Linlithgow had instructed Zafrulla to prepare—a memorandum advising the Muslim League to demand a separate state. However, this was kept a secret because Zafrulla was an Ahmadi. It would not have been received well by Muslims, especially the Sunnis, because they considered the Ahmadiyya community heretics and British agents.[63]

Zafrulla's version is that his role was kept a secret because, as a member of the Viceroy's Council, the rules did not permit a serving member of the Council to instruct an autonomous political party what political line to adopt. He claims that he formulated the Lahore Resolution freely and passed it on to the Muslim League. He gives Jinnah full credit for providing sterling leadership to the movement for Pakistan and ensuring its consummation in the creation of Pakistan.[64] The resolution was passed unanimously on 24 March.

IQBAL FORUM

However, there is considerable evidence that when Linlithgow learnt about its actual contents, he considered it extremist and unpractical. He remarked, 'Silly as the Muslim League [scheme] for partition is, it would be a pity to throw too much cold water on it at the moment.'[65] On the other hand, one can wonder if Zafrulla would set forth such an idea if it conflicted with British interests. Zafrulla was a favourite of the British and was known fondly as the 'Pet Indian'. His term as member of the Viceroy's Council was ending but he was given an extension. One cannot rule out that behind the scenes it had been agreed that while Zafrulla would come up with the demand for the creation of Muslim states, Linlithgow would publicly dismiss it as silly. What needs to be emphasized is that in March 1940 the British government was interested mainly in encouraging Muslim opposition to the Congress, and the Lahore Resolution by no means guaranteed the creation of Pakistan.

Except for Zafrulla and his Ahmadiyya community, and Wali Khan, who confirms that Zafrulla drafted the Lahore Resolution, other writers do not refer to it. Rather, the Punjab governor, Sir Henry Craik, wrote on 25 March that the head of the Ahmadiyya community had forbidden his followers to join the Muslim League but that a decision about it would be announced later.[66]

Therefore, it seems that if at all Zafrulla drafted the Lahore Resolution on the instructions of Linlithgow, it was to put pressure on the Congress to give up its opposition to supporting the British during the war. Later evidence shows that Zafrulla favoured a federated India, with most powers vested in the provinces. Going through *The Transfer of Power* volumes, I discovered a memorandum dated 25 February 1945, submitted by Secretary of State for India Lord Amery to the War Cabinet, which includes enclosures by Sir Zafrulla, at that time a judge of the Federal Court of India, and Sir Sultan Ahmed, a judge of the high court. Both recommend a federal Centre with strictly limited powers, and residuary powers residing in the units. Both advocated mandated Muslim representation in the federal executive and federal services. Sir Zafrulla claimed 50 per cent share, while Sir Sultan was content with 40 per cent minimum Muslim representation. On the other hand, Sir Sultan demanded a 50 per cent share of Muslims in the defence services, while Zafrulla wanted 40 per cent representation in the same and 30 per cent in the civil services.[67] Amery commented,

IQBAL FORUM

'In one respect or other these communal claims would be contested by Hindus, who would be opposed to the conception of a weak centre.'[68] Consequently, one can conclude that either the claim by Zafrulla and its subsequent confirmation by Wali Khan is a fabrication, or if any such draft was prepared secretly by Zafrulla with Linlithgow's approval, the understanding was that Linlithgow would describe it as extremist in public.

Chaudhry Khaliquzzaman has claimed that he was the first person to suggest the division of India. He writes that he met Zafrulla in Delhi on 3 February and was told by him that he had been to England recently. His impression was that the British were willing to go a long way to appease the Congress and therefore it was time the League reached some compromise with the Congress. He also writes that Jinnah's declaration of the Day of Deliverance had not been received favourably by some Muslim leaders. On the other hand, Sir Sikandar had a scheme of a confederation of India divided into seven zones, but it was Khaliquzzaman's idea that the Muslim zones of the NWFP, Sind, Baluchistan and the Punjab in the north-west and Bengal and Assam in the north-east be separated from the rest of India, and the Congress would be given those areas. Khaliquzzaman claims that Jinnah overruled Sikandar, and his scheme was adopted. We also learn that a decision was taken to establish a proper Muslim League in the Punjab and other provinces.[69] However, Khaliquzzaman has not claimed to have drafted the Lahore Resolution. Its authorship is attributed to Jinnah by other writers.

Remarks of the Punjab governor, Sir Henry Craik

The Lahore session of the Muslim League enjoyed the support of the British government. On 24 March, Sir Sikandar hosted a party to which the Punjab governor, Sir Henry Craik, and other senior British officials had been invited. Craik described Jinnah's greatly enhanced position in the following words in his secret fortnightly report to be sent to his superiors in Delhi and London:

> The party took place in a very large Shamiana in which Jinnah was given a place of honour on the central sofa, the other seat on that sofa being reserved for me. All the leading delegates,

IQBAL FORUM

> including Fazlul Haq and Sir Nazimuddin of Bengal, almost all the Muslim members of the Council of State and Central Assembly, Chhatari and Sir Muhammad Ismail from the United Provinces, and many lady delegates were present. All treated Jinnah with the greatest respect and I formed the impression that their deferential attitudes towards Jinnah, a completely self-made man of obscure origin, coupled with the striking ascendency which he had established over the huge gathering of the League, had slightly gone to his head. Nevertheless, his attitude to me was friendly and even cordial.[70]

Jinnah's concluding speech on 25 March 1940

At the final session of the AIML, Jinnah again took up the firing on the Khaksars and deplored the death of thirty Muslims. He said the incident had shortened his life by ten years.[71] He described the Lahore session as a 'landmark in the history of Muslim India because they had defined their goal'.[72] He appealed to the Punjabi Muslims to organize their party and carry its message from house to house and village to village. He 'exhorted workers, peasants, intelligentsia, landlords and capitalists to speak with one voice—that of Islam'.[73]

In an interview to the press on 25 March, Jinnah said that he was willing to reach a compromise between Hindus, Muslims and the minorities, but the sooner 'the idea of any organisation, however great, representing all India is given up the better'.[74] He continued:

> The declaration of our goal which we have definitely laid down, of the division of India is in my opinion a landmark in the future history of the Mussalmans of India. I am asked what are the means by which we will realise this goal. Firstly, by reasoning with and persuading our Hindu friends and the British Government . . . I thoroughly believe that the idea of one united India is a dream. Given goodwill and a friendly understanding, Muslim India and Hindu India can live as most friendly neighbours free from clashes and friction to their respective spheres and peacefully develop the government of their States to their own satisfaction respectively.[75]

IQBAL FORUM

He again expressed grief at the firing on the Khaksars on 19 March.[76] The Lahore session had been hosted by Sir Sikandar, but Jinnah, reiterating his concern for the Khaksar, was embarrassing his host. But this meant Jinnah was looking for an opportunity to connect with Punjabi Muslims in a big way. The PUP had to be cut down to size.

In his presidential address on Iqbal Day on 25 March, Jinnah paid lavish praise to the poet-thinker Allama Iqbal. He said:

> If I live to see the ideal of a Muslim State being achieved in India and I were then offered to make a choice between the works of Iqbal and the rulership of the Muslim State, I would prefer the former . . . Iqbal was not only a great poet . . . he was a dynamic personality who, during his life time, made the greatest contribution towards rousing and developing Muslim national consciousness.[77]

As part of his hectic programme in Lahore, also on 25 March, he paid a visit to the Islamia College for Women. He told the students:

> I have always maintained that no nation can ever be worthy of its existence that cannot take with them their women. No struggle can ever succeed without women participating side by side with men . . . You young ladies are more fortunate than your mothers. You are being emancipated. I don't mean that you should copy the West. But I do mean that man must be made to understand and made to feel that woman is his equal and that woman is his friend and comrade and they together can built [sic] up homes, families and nations.[78]

The Lahore Resolution becomes the Pakistan Resolution

The Lahore Resolution created panic in the Congress ranks. It was forthwith assailed in the pro-Congress and other Hindu press as the Pakistan resolution: a name it has been known by ever since.[79] Such overreaction was indicative of the way the idea of dividing India was seen by the party which had been leading the Indian freedom struggle, in which, although the Hindus predominated, nationalist Muslims all

IQBAL FORUM

over India also participated. For it, a division of India was anathema. The Sikh knee-jerk reaction to the demand for Muslim states was even more extreme. Sir Sundar Singh Majithia, leader of the Khalsa Nationalist Party, moved a resolution one week after the Lahore Resolution countering the Muslim League:

> The Muslim League has created a situation which may mean a parting of the ways for the Sikhs and the Muslims with whom the Khalsa Nationalist Party has been co-operating in the provincial autonomy regime in the best interests of the Province and the Sikh community . . . It would be the height of audacity for [sic] any one to imagine that the Sikhs would tolerate for a single day the undiluted communal Raj of any community in the Punjab which is not only their homeland but also their holy land.[80]

The statement was directed at Sir Sikandar, whose Punjab Unionist Party was supported by Sir Sundar Singh Majithia's Khalsa Nationalist Party. Although Sikandar had hosted the Lahore session, he wanted to postpone the meeting, but Jinnah would not brook any delay. Jinnah even openly courted the Khaksars. It is to be noted that Sikandar abjured his support for the demand for Pakistan on 11 March 1941, when he said in the Punjab Legislative Assembly, 'We do not ask for that freedom where there may be Muslim Raj here and Hindu Raj elsewhere. If that is what Pakistan means, I will have nothing to do with it. I have said before and I repeat in once again here on the floor of the House.'[81] However, it was too late; the blunder had been committed. The PUP wanted to continue with its inter- communal ideology within a loose Indian federation. However, the momentum was now with Jinnah and the Muslim League. In short, the Lahore session of the Muslim League was Jinnah's declaration of his politics of polarization, so that all efforts to argue for a united India could be thwarted on the grounds that separate nations deserved separate states.

It is generally acknowledged that the Lahore Resolution set in motion a rapid expansion of its support among Muslims. The prospects of a separate state for Muslims opened vistas of opportunities, which hitherto had excited only intellectuals and the intelligentsia. But with

IQBAL FORUM

the contours of a Pakistan now associated with geography, it began to assume a tangible form. It appealed widely across the class structure to all Muslims.

Economist Naureen Talha in her study of the economic factors underpinning the movement for Pakistan has succinctly described the euphoria the idea of a separate state generated among Muslims:

> Almost all groups of the Muslim society in India saw in Pakistan a land where opportunities denied to them so far would be available . . . The students backed the Muslim League most of all because the educated Muslim class was lagging behind the Hindus in government jobs and professions . . . Similarly, the salaried class supported the Pakistan movement, which to them was a movement of the underprivileged . . . Trade and commerce . . . even in the Muslim-majority areas, were largely in the hands of Hindus . . . Big landlords, one of the dominant groups in the League, saw their interests emerging stronger . . . To army personnel and civil servants, Pakistan meant rapid promotions and high positions.[82]

Since her emphasis is on economic factors, Talha does not discuss the ideological and political dimensions of a separate Pakistan. Consequently, the aspirations to power of the very large constituency of ulema and other conservative Muslims and ideologues and of politicians, including Jinnah, do not figure in her work. Also, Muslims were over-represented in the Indian Army as well as in the police, but overall Muslim backwardness was a fact and so Pakistan appealed to them for many reasons. Whether the Muslims of the minority provinces shared the same enthusiasm can always be discussed, but for those of the majority provinces, its attraction was undeniable.

The Congress idea of an Indian nation had never taken off in the Muslim-majority provinces, and the twentieth century saw the rise of high culture among Hindus, Muslims and Sikhs. This took the form of religious revivals presenting 'purified and authentic' versions of their religions, which drew boundaries between the three communities rather sharply instead of promoting amity and unity.[83]

IQBAL FORUM

Notes

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 9

Building Momentum (26 March 1940 to July 1942)



The Jinnah–Linlithgow liaison had been established, but it was too early to be taken as a stable relationship or alliance against the Congress. The British were keen to win the Congress's support for the war, but the latter's intransigence on independence as a precondition for obtaining its assistance, rendered the Jinnah–Linlithgow connection a natural counterweight. The last word on the future of India remained an exclusive British prerogative. Nobody was more acutely aware of it than Jinnah. The biggest opposition to his demand for the partition of India had come from the Congress, but the Sikh leaders of the Punjab were the first to challenge him by demanding the partition of the Punjab if India was to be partitioned.

Statement of 1 April 1940 on the Lahore Resolution in Delhi

Notwithstanding the hostage theory that Jinnah and other leaders propounded in Lahore as a guarantee of safety for minorities, worries and fears had been generated among Muslims in the Hindu-majority provinces. He added some more arguments to assuage them:

> I wish to assure my Muslim brethren that . . . Exchange of population, however, on the physical division of India as far as practicable will have to be considered. Secondly, the Muslim minorities are wrongly made to believe that they would be worse

IQBAL FORUM

> off and be left in the lurch in any scheme of partition or division of India. I may explain that the Mussalmans, wherever they are in a minority, cannot improve their position under a united India or under one central government. Whatever happens, they would remain a minority. They can rightly demand all the safeguards that are known to any civilised government to the utmost extent. But by coming in the way of the division of India they do not and cannot improve their position. On the other hand, they can, by their attitude of obstruction, bring the Muslim homeland and 60,000,000 of the Mussalmans under one government, where they would remain no more than a minority in perpetuity . . . The question for the Muslim minorities in Hindu India is whether the entire Muslim India of 90,000,000 should be subjected to a Hindu-majority raj or whether at least 60,000,000 of Mussalmans residing in areas where they form a majority should have their own homeland and thereby have an opportunity to develop their spiritual, cultural, economic and political life in accordance with their genius and shape their own future destiny, at the same time allowing Hindus and others to do likewise. Similar will be the position of the Hindus and other minorities in the Muslim homelands.[1]

Turning to the Sikhs, he assured them that under Muslim rule they stood to gain more in a north-west Muslim zone than they could 'ever be in a united India or under one central government'.[2] He went on to say that although a small minority in the Punjab, their strength would drastically diminish in the much larger sea of humanity in undivided India.

Jinnah debunked all claims of the Congress leaders that any shared Indian civilization ever existed. He remarked:

> Surely, India is not the sole property of the Congress and if the real mother was to be discovered it would be the Dravidians and still further the aborigines. It would be neither the Aryan nor the Mussalman. The Aryan claim to India is no better than that of the Mussalmans except that they were earlier arrivals in point of time.[3]

He then took on Rajagopalachari for criticizing the Lahore Resolution. Rajagopalachari had asserted that great Muslim leaders such as Tipu

IQBAL FORUM

Sultan, Hyder Ali, Aurangzeb and Akbar considered undivided India as their homeland. Jinnah ridiculed that suggestion and retorted cynically:

> And did the Hindus of those days willingly accept the rule of the 'great men'? I may or may not be suffering from a diseased mentality, but the statement of Mr. Rajagopalachari and his criticism of the Lahore Resolution indicate that in him there is no mind left at all.[4]

The Azad Muslim Conference in Delhi opposing Jinnah and the AIML

While Jinnah had assumed a patently communal approach to politics, his ideas by no means enjoyed immediate positive reception among Muslims. Shamsul Islam's *Muslims against Partition*[5] provides evidence of widespread opposition to the partition idea of Jinnah among Muslims. Describing them as patriotic Muslims, he includes besides Muslim stalwarts of the Congress movement such as Abul Kalam Azad and the Jamiat Ulema-e-Hind several other radical Islamic organizations and class-based organizations of Muslim peasants and artisans who were rooted in the soil. They found the demand for a separate state repugnant, but the restrictive franchise policy of the colonial government meant their voice was not heard on the future of India. Only the Muslim League was recognized as the party of Muslims. The Sindhi leader Allah Bakhsh Soomro was able to mobilize a broad front of such organizations and parties to the Azad Muslim Conference in Delhi in the end of April. Soomro, it can be noted, served as premier of Sind during 23 March–18 April 1940 and again during 7 March 1941–14 October 1942. In October 1942 he renounced his OBE award granted by the British to protest the repression Viceroy Linlithgow had unleashed in response to the Quit India movement. He was removed from office. Soomro was assassinated on 14 May 1943.[6]

The Azad Muslim Conference began in Delhi on 27 April 1940. The organizations which participated in the conference included the All-India Jamiat Ulema-e-Hind, the All-India Momin Conference, the All-India Majlis-e-Ahrar, the All-India Shia Conference, the

IQBAL FORUM

Khudai Khidmatgars, the Bengal Krishak Praja Party, the All-India Muslim Parliamentary Board, the Anjum-e-Watan Baluchistan, the All-India Muslim Majlis and the Jamiat Ahl-e-Hadees. Most of these organizations consisted of the poorer sections of society and Islamic organizations which considered the partition of India a setback to the universal message of Islam. Delegates from the United Provinces, Bihar, the Central Provinces, the Punjab, Sind, the NWFP, Madras, Orissa, Bengal, Malabar, Delhi, Assam, Rajasthan and several princely states such as Kashmir and Hyderabad attended the conference. The British-owned newspaper in India, the *Statesman* of Calcutta, described it as the most representative gathering of Muslims, notwithstanding the fact that at that time the British were supporting Jinnah. The well-known scholar of Indian Islam Wilfred Cantwell Smith, who, at that time was teaching in Lahore, agreed that there was no doubt that those delegates represented most Muslims of India.[7]

In his presidential address, Soomro challenged Jinnah and the Muslim League's two-nation theory and the non-territorial faith-based nationalism underpinning Muslim nationalism. He argued that a mere change of religious faith did not change the national identity of people. He lamented that the British were using the Muslim League to prevent the liberation of India as one nation and one state. Other speakers expressed ideas in the same vein.[8]

From another major work titled *Muslims against the Muslim League: Critiques of the Idea of Pakistan* (2017), edited by Ali Usman Qasmi and Megan Eaton Robb, we learn about the multifarious and multifaceted opposition to Jinnah, Muslim nationalism and Pakistan ventilated by theologians, ideologues, lay intellectuals, sectarian organizations and regional nationalists. The article by Barbara Metcalf has already been mentioned. On the other hand, Syed Abul Ala Maududi, a journalist, polemicist and later chief ideologue of Pakistan as an Islamic state was dead opposed to the secular nationalism of the Indian National Congress; his chief opposition to Pakistan was that it was being projected as a national state and not an Islamic state.[9]

The countermovement of the Muslims opposed to the Partition could never acquire any clout because, although a war was going on, the British could rely on the continuing support of the Muslim League, princes, landowners and Hindu and Muslim communalists.

IQBAL FORUM

Moreover, they had established the framework in which the Congress and the Muslim League alone were accepted as the two principal political entities representing Indian public opinion. The British government was anxious to maintain peace and law and order in India, and Viceroy Linlithgow and the Colonial Office were anxious to contain the Congress menace. On 5 June 1940, Viceroy Linlithgow established War Committees to muster support for the war effort in all provinces under the supervision of the governors. Jinnah issued a statement that since the Muslim League had not been informed about the scheme, no Muslim Leaguer was to join these committees unless he authorized such participation.[10] Nevertheless, Bengal premier, Fazlul Haq, and the Punjab premier, Sikandar Hayat Khan, were willing to join the war committees. Jinnah overruled them and said that he alone could authorize such participation.[11]

Statement on telegrams exchanged between Jinnah and Azad, 12 July 1940

Meanwhile, efforts were afoot by the Congress to win over Jinnah to the idea of a national government constituted mainly by the Congress and the Muslim League, provided the League was willing to support the demand that the British should transfer power to the Indians. Jinnah was not in the least interested in any such proposal. He released the telegrams exchanged between him and Congress president, Maulana Abul Kalam Azad:

> Confidential. Your July 9 statement, Congress Delhi resolution definitely means by National Government a composite Cabinet not limited to any single party. But is it position of League that she cannot agree to any provisional arrangement not based on two-nation scheme? If so please clarify by wire.[12]

Jinnah's reply to Azad:

> Your telegram. Cannot reciprocate confidence. I refuse to discuss with you by correspondence or otherwise as you have completely forfeited the confidence of Muslim India . . . Cannot you realize you are a Muslim show-boy Congress President to give it colour

IQBAL FORUM

> that it is a national [party] and to deceive foreign countries? The Congress is a Hindu body. If you have self-respect resign at once. Give it up.[13]

One can fathom the depth of contempt Jinnah felt for nationalist Muslims. For him, a Muslim standing in his way to speak on behalf of Muslims was a renegade. His stand that the creation of Pakistan was the only just solution to the Indian problem was non-negotiable. He held in unmitigated abhorrence Muslims who continued to subscribe to the Indian National Congress's territorial nationalism. He considered them treacherous to Islam and Indian Muslims.

The British government's August offer

Notwithstanding the Linlithgow–Jinnah liaison, neither the viceroy nor HMG had issued a policy statement on the future of India, except to make a vague promise on 14 October 1939 that after the war India would take its 'due place amongst the dominions'[14]—something which did not satisfy the Congress. On 24 March 1940, Linlithgow met industrialist and a major financier of Congress G.D. Birla and warned him that 'although British Conservatives accepted the principle of self-rule, they did not accept that India would achieve the type of dominion status envisaged in the Statute of Westminster'.[15]

In May 1940, Churchill succeeded Neville Chamberlain as prime minister. He was a notorious opponent of Indian aspirations for freedom and entertained the vilest contempt for the Congress. However, a war was going on, the Congress had refused to cooperate, while Jinnah had done so. After considerable discussion between the viceroy and HMG, finally, on 8 August, the new Secretary of State Lord Amery announced from the floor of the British Parliament that granting dominion status remained the 'ultimate' intention of the government; an immediate enlargement of the Viceroy's Council was offered but a proviso was included to the effect that there would be no transfer 'to any system of government whose authority is directly denied by large and powerful elements in India's political life'.[16]

Jinnah had made the participation of Muslim Leaguers in the War Committees conditional to the British government agreeing to grant separate Muslim states. He met Linlithgow to discuss constitutional

IQBAL FORUM

issues and then issued the following statement on 3 September 1940, calling explicitly for the partition of India:

> If the British Government courageously give India's ninety million Muslims immediate promise that after the war it will support division of India into two states Muslims and Hindus. [sic] Muslims to man will sacrifice everything for the prosecution of this war... In two zones Northwest and East there live most Muslims. Let's have those as independent Muslim states, Hindus can have the rest.[17]

He reiterated that it was a fair and just solution and both sides stood to gain from it. He said that the Congress Party's fears that a partition of India could result in civil war was a camouflage to ensure that it could establish Hindu Raj.

The AIML Council met in New Delhi to hear Jinnah about his protracted negotiations with Linlithgow. Jinnah informed the members of the Council on 29 September that the British were not prepared to give independence to India and wanted to continue the relationship of 'master and slave'. He added, 'We will not submit to this position.'[18] Linlithgow had proposed the creation of a governor-general's Executive Council to bring in all shades of opinion into a government during the war. Jinnah said that the viceroy was willing at most to give two seats to the Muslim League on the governor-general's Executive Council from a total of eleven. The number of members could be increased if some party which did not join the Executive Council later decided to join it. He considered it a travesty that the Muslim League would have only two members on the Council. About the war effort, Jinnah was more forthcoming. He said:

> In its [Muslim League's] case the question of non-cooperation did not arise for the present. It was essential for them to intensify the war effort in the defence of India... In the immediate present the Muslims of India were prepared to shed the last drop of their blood and part with their last penny to assist Great Britain in the present war.[19]

In response to the question as to what he had done to further the implementation of the Lahore Resolution on the Pakistan scheme,

IQBAL FORUM

Jinnah referred to a statement of the Hindu Mahasabha leader Dr Moonje that he had been 'told by the Viceroy that the Pakistan Scheme could not be ruled out at the time when the future constitution for India was being considered'.[20] He also informed the Council that he had told the viceroy that Muslim representation should be equal to that of Hindus, if the Congress joined the Executive Council. Otherwise, Muslims should have greater representation because 'the main burden and the responsibilities will be borne by Muslims'.[21]

The bulk of correspondence between Jinnah and Linlithgow dates from 3 February 1940 onwards. The crux of the views exchanged was that Linlithgow assured Jinnah that regarding the future of India, the British government would under no circumstance ignore their concerns and interests. Jinnah demanded a clear commitment from the viceroy on the Pakistan scheme but could not procure one in categorical terms. About Palestine, Jinnah clarified that when he said that Muslim troops should not be used to fight some Muslim state, he did not mean that in the defence of India these troops should not be used (that is if some Muslim state attacked India).[22]

Although the occasion was the Indian Finance Bill (No. 2), on 19 November, in a speech in the Central Legislative Assembly in New Delhi, Jinnah dilated upon his argument that the division of British India into a Hindu and a Muslim India was the only solution to the national question in India. Speaking in a revisionist streak, he tried to argue that it was not recently that he had started championing the cause of the Muslim nation but that even the Lucknow Pact of 1916 reflected his fundamental conviction that Hindus and Muslims were two separate entities.[23] After a long-winded speech, Jinnah rejected the idea of a national government being formed on the basis of a democracy, in which Hindus will have two-thirds seats and Muslims one-third. A cabinet formed on such a basis would mean obey 'the Congress command and Congress mandate'.[24]

On 23 November, Jinnah strongly denied that Pakistan was merely a bargaining chip. Speaking to the Delhi Muslim Students' Federation he observed:

> The Hindus must give up their dream of a Hindu 'Raj' and agree to divide India into Hindu homeland and Muslim homeland. Today we are prepared to take only one-fourth of India and leave three-fourths to them. 'Pakistan' was our goal today, for

IQBAL FORUM

> which the Muslims of India will live for and if necessary die for. It is not a counter for bargaining.[25]

On 8 December in Bombay, at a public meeting, Jinnah continued to underline that the partition of India was the only workable solution to the future of India. He said:

> If the Congress wants to achieve independence, there is no other way of doing it except by the two communities agreeing to live as separate entities. 'Pakistan' is the only way to India's freedom.[26]

He again referred to the hostage theory he had advanced in his foundational speech on 22 March 1940 in Lahore to assure Muslims of the Hindu-majority provinces (and Bombay surely was one such region) that they would not be treated badly because of 'the reciprocity of treatment of Hindu minorities in the Muslim Provinces'.[27]

Karachi, speech at public meeting, 15 December

Meanwhile, the Congress continued with its non-cooperation policy, and another round of satyagraha or civil disobedience was launched which culminated in many Congress stalwarts being sent to prison including Nehru, Azad, Patel and Prasad. Jinnah lashed out at the civil disobedience movement. He said: 'Pakistan is the only solution of Hindu–Muslim tension . . . under the Pakistan Scheme it will be our duty to protect the rights of the minorities and we shall expect the same treatment from the Hindus in their majority provinces.'[28]

He further said:

> In the Muslim-majority provinces viz: Sind, Baluchistan, the Punjab and the N.W.F.P, Muslims should be allowed to establish their own rule . . . The day will come when even the Congress and the Hindu Mahasabha will realise that the only solution is Pakistan. Hindu India will comprise twenty crore [200 million] and Muslim India eight crore [80 million].[29]

Bengal was not mentioned, probably mistakenly, because otherwise the 80-million figure was far off the mark—Bengal had the biggest Muslim concentration. Interestingly, in a speech at the Karachi

IQBAL FORUM

Municipal Corporation on 19 December, in the presence of Sind's premier, Mir Bunde Ali Talpur, he appealed to Hindus and Muslims to live like friends and work together for the welfare of the people. The same day, at a dinner party given in his honour by the Council of the Sind Anglo-Indian Association, he assured the Anglo-Indians, 'The Muslim League would extend support to the Anglo-Indian community within the Muslim-majority provinces if the community aligned themselves with Muslims in the Hindu-majority provinces.'[30] The hostage theory and, now, the bargaining tone towards Anglo-Indians indicates that he was not working out the full implications of his reasoning. For example, if the Anglo-Indians in the Hindu-majority provinces were to align themselves with Muslims in the Hindu-majority provinces, would that not entail a negative reaction from the Congress in the case of India being partitioned? Why would Anglo-Indians in the Hindu-majority provinces align with Muslims so that their co-religionists in Pakistan would be treated well?

Speeches and decisions during 1941

According to the 1941 Census of India (including that of British India and the Indian princely states and agencies), the total population of India was 383,643,745. It consisted of 206,117,326 caste Hindus, 48,813,180 Scheduled Caste Hindus (the so-called untouchables) and 25,441,489 Scheduled Tribe Hindus; 92,058,096 Muslims; 5,691,477 Sikhs (concentrated in the Punjab); and all the rest.

As far as the directly administered areas of India, known as British India, were concerned, the total population was 294,171,961. It comprised 150,890,146 caste Hindus; 39,920,807 Scheduled Caste Hindus and 4,165,097 Scheduled Tribe Hindus; 79,398,503 Muslims; 4,165,097 Sikhs; and others.

It is interesting that the census presented a breakdown of the Hindu composition in three distinct categories, while the sectarian and sub-sectarian variations present among Muslims were not reported. The Sikhs too were classified as one community.

1941 began with Jinnah fully determined to justify and legitimize the partition of India. The war was going badly for Britain and its allies; the Congress was determined not to budge from its demand for independence for India before it could help Britain in the war

IQBAL FORUM

against Nazism and fascism, while Jinnah had established himself and the AIML as credible counterweights to the Congress. The British, however, were acutely aware of the Congress enjoying mass support and therefore it needed to be contained. Jinnah's help was valued but his drastic demand for Pakistan could not be conceded publicly. Still, it had to be encouraged. For Jinnah it meant that he should not be seen to waver in his resolve to have India partitioned to get Pakistan.

2 January interview to the United Press

Jinnah talked about his meeting with a Dr Mukerjee, professor of history at Lucknow University. He said that he had dispelled any suspicion about creating separate Muslims states as a move to dominate India. His argument was that the Muslims would be grouped into separate Muslim states, and any idea that the Muslims of the north-west would invite any external Muslim power to invade India was baseless. He said the contemporary era was of territorial states and even Muslims were accepting that model in other parts of the world. He asserted:

> I am sure Hindu India will find Muslim India not only [a] friendly but will defend India against foreign invasion . . . And in that sense, I want to say that North-West Muslim Independent states should be counted as India's outposts on the frontier.[31]

This argument was originally advanced by Iqbal in 1930, which Jinnah appropriated. It is a moot question if a divided India and a smaller Pakistan could be an effective front-line state, or a united India with Hindus, Muslims, Sikhs and others together, but for Jinnah it was an argument he used to justify the Partition. Jinnah made the interesting point that Pakistan would be a territorial state rather than part of some Islamic irredentist movement seeking to bring all Muslims into one super state.

Dr Ambedkar's position on Pakistan

We will deviate from Jinnah's campaign for Pakistan to consider the views of Dr Ambedkar on the Pakistan demand. In 1941, the first edition of his book *Thoughts on Pakistan* was published. Basing himself on the Lahore Resolution, he argued that Muslims feared

IQBAL FORUM

domination and degradation in a united India, and their claim of being a nation was reasonable.[32] He examined the Hindu complaint of past Muslim invaders having killed Hindus and pillaged and destroyed their temples and the gruesome Hindu–Muslim communal riots of the twentieth century which were said to prove that the two communities would not be able to live in peace together. He argued that the division of India to create Pakistan would not weaken the defence capability of India; it would improve it because Muslims would never be loyal to a non-Muslim state, and in case of a war between India and another Muslim power, Indian Muslims would side with the Muslim power. He considered Gandhi's efforts to build Hindu–Muslim unity futile and dismissed the widely held view of Hindus that Pakistan was only a bargaining chip the Muslim League and Jinnah were using. He believed the Muslim leaders meant it seriously.[33]

While deploring the notorious caste system of Hindus and the degraded status of women in Hindu society, Ambedkar simultaneously subjected social practices among Muslims to a scathing critique. He drew attention to parallel hierarchy among Muslims among the high- and the low-born and especially highlighted the lack of reform among Muslims regarding women. Since Islamic law, sharia, was considered divinely revealed, Muslim society was especially resistant to reform of outdated norms and practices. He observed that when Muslims talked about community and solidarity, they meant it in the narrow sense of including only Muslims. Non-Muslims were excluded from the community.

He made a scathing observation:

> Islam is a close corporation [. . .] The brotherhood of Islam is not the universal brotherhood of man. It is brotherhood of Muslims for Muslims only [. . .] For those who are outside the corporation, there is nothing but contempt and enmity. The [. . .] allegiance of a Muslim does not rest on his domicile in the country which is his but on the faith to which he belongs. Wherever there is the rule of Islam, there is his own country. In other words, Islam can never allow a true Muslim to adopt India as his motherland and regard a Hindu as his kith and kin.[34]

He also reviewed social relations between Hindus and Muslims and concluded that the two communities kept away from each other;

IQBAL FORUM

marriage between them was out of the question. Therefore, there was nothing which bound them to one another. The conclusion he drew was that it was in the best interest of Hindus to agree to Partition and get rid of the intractable Muslim problem.[35]

Later, however, Ambedkar reversed his position on Partition and Pakistan. He retained the original 1941 edition and added some new chapters and it was published under a new title, *Pakistan and the Partition of India*, in 1945, in which he argued that the division of India was unnecessary. He asserted that the communal problem until 1937 was not such that it required the partition of India. Communal differences existed in other countries as well but the break-up of countries to resolve them had not been the only solution; rather, through even-handed measures and policies, communal tensions had been removed or rendered irrelevant for the rights of citizens.

Ambedkar examined how the case of Pakistan was built by Jinnah and the Muslim League about the alleged oppression of Muslims under Congress ministries and concluded that the accusations and complaints were grossly exaggerated. Jinnah evaded an impartial inquiry into the allegations he and the League had made. Another radically different argument Ambedkar now set forth was that the Muslims already had a Pakistan in those areas where they were in a majority. Therefore, there was no rational basis for creating Pakistan. However, if they still wanted India to be partitioned, then it should be accepted.[36]

The publication of Ambedkar's book in 1941 attracted considerable attention in all quarters. It bore the hallmarks of scholarly research with extensive data, statistics, figures and graphs. It was referred to in discussions and negotiations in government circles as well by political leaders and parties. Ambedkar had written it in typical realist tradition, detaching himself from the subject of the book and looking at all sides of the arguments and standpoints. In doing so, he used overgeneralizations, even stereotyping Hindus and Muslims and thus objectifying their differences as antagonistic and irreconcilable contradictions. The differences and conflicts of sect were very much a part of Muslim historical and contemporary reality, as were the differences between the regional leaders and Jinnah, but Ambedkar did not pay much attention to those cleavages.

A Dalit leader's strong advocacy in favour of the division of India to rid it of the Muslim menace was intriguing because that would

IQBAL FORUM

mean a radical increase in the Hindu proportion of the Indian state, which in turn would render the Dalits more vulnerable to upper-caste oppression. On the other hand, the exclusion of Muslims would mean the Dalits could claim a greater portion of jobs and seats in educational institutions. Nevertheless, Jinnah and the other leaders of the Muslim League and conservative ulema found Ambedkar's criticism of Islam unpalatable. Although Jinnah had talked to Ambedkar and Periyar to discuss a common stand against the Congress, it had not resulted in the three joining forces. Jinnah wanted to focus on Pakistan and worked towards it with all his energy and skills.

Jinnah reiterates: Pakistan not for bargaining (3 January 1941)

Jinnah told the correspondent of a London newspaper:

> The British Government, the Parliament and the British public would make the greatest mistake if they were carried away by the Congress propaganda that the demand of the Muslim India for Pakistan was merely put forward for bargaining or for treating it as the uncompromising attitude of the Muslim League.[37]

New Delhi, speech at the Muslim League Council meeting, 23 February

At a meeting of the Muslim League Council, Jinnah continued to underline that what he wanted was a partitioned India. In his speech he spoke of the spectre of the 'Hindu Raj' posed by the Congress. He said, 'Muslims could not accept a constituent assembly formed on adult franchise or even a national Government at the Centre such as was demanded by the Poona session of the Congress.'[38] He further said:

> It is now definite that the Lahore Resolution of the League for the creation of independent States for those zones in which the Muslims were in the majority and which are Muslim homelands is the only solution in the interests of all concerned. Any concession or surrender of the fundamentals underlying the Lahore Resolution on the part of the British Government would

IQBAL FORUM

never be accepted by us. I want Mr. Gandhi, Lord Linlithgow, Mr. Amery and Mr. Churchill to ponder over our resolution which we are passing today deliberately and solemnly. So far as we are concerned there is no going back on it.[39]

Lahore, Special Pakistan Session of the Punjab Muslim Students' Federation, 2 March

In March, Jinnah was back in Lahore and all set to mobilize Punjabi Muslims for the demand for Pakistan. The students were particularly important for mass mobilization, and Lahore was the centre of the Punjab politics. The government was under Sir Sikandar, but after he had entered into an alliance with Jinnah and especially after the great success of the annual session the previous year, when the demand for Muslim states was made, Jinnah's premium had risen sharply. In his address, he further furbished his two-nation theory with supportive arguments. He asserted that after 200 years, since the decline of Muslim power and the dissolution of the Mughal Empire, Muslims, for the first time, were now together under the leadership of the Muslim League. He told the students that they should arm themselves with modern education and with its light then become strong economically in commerce, trade and industry, and thus prepare themselves for their defence and security.[40]

He then amplified the arguments he had typically been developing in support of the demand for Pakistan. He said, among other things, the following:

> Remember you have to achieve in the first instance, the goal, namely, that you want 'Muslim India' to be our government . . . We are a nation. And a nation must have territory. What is the use of merely saying that we are a nation? Nation does not live in the air. It lives on the land, it must govern land, and it must have territorial state and that is what you want to get.
>
> Our demand is not from the Hindus because the Hindus never took the whole of India. It was the Muslims who took India and ruled for 700 years. It is the British who took India from the Mussalmans. So, we are not asking the Hindus to give us anything. Our demand is made to the British, who are in possession . . .

IQBAL FORUM

> They [the Hindus] also say that Muslims were Hindus at one time. These nonsensical arguments are advanced by their leaders ... according to ... Hindu religion he [a Muslim] becomes a malecha (unclean foreigner, an untouchable) and the Hindus cease to have anything to do with him socially, religiously and culturally or in any other way ... I do not think really that any honest man can possibly dispute the fact that the Muslims are a nation by themselves, distinctly separate from the Hindus ...
>
> Mr. Gandhi ... says that it is a vivisection of India ... May I know when India was one? ... Then we are told that it [Lahore Resolution] is against Islam ... Why is it against Islam? ... The next argument is that it is economically not a practical scheme ... Why not? If there is a partition, if there are independent zones, as we are defining, then those zones will get for themselves the revenue direct and it will not go to a centre, because there will be no centre for India.[41]

As always, in these circumstances, the problem of minorities—the Hindus in Pakistan and the Muslims in India—had to be tackled. Jinnah argued in a familiar vein:

> [M]y proposal is that Hindu minority in the Muslim zone must be safeguarded fully as a minority and I say that the Muslim minority in the Hindu zone must be safeguarded fully as a minority. What do you suggest? Do you suggest as an argument that because the Hindu minority or minorities in the Muslim zones will be minorities, therefore the 90 million of Muslims should remain as a minority in an artificial 'one India' with unitary type of central government, so that you can dominate over them all including those zones where they are a solid majority? This is an absurd and very misleading argument, which is advanced in some quarters.[42]

Then he made remarks meant for the Congress and other Hindus:

> My dear friends, you will be at least 200 million Hindus in India, if not more, and the poor Muslims in the North-West and the Eastern zone will be not more than 70 million [30 million

IQBAL FORUM

> left behind in India]. If we are agreed on the partition of India, let me tell you, and I firmly believe it is supported by reason, the Muslims and Hindus will live peacefully and as friendly neighbours. I assure you and it seems to me obvious that Muslim India will constitute the post guard of the frontiers of India.[43]

Continuing with his speech, Jinnah said:

> My Sikh friends cannot escape the inexorable rule that they are a minority in the Punjab and must remain a minority in the Punjab and you cannot be quarrelling, you cannot by threats and intimidation reverse the fundamental order that the Muslims are a majority in this zone.[44]

After the marathon speech, Jinnah concluded:

> The only solution for the Muslims of India . . . is that India should be partitioned so that both communities can develop freely and fully according to their own genius economically, socially, culturally and politically . . . The vital contest in which we are engaged is not only for the material gain but also for the very existence of the soul of the Muslim nation. Hence I have said often that it is a matter of life and death to the Mussalmans and it is not a counter for bargaining.[45]

Aligarh Muslim University Union: Save Islam from annihilation (10 March)

Aligarh University was always the citadel of Muslim separatism, and Jinnah's visits to it were always an occasion to deliver strong messages. He repeated the now-familiar arguments about why Hindus and Muslims could not be part of the same nation and state as equals. About Hindus he said:

> In everything that is fundamental and essential to life Hindus and Muslims differ. It is no use shutting one's eyes to realities. Among Hindus themselves there are schisms and exclusive castes and sub-castes. Between them they make up a most undemocratic

IQBAL FORUM

> society, yet they have suddenly fallen in love with democracy. They talk of nothing else but democracy. In Bombay recently, a swimming bath on the sea-shore was opened for the exclusive use of the Hindus. They are not prepared to swim with Muslims even in the sea. I do not want to ridicule the feelings of Hindus. I respect everyone's religious feelings. I am only referring to these things to show how deep is the difference between Hindus and Muslims.[46]

Jinnah warned that Islam will be annihilated in a united India:

> *Pakistan is not only a practicable goal but the only goal if you want to save Islam from complete annihilation in the country* [emphasis added] . . . Aligarh is the arsenal of Muslim India and you are its best soldiers . . . We want to establish Muslim States in the North-West and North-East of India, so that peaceful and neighbourly relations may be maintained between Hindus and Muslims.[47]

Speech at Kanpur, 30 March 1941: Willing to sacrifice 20 million Muslims

The weakest chink in Jinnah's two-nation theory was that it would leave one-third of Muslims under Congress rule. Addressing a meeting of the Muslim Students' Federation in Cawnpore (now Kanpur), he made a startling remark: 'In order to liberate 7 crore Muslims where they were in a majority he was willing to perform the last ceremony of martyrdom if necessary and let the two crores of Muslims be smashed.'[48] The Partition of India in 1947 left 35 million Muslims in India.[49] That came to one-third of the total population, which, by that time, was approximating to a little less than 100 million.

Madras, 28th Annual Session of the Muslim League, 14 April

The importance of the first annual session after the historic Lahore session need not be overemphasized. The most significant contrast was not in what Jinnah said but where he said it. While Lahore had become the heartland of the League's campaign for Pakistan, ensconced as

IQBAL FORUM

it was in the Muslim-majority north-west zone of India, the venue for the 1941 annual session was Madras (now Chennai), deep in south India. Muslims were only 7 per cent of the total population of Madras Presidency. If at all any area of the subcontinent was hopelessly removed from becoming a part of Pakistan (a word which had started being used for both the north-western and north-eastern Muslim states), it was the deep south.

Jinnah spoke extempore for more than two hours. At the beginning of his address he said categorically:

> Let me tell you as clearly as I can possibly define it that the goal of the All-India Muslim League is this: We want the establishment of completely independent states in the North-West and Eastern zones of India, with full control finally of defence, foreign affairs, communications, customs, currency, exchange, etc. We do not want in any circumstances a constitution of an All-India character with one government at the Centre. We will never agree to that. If we once agree to that, let me tell you, *the Muslims will be absolutely wiped out of existence* [emphasis added].[50]

Since he was speaking in the south, he laid great emphasis on the alleged Aryan–Dravidian distinction. He said:

> In this land of yours [Madras Presidency] there is another nation, the Dravidians. The land is actually Dravidastan. Imagine three per cent of the Brahmin high caste, by skilful manoeuvring and by skilful methods of electioneering which they have studied, should secure the majority. Is this democracy or is it a farce? Therefore, I give my fullest sympathy and support to the Non-Brahmins. I say to them: The only way for you is to come into your own, live your own life according to your own culture and according to your own language—thank God that Hindi did not get very far here—and your own history is to go ahead with your ideal. I have every sympathy for you and I shall do all I can to support you to establish Dravidastan. The seven per cent of Muslims will stretch out their hand of friendship to you and live with you on lines of equality, justice and fairplay.[51]

IQBAL FORUM

He went on to say, 'The British Government ought to be grateful to the Muslim League for saving the maximum amount of trouble the Congress was determined to give them.'[52] He further said that not only was the Muslim League opposed to the Congress demand but so were the Scheduled Castes, Christians and others.[53]

It is most interesting to note that with regard to Rajagopalachari's proposal that Jinnah could become the prime minister and select a cabinet of his choice for the national government (to which Farooq Ahmad Dar refers in his book), Jinnah expressed unmitigated suspicion about it. He considered it a move made to deceive him and the Muslim League. He said that even a Muslim boy now understands that these were Congress's manoeuvres to trap the Muslims. He advised the Congress and other Hindu leaders to drop such methods.[54]

The main thrust of his speech was to underscore that both the Hindu Mahasabha and the Congress Party were one and the same. He quoted a newspaper belonging to Nehru, which had written, 'There would never be a division of the country to suit the taste and satisfy the ambition of fanatics.'[55] On such a basis Jinnah argued that since the Hindu Mahasabha and the Congress subscribed to the same ideology, that of Akhand Bharat (indivisible India), they both were fanatics.

He made other public speeches and gave press conferences at several places in the south, including Mysore state, which, although a predominantly Hindu princely state, had a Muslim prime minister. Jinnah praised the Maharaja of Mysore for being an enlightened ruler. Naturally, at many places, questions were raised about whether a division of India would leave the minorities in an even more vulnerable position than before. To such people he gave the standard reply that minorities would be properly safeguarded through constitutional arrangements, and he stressed his main utilitarian argument that the Muslim minority of 30 million should not prevent the 70 million of the Muslim-majority regions of the subcontinent from gaining freedom from the tutelage of Hindu Congress Raj.[56]

During the rest of 1941, Jinnah continued to reiterate that Hindus and Muslims were two separate nations and that if they are forced to live in one state, the majority will impose its faith, culture and social order on the Muslims and other minorities.[57] Therefore, the Muslims had decided to have independent states in their homelands

IQBAL FORUM

in the north-west and north-east, and on this stand, they would never compromise.

He also took action against a number of prominent Muslim Leaguers who had, on the invitation of Viceroy Linlithgow, joined the viceroy's expanded Executive Council of the National Defence Council. Among them were Sir Muhammad Saadullah, Sir Sultan Ahmad, Mr A.K. Fazlul Haq (who had moved the Lahore Resolution), the Nawab of Chhattari, Begum Shahnawaz and Sir Sikandar Hayat Khan. While the Nawab of Chhattari resigned from the Muslim League, Sir Sikandar resigned from the National Defence Council. Sir Sultan, Begum Shahnawaz and A.K. Fazlul Haq were expelled from the Muslim League.[58] In a message to the Bengal Muslim League dated 5 December, Jinnah congratulated it for electing Sir Khawaja Nazimuddin as their leader.

On 23 October 1941, *Dawn* was established in Delhi as a mouthpiece of the Muslim League, which meant that the struggle for Pakistan now entered a new level. On 24 December, Jinnah lashed out at HMG and Viceroy Linlithgow for ignoring the hand of friendship offered by the Muslim League during the critical hour of a major war by continuing to woo the Congress to support it despite the Congress leaders insisting on an immediate declaration of independence for India. Speaking at the concluding session of the All-India Muslim Students' Federation in Nagpur on 28 December, he again stated categorically that the goal of Muslim India was simple and clear: It was Pakistan.[59]

It is to be noted that the Japanese attack on the US naval base of Pearl Harbour on 7 December 1941 brought the Americans into the war.

Speeches and decisions during 1942 till the end of July

1942 began with Jinnah spending several weeks in Bengal, where he had recently strengthened his position by having Nazimuddin elected as the head of the Bengal Muslim League. He used the occasion to ridicule Jawaharlal Nehru's internationalism. Nehru had reportedly wondered how the Muslim League could demand Partition and the forming of a separate Muslim bloc when some Islamic countries had lost their freedom because of the partitioning of Muslim territories

IQBAL FORUM

after World War I. He advised Nehru to mind his own business (since he was a Hindu) and not try to pontificate about the freedom of Muslims.[60]

The war was going badly for Britain. It received its greatest military humiliation in modern times when Singapore fell into the hands of the Japanese in February 1942. The British were under pressure from the Americans to take measures to transfer power to Indian hands—something which Prime Minister Churchill found unpalatable, but the way the war was going, without the support of the United States, the Allies could not expect to defeat the Axis powers.[61,62]

Cripps Mission, March 1942

Churchill sent Sir Stafford Cripps to India in March 1942 to probe the possibility of a transfer of power to the Indians within the framework of a dominion. Walter Reid and many other writers have described such gestures as insincere and deceptive.[63,64] Cripps talked to the main Indian leaders and afterwards announced several proposals. These included allusions to the freedom of India after the war—but as a dominion—and considered the possibility of establishing a separate Muslim dominion but did not guarantee it. Both the Congress and the Muslim League rejected them: the former wanting independence in a united India and the latter separate statehood.[65]

The 29th session of the AIML at Allahabad

On 3 April, Jinnah remarked at Allahabad: 'Rest assured that our aim is Pakistan and whatever the proposals may be, if they are such that we cannot achieve Pakistan we will never accept them . . . Our firm determination and our only goal is one—Pakistan – Pakistan – Pakistan . . . Now it is not a question of their giving it [Pakistan] but we will take it.'[66] In his presidential address on 5 March, he reviewed the proposals which the Cripps Mission had made and deplored the fact that the proposals did not unequivocally commit the British government to grant Pakistan to Muslims after the war. The proposals only talked about the right of Muslim self-determination and Pakistan as a distant possibility. Therefore, the proposals were unsatisfactory.[67] On 13 April, the Muslim League rejected the Cripps

IQBAL FORUM

proposals; the Congress had rejected them because a united India had not been promised either. In the press conference given by Jinnah he remarked:

> [We] examined the whole proposal as one document and came to the conclusion that, as regards the future, the principle of partition [Pakistan] was not conceded, but there was possibility for a province or provinces to stand out . . . In effect Pakistan was not conceded unequivocally and the right of Muslim self-determination was denied. We, therefore, did not accept the proposals regarding the future, although we recognised that the same may constitute the foundations of British policy as a historic document.[68]

Interview with W.W. Chapman of the International News Service of America, 21 May

Jinnah recognized the importance of gaining the support of the United States once it began economic and military aid to the British, even before it was also drawn into the war in the wake of the Japanese attack on the US naval base of Pearl Harbour on 7 December 1941. In August 1941, US President Franklin D. Roosevelt and British Prime Minister Winston Churchill met in utmost secrecy on a warship in the Atlantic Ocean to discuss general strategy vis-à-vis the Axis powers. The meeting resulted in the two leaders signing the Atlantic Charter, which publicly denounced Nazi Germany and the use of force and aggression. It stated that under the principle of national self-determination, sovereignty should be restored to people who had been deprived of it. Roosevelt considered it a general principle for decolonization, but Churchill was dead set against it. To mislead the American President, Churchill lied to Roosevelt and told him that 75 per cent of the Indian Army comprised Muslim soldiers.[69] Their actual numbers were not greater than 36 per cent. He portrayed the Congress Party as a cover for the Brahminic priesthood support for an unjust caste system, as well as for Japanese sympathizers in a secret alliance with the Nazis.[70] The United States kept the pressure on, however, because the Americans perceived a united India as important for the security of South Asia.

IQBAL FORUM

Consequently, when Jinnah met W.W. Chapman, of the International News Service of America, he told him that if the Muslims were given guarantees that in the post-war situation, independent Muslim states will be granted to them, the 100 million Muslims—men, women and children—would fight Japanese aggression tooth and nail, alongside the British.[71] With his proverbial charm (his *charisma*, as Sikandar Hayat describes it), he tried to tempt the American, saying:

> Hindu three-fourths of India where a policy of non-cooperation and non-violence with enemy is proclaimed includes strategic ports of Madras and Bombay. Muslim population's region, where the people will fight aggression perfectly with proper arms, but lacking that with bare hands, includes Karachi, Chittagong and Calcutta which are nearest to Burma where the Japanese are massed.[72]

The contrast between Hindus and Muslims and the reference to port facilities which Jinnah took up need to be appreciated in the context of a war which the Americans had only recently been drawn into; this was meant to convince them about the advantages of supporting the idea of Pakistan. The Hindus were allegedly timid as a people and under the spell of the non-violent ideology of Gandhi, while the Muslims were proverbially brave and a martial race. Additionally, he asserted that the ports that Pakistan would get—especially Chittagong, Calcutta (Jinnah was hoping to get the whole of Bengal and thus Calcutta as well) in the east but also Karachi—would, from a military point of view, be more conducive for conducting the military operations against the Japanese who were in Burma at that time. Jinnah was already making an offer to the Americans to evaluate Pakistan in terms of its geostrategic importance.

Jinnah continued to impress upon American journalists the importance of supporting the creation of Pakistan. On 1 July, he told Preston Grover of the Associated Press of America:

> The only way for Britain to do justice is to hand over the Muslim homelands to the Mussalmans and the Hindu homelands to the

IQBAL FORUM

> Hindus . . . Muslims are a nation and they insist upon their rights as a nation, separate from the Hindus, and I am confident that if the British will take [their] courage in both hands and give their decision in favour of partition, the Hindus will reconcile themselves [to it] within a few months, as obviously it is more favourable to them, for they will have three-fourths of India in their hands while Mussalmans will have only one-fourth of India . . . The difference between Hindus and Muslims is deep-rooted and ineradicable . . . But if the British, even with the help of America, adopt any measures which militate in any way against our Pakistan demand I am firmly of the opinion that it will lead to terrible chaos and disaster, as one hundred million of India will never forgive Britain if they are let down . . . The Congress demand is one which cannot be satisfied within the framework of the present constitution. It can only be achieved by immediately making fundamental revolutionary changes in the present constitution in order to set up what the Congress conceive to be the 'national government' of a united and democratic India. We are not against any revolutionary changes in the constitution of [sic] complete repeal of it in order to secure our Pakistan scheme, but if the national government of Congress conception is set up then it automatically not only torpedoes the Pakistan scheme but the question of any kind of the principle of Pakistan cannot arise thereafter. Therefore the only just course left for Britain is to decide in favour of the principle of Pakistan and proceed to frame the constitution accordingly.[73]

Statement to the foreign press, 30 July

The last important engagement for Jinnah before the Congress launched the ill-fated Quit India movement in August was with the foreign press. He lamented that the Congress was threatening 'Direct Action' to capture power to establish its fascistic dictatorship, when, instead, everyone should help the government in the critical hour of an ongoing war. He warned the government not to be blackmailed by Gandhi and his ilk. He reiterated that 100 million Muslims would never submit to Hindu Raj.[74]

IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 10

The Quit India Movement: A Blunder Jinnah Used to His Advantage



The war in western Europe was going badly for the Allies. Hitler's troops were amassed on the French side of the English Channel since 20 May 1940. The Battle of Britain was being fought with unprecedented ferocity in the air and sea, and a German invasion of the British Isles seemed imminent. In the East, the Japanese were advancing rapidly: in February 1942, the British stronghold of Singapore fell, and Britain suffered the first major humiliating defeat in 200 years, and that too at the hands of what was perceived as an Asian upstart. Japanese aircraft had bombed eastern India including Bengal. Since 1940, Gandhi had been threatening 'Direct Action' to force Britain to transfer power and leave. As a result, small-scale civil disobedience initiatives, including individual satyagrahas, had continued and several Congress leaders had been incarcerated. The stand taken was that Britain should transfer power to Indians so that they could defend their country with patriotic passion.[1] Heroic as it sounded, it was another of the Mahatma's unrealistic flights of imagination. He had predicted the end of British rule several times in the past and launched mass actions to realize them. Each time, the authorities had crushed such upsurge by the application of state might. Indians serving in the police and intelligence services had no problem in following the orders of their British superiors. And the Indian Army was always the ultimate weapon at hand to quell rebellion.

IQBAL FORUM

This time, however, the difference was that the Japanese seemed to be winning and advancing towards India, and Gandhi felt that he could dislodge imperial rule. After several months of prevarication, finally, on the night of 7–8 August, the All-India Congress Committee passed the Quit India Resolution. Nehru and Azad had expressed reservations about it but in the end acquiesced in it; Sardar Patel, Rajendra Prasad and others were in favour of it. The resolution called for 'the starting of a mass struggle on non-violent lines on the widest possible scale'. Gandhi, who was the moving spirit behind the Quit India call, coined slogans such as 'Do or die' and 'Open rebellion'. The British responded with the immediate arrest of the high command. When people learnt about their arrest, thousands came to the streets. There were hartals and protest marches. A battle of nerves began to rage. As had happened in the past, mass civil disobedience movements ordered by Gandhi invariably turned violent. This happened even more quickly during the Quit India movement. The British retaliated by arresting Congress leaders and activists all over the country. In reaction, unruly mobs raided government buildings and installations, pillaging them, destroying office paraphernalia and setting them on fire. In some cases, policemen and other functionaries were manhandled and killed. Linlithgow unleashed a reign of terror. Mobs were fired upon, in some cases by machine guns. Those captured were mercilessly flogged and subjected to third-degree torture methods.[2,3,4,5]

The Muslim League was not the only one to come out in opposition to the Quit India movement; the princes and landlords, the Hindu Mahasabha, the RSS and a host of other organizations and parties also condemned it. All the Indian members of the viceroy's Executive Council dissociated themselves from it. The war allowed Indian industrialists a fantastic opportunity to expand their production—in fact, it was during Britain's wars, beginning with the Balkan Wars of the late nineteenth century, that imperial control was relaxed, and Indian entrepreneurs had expanded their production. The same was true now. Gandhi received no backing from them. The Punjab was the favourite reservoir of troops for the Indian Army. The Unionist Party and the Sikh Akali Dal were committed to helping the government with the recruitment of soldiers. Jinnah's master stroke was that the Muslim League too joined the recruitment drive, which greatly enhanced its importance and status since it could render such services on an all-India

IQBAL FORUM

level. Punjabi Hindu, Muslim and Sikh youth flocked to government offices seeking jobs.[6] Like the 1857 uprising, the Quit India upsurge was confined to some parts of India: Bihar, parts of Bengal, the UP, Maharashtra, other Hindu-majority provinces and the NWFP.

The Quit India call was a colossal miscalculation by Gandhi, partly because the reason for the Mahatma's drastic lurch towards rebellion was peremptory. Subhas Chandra Bose and his party, the Forward Bloc, had from the start of the war been preaching armed revolution. His rhetoric had radicalized many younger Congress leaders and cadres. He had been arrested but then released. On 16 January 1941, Bose escaped from India, first going to Afghanistan and then Soviet Russia. He did not receive much attention because the Soviet Union was apprehensive of being drawn into the war which was raging in Europe and the situation was extremely volatile. He then went to Germany and sought Nazi backing for fomenting a revolution in India. From Berlin Radio he began to preach armed rebellion against British imperialism. Bose, Jayaprakash Narayan and finally Gandhi were carried away by a delusionary belief in the patriotic zeal of the Indian people.[7]

The Communist Party of India abandons the Congress

In this regard, special mention must be made of the role of the CPI. Indian communists were proverbial firebrand anti-imperialists and had been involved in strikes and other actions ever since the Bolshevik revolution of 1917. The colonial government had declared the CPI a subversive and seditious organization and banned it. The repression of communists was comprehensive. Congress heavyweights such as Rajagopalachari, Sardar Patel, Acharya Kripalani and others were outspoken critics of communism. Gandhi found their atheism and doctrine of armed struggle repugnant. Nehru was sympathetic to them and a Congress Socialist Party caucus within the Congress was headed by Nehru.[8]

However, on the intellectual plane, the communists had established a dominant position. A Progressive Writers' Movement from around 1932 had set forth humanist and progressive ideas and Marxist concepts of class, exploitation and revolution through poetry, short stories, novels and journalism. It was formally inaugurated in

IQBAL FORUM

London in 1935. When World War II broke out, Indian communists denounced it as an imperialist war, but after Hitler invaded the Soviet Union on 22 June 1941, they began to depict it as a 'peoples' war' against Nazism and fascism. For the British, such a dramatic reversal of the communist stand on the war was music to their ears. They removed the ban on the CPI. Many communists took up jobs, including at senior levels, with the colonial state and became part of its propaganda media to solicit support for the war effort.[9]

Jinnah roundly condemns the Quit India movement

Meanwhile, Jinnah had been quick to capitalize on the opportunity created by the Quit India movement to enhance his own standing with the British. He remarked:

> I deeply regret that the Congress has finally declared war and has launched a most dangerous mass movement in spite of numerous warnings from various individuals, parties and organisations . . . It is to be deplored all the more that this movement is launched at this critical juncture with the object of forcing their demands at the point of the bayonet, which, if conceded, will mean sacrifice of all other interests, particularly those of Muslim India.[10]

In another statement on the same day he said that he would court arrest along with Mr Gandhi for the freedom of India, but the Muslim League can join forces with Congress 'only when the Congress agreed to the Muslim League's demand of Pakistan . . . when once the unity is achieved, the Muslims will join the Congress in the demand for complete independence. Britain cannot deny it. We can get it in 24 hours.'[11]

Press conference in New Delhi, 13 September

Nearly all the British, American, Chinese and Indian press correspondents in Delhi were present during Jinnah's press conference. Speaking approvingly about a recent speech of Prime Minister Churchill in which he had said that the Congress did not represent India and that the 90

IQBAL FORUM

million Muslims were fundamentally opposed to the Congress, Jinnah nevertheless regretted that the prime minister was reluctant to alienate the Congress instead of valuing the hand of cooperation offered by the Muslim League. In reply to a question from an American correspondent regarding whether he feared a dishonourable settlement being imposed on India, Jinnah said he did.[12] When asked if some modification of the Muslim demand for Pakistan was possible, he replied:

> If you start asking for sixteen annas in a rupee there is room for bargaining. The Muslim League had never put forward any demand which can . . . be characterised as unreasonable. The Muslim League stands for independence for both of the Hindus and the Mussalmans. Hindu India gets three-fourths of India in its pocket according to our proposals, and it is Hindu India which is bargaining to see if it can get the remaining one-fourth also for itself and rid us out of it. There will be no compromise on the question of the right of self-determination of a nation. It is their inherent birth-right and to deny that is to deny their very existence.[13]

Continuing with the press conference, Jinnah sounded increasingly outspoken and defiant when addressing the British. He warned:

> Believe me it will create at least 500 times more trouble than being experienced to-day . . . It is not a matter of guns. The Mussalmans have five hundred times more guns . . . Any intelligent man in India will tell you. I do not want to cast any reflection on the Hindus. It is temperament and the way in which Mussalmans are brought up.[14]

He then went on to make a tall claim. He said that 'sixty-five per cent of the Indian army was composed of Mussalmans [Churchill told a similar lie to Roosevelt]'.[15] He warned that if the Muslim League were to start a campaign against the British it would 'affect a large body of the army and besides the entire Frontier will be ablaze'. He claimed that Muslim countries such as Afghanistan, Iran, Iraq, Turkey and Egypt strongly supported the Pakistan demand. Therefore, if there was a conflict between the Muslims and the British government, those Muslim countries were bound to be affected.[16]

IQBAL FORUM

As I have pointed out earlier, the strength of the Muslim component of the Indian Army during World War II was 36 per cent; moreover, it was not the Muslim League but the Indian National Congress which enjoyed support in the Arab world, where Jewish settlements were rapidly increasing because of British policy. The Arabs saw close similarities between the idea of a Jewish state on Arab soil and a Pakistan enjoying British support carved out of India.[17,18]

Jinnah went on to say that using the 500-times-greater Muslim strength might get the British out of India, but it would place the Muslims under the yoke of Hindus, and he did not want that to happen under any circumstance. In a message to Muslims on 11 October, Jinnah emphasized that the Muslims were a separate nation by all standards. He said, 'I appeal . . . to every Muslim to stand solidly by our goal of Pakistan, for it is a matter of life and death to us and to the future destiny of Muslim India. Either we achieve Pakistan or we perish.'[19] Jinnah alleged that the Congress through its agents and sympathizers abroad had been trying to mislead world powers that it represented the Indian people. He particularly objected to the propaganda which:

> Misrepresented [the Muslim League] as allies of British imperialism in India . . . The Muslim League's position is this and it has been put in the clearest language . . . [that] there is no doubt whatever that Muslims are a nation. As a national group in their own homelands in the north-west and eastern zones they are no less than 70 million in number. Our proposal is that in these zones we want our Independent States and we cannot agree to any constitution on the basis of democratic central government.[20]

Jinnah in the Punjab

From November onwards, Jinnah was in the Punjab for several weeks. Meeting representatives of the Dalit community from Ludhiana, he told them that in Pakistan they would be treated as equal citizens in accordance with modern ideas of citizenship as well as in the light of Islamic teachings which entreated 'that every non-Muslim minority under a Muslim government shall be treated justly and fairly'.[21] Regarding the Sikhs, he advised them that the Muslim League had no designs on them. He offered to meet their leaders to come to a reasonable settlement with them. Referring to ideas in the Punjab

IQBAL FORUM

spread by opponents of the two-nation theory suggesting that in India there were many nations and not just Hindu and Muslim nations, he vehemently opposed such reasoning, saying that only Hindus and Muslims were proper nations with their distinct homelands—all other communities were merely subgroups.[22]

He then spent some days in Lyallpur (now called Faisalabad) where, on 17 November, he spoke at the inaugural session of the Punjab Provincial Muslim League. He continued attacking the theory of multiple nations in India, asserting that only Hindus and Muslims qualified as proper nations. He met the representatives of the Christians and the Ad Dharmis (Dalits who rejected Hinduism) and assured them that they would be treated justly in Pakistan.[23] At the concluding session on 19 November he emphasized the vital importance of all Muslims uniting under the Muslim League flag. He said the Muslims might need the sword to prevent any aggression against their community. He also urged that the ban on the Khaksars should be removed and advised them to join the Muslim League.[24]

Then speaking in Lahore at several meetings, Jinnah held steadfastly to his demand that first the demand for Pakistan must be accepted by the Congress before the Muslim League could contemplate a national government comprising the Congress, the Muslim League and other parties during the war.[25]

Press conference and public meeting in Lahore, 20 November

The high point of Jinnah's Punjab visit was a press conference and later a public meeting in Lahore. He described the Quit India movement as being not only an open rebellion against the British to force their hands, but a sinister move to ride roughshod over the League's demands. When asked if he was willing to postpone the Pakistan demand until the end of the war and agree to joining a provisional government, he replied that he was amenable to it if and only if it was agreed that the Muslim League's demand for Pakistan would be honoured. Consequently, that demand had to be agreed and accepted before a provisional government could be formed.[26] When he was asked if he could agree to joining the provisional government without an agreement being reached on the establishment of Pakistan after the war, he remarked, 'My answer is that if I accept the Congress demand, I shall be signing my death warrant.'[27] He developed that

IQBAL FORUM

argument further, making it clear that first the principle of Partition should be accepted, and then other issues could be taken up.[28]

To sum up once again, Jinnah remained steadfast in his stand on partition and the creation of Pakistan. The idea of a national government during the war had been put to him several times and he insisted that the principle of Pakistan (in the north-west and the north-east as Muslim states) was first accepted before a provisional national government could assume power.

The visit to the Punjab was rounded up with a visit to the Jinnah Islamia College for Girls in Lahore. Jinnah said on 22November:

> It has now become crystal clear to the world that Indian Mussalmans are not a minority but a nation and as a nation they want to set up their Independent States . . .
>
> I am glad to see that not only Muslim men but Muslim women and children also have understood the Pakistan scheme. No nation can make any progress without the cooperation of its women. If Muslim women support their men, as they did in the days of the Prophet of Islam, we should soon realise our goal.[29]

He next went to Delhi where, at a reception given on his birthday on 25 December, he said that Pakistan was inevitable and neither the Congress nor the British government could prevent the Muslim nation from gaining statehood.[30]

Speeches and decisions during 1943

There was no let-up in Jinnah's indefatigable campaign for Pakistan during 1943. The Congress leaders and cadres were all in jail, and Jinnah and the Muslim League had access to the whole of India for their Pakistan campaign. On 30 March, he issued the following statement from Lahore on Iqbal Day:

> Iqbal was not only a philosopher but also a practical politician. He was one of the first to conceive of entire feasibility of the division of India on national lines as the only solution to India's political problem . . . He combines in himself the idealism of a poet and the realism of a man who took practical view of things.

IQBAL FORUM

> In Iqbal this compromise is essentially Islamic. In fact it is nothing but Islam.[31]

In a message dated 4 April to the NWFP Muslim Students' Federation he remarked, 'You have asked me to give you a message. What message can I give you? We have the greatest message in the Quran for our guidance and enlightenment.'[32]

Presidential address in Delhi at the 30th Session of the Muslim League, 24 April

Things were now moving successively in favour of Jinnah. He reviewed the growing popularity of the Muslim League in the various Muslim-majority provinces which were now key to winning the battle for Pakistan. He repeated the standard arguments, justifying the two-nation theory and the concomitant imperative to establish Pakistan while taking to task the Congress for opposing it and the British for not conceding Pakistan in spite of the support the Muslim League was rendering for the war effort.[33]

Attack on Gandhi

Jinnah depicted Gandhi's political life as the classic epitome of orthodox Hinduism, with its fundamental belief in caste and caste hierarchy. He quoted Seth Govind Das, a leading Congress member, as having said that the Congress Party can be compared as an organization to the Fascist Party of Italy, the Nazi Party ofGermany and the Communist Party of Russia. Das had also said that Gandhi was a leader of the same stature as Mussolini, Hitler and Stalin. Jinnah then employed his familiar rhetorical flourish and asked the audience if such a party and such a leader could represent inclusive nationalism and democracy. The response of the audience was a very loud 'No, no'.[34]

Then he told the audience:

> Ladies and Gentlemen, we learned democracy 1300 years ago. It is in our blood and it is as far away from the Hindu society as are the Arctic regions. You [Congress leaders] tell us that we are not

IQBAL FORUM

> democratic. It is we, who have learned the lesson of equality and brotherhood of man. Among you one caste will not take a cup of water from another. Is this democracy? Is this honesty? We are for democracy. But not the democracy of your conception which will turn the whole of India into a Gandhi Ashram or one society and nation will by its permanent majority destroy another nation or society in permanent minority and that is dear to the minority.[35]

He went on to explain that the reason he was not willing to agree to a national government of the type that the Congress wanted during the war was because it would mean that the governor-general, the secretary of state for India and the British Parliament would have no say in India. It would mean practically the abrogation of the Constitution (1935 Act) and the Muslim League itself sabotaging its demand for Pakistan. He said, 'Therefore, the position of the Congress is exactly the same as ever. Only it is put in different words and in a different language but it means Hindu Raj on an Akhand Hindustan basis—a position which we can never accept.'[36]

Turning to the British, he deplored that though the Muslim League had kept away from the Quit India movement, the British, instead of being grateful to him and the League, were still trying to woo the Congress, which had done all it could to paralyse the government, simply because it was the party of the major community of India. He warned that 100 million Muslims were not with the Congress and that fact could not be ignored with impunity.[37] He then reiterated his by-now standard demand:

> The Muslim League calls upon the British Government to come forward without any further delay with an unequivocal declaration guaranteeing to the Mussalmans the right of self-determination and to pledge themselves that they will abide by a verdict of a plebiscite on the lines of the resolution passed at the Muslim League sessions in Lahore in 1940.[38]

As has already been noted, Jinnah had repeatedly dispelled rumours that he wanted a power-sharing deal within a united India. Here is another incontrovertible specimen of it:

IQBAL FORUM

> There are some people who talk of some sort of a loose federation. There are people who talk of giving the widest freedom to the federating units. But they forget the entire constitutional history of the various parts of the world. Federation howsoever described and in whatever terms it is put, must ultimately deprive the federating units of the authority in all vital matter. The units, despite themselves, would be compelled to grant more and more powers to the central government, until in the end a strong central government will have to be established by the units themselves and they will be driven to do so by absolute necessity, if the basis of a federal government is accepted . . .
>
> We are opposed to any scheme, nor can we agree to any proposal, which has for its basis any conception or idea of a central government—federal or confederal—for it is bound to lead in the long run to the emasculation of the entire Muslim nation, economically, socially, educationally, culturally and politically and to the establishment of the Hindu-majority raj in the subcontinent. Therefore remove from your mind any idea of some form of such a loose federation. There is no such thing as loose federation. When there is a central government and provincial governments they will go on tightening, tightening and tightening until you are pulverised with regard to your powers as units.[39]

Jinnah's grasp of the implications of a federal form of government was impressive and he was surely well informed about the inevitable tendency of the Centre in such a form of government in acquiring powers which would strengthen its control over the federating units. The bottom line was expressed thus, 'Federation howsoever described and in whatever terms it is put, must ultimately deprive the federating units of the authority in all vital matter.' And in this speech he dispelled most forcefully any vague idea of a united India on the basis of a loose federation or even as a confederation. When Pakistan came into being, Jinnah himself threw out of the window any notion of the federating units of Pakistan being sovereign and independent as had been projected in the 23 March Lahore Resolution. He established instead a centralized government with himself personally embodying the powers of an all-powerful Centre.

IQBAL FORUM

Sind and Baluchistan

In any event, Jinnah spent several weeks of the summer of 1943 in Sind and Baluchistan campaigning for the inner unity of all Muslims against the Congress. He remarked on 3 July at the Muslim League conference in Quetta, 'Muslim League has no desire, nor it is the policy of the Muslim League that we should do anything to harm the Sardars, Nawabs, and Chiefs.'[40] He used the opportunity also to convince the minorities that in Pakistan they would be safe and their interests properly protected. To the Sikhs he said:

> I ask the minorities except and other than the caste Hindus what will be your position when Hindu Raj is established? What will happen to our Sikh friends? Where will they be? They will be a drop in the ocean. What will happen to Christians who are 5 to 6 [sic] millions. What will happen to the scheduled caste who are untouchables and are sixty [sic] millions. These are things I want you to consider. Of course, high caste Hindus will be alright because it will be nothing but the high caste Hindu Raj.[41]

As already noted, Jinnah had shunned the idea of an alternative national party comprising Muslims, the untouchables, Dravidians and other minorities. He was content with being the supreme leader of Muslims and wanted India to be partitioned to create Pakistan.

Intrusion into the Punjab

Sir Sikandar had died suddenly in December 1942. It had resulted in a tussle for leadership in the PUP which was in power at that time in the Punjab. Sikandar's son was among those who wanted to succeed; there were others too. However, Sir Khizr Hayat Khan Tiwana, another big landlord with unflinching pro-British sympathies and an abiding commitment—even more emphaticthan Sikandar's with regard to maintaining the non-communal nature of his party and government—had succeeded in that tussle. A decision to foster a proper Muslim League organization had been taken at the time of the Lahore Resolution, and since then all efforts had

IQBAL FORUM

been directed at establishing its presence in the Punjab. Jinnah had, on the basis of the Sikandar–Jinnah Pact (whose interpretation had remained ambiguous), tried to make Khizr merge the PUP with the AIML; Khizr had resisted such pressure. From Delhi, Jinnah issued an interesting statement on 24 July that after the Sikandar–Jinnah Pact of 1937:

> There is not the slightest doubt that immediately after the Sikandar–Jinnah Pact the Unionist Party in the Punjab was no more... Under the Pact a Muslim League Party was established in the Punjab Assembly and that Party was subject to the control and supervision of the All-India Muslim League and the Provincial Muslim League. Malik Khizr Hayat Khan has formed a Muslim League Ministry.[42]

By issuing such a statement, Jinnah was directly threatening the existence of the PUP and Khizr's leadership. It was arbitrary and reminiscent of how Nehru had served an identical ultimatum to the Muslim League after winning the elections in 1937. Jinnah was doing it without as yet winning an election but he could assess that the infighting over leadership within the Unionist Party played directly into his hands.

Lord Archibald Wavell takes over as viceroy on 20 October

Linlithgow had been viceroy since 1936, getting extensions against his will. Finally, he left in 1943 and Wavell was sent in as the new viceroy. He was officially installed on 20 October 1943. Wavell was no stranger to India. He had until recently been serving as the commander-in-chief of the Indian Army. His appointment surprised many. Churchill did not find him imperialist enough, though he was conservative. Interestingly, Linlithgow told Wavell that Britain intended to be in India for at least another thirty years.[43,44] Wavell doubted if that was possible. However, like Amery and Churchill, he believed that the Muslims were their best friends. Like them, he wanted to ensure that Britain's military interest in the form of bases and manpower was secured. And like them he despised the Congress.

IQBAL FORUM

Before coming to India, Wavell tried to convince the secretary of state, Amery, and the India Committee formed in 1942 under the chairmanship of Clement Attlee to permit him to call a conference to discuss with Indian leaders the formation of a coalition government willing to support the war. Prime Minister Churchill hated any talk of conceding more power to the Indians. Such an idea therefore did not receive any positive response, but he kept trying and finally got the approval of the prime minister who advised him to begin cautiously and without committing anything categorical.[45,46,47,48]

The Bengal famine

A famine had struck Bengal before Wavell took over. A Muslim League government under Nazimuddin was in power in Bengal at that time. The food shortage was not the result of any major crop failure but because of the distribution policy ordered by Winston Churchill. He directed the supply of rice to other parts of the empire rather than listening to the pleas of his ministers and Viceroy Linlithgow. Now Wavell tried to help but he received no assistance from the establishment. He wanted to dismiss the Muslim League government under Nazimuddin, which had proved to be completely incompetent, but was overruled by London.[49]

In any event, the viceroy toured Bengal and Orissa in the east and the Punjab and the NWFP in the north-west but avoided meddling in regional politics. He hosted a conference of the governors of the eleven provinces. In eight of them, governor's rule had been imposed, but in the Muslim-majority provinces (the exception was the NWFP) elected governments were functioning. Congress leaders were in jail, but Wavell released Gandhi who had fallen ill because of malaria. This had not pleased London.[50]

Jinnah on the Bengal famine

The Bengal famine of 1943, which continued till 1944, caused huge loss of life—some estimates mention 3 million deaths. Speaking in the Central Legislative Assembly on 18 November, Jinnah joined others in condemning the apathy of the British government towards the Bengal situation. He said, 'This country of 400 million souls is

IQBAL FORUM

governed virtually by two men; one is the Viceroy and Governor-General and the other is the Secretary of State for India.'[51] He said he was not defending the Bengal ministry, but only drawing attention to the fact that the actual control over India rested with the British. It is possible that the provincial government made mistakes in handling the situation, but it was the British government which controlled the supply of food and therefore it bore the main blame for the suffering of the Bengali people.[52]

Interview on 18 December given to British journalist Beverley Nichols

Beverley Nichols famously described Jinnah as 'the most important man in Asia'—he never explained the reason for such a generous superlative but there is no doubt that he was profoundly impressed by Jinnah when he met him for the interview. One reason could be that while the Congress leaders were seen as unsympathetic and opportunistic by the British for refusing to support the war against the Axis powers, Jinnah, with his cerebral attitude and very English manners, surely appealed to Nichols as he was supporting the British during the war and thus preventing any successful rebellion against colonial rule.

Nichols told Jinnah that while he always stressed that the creation of Pakistan was imperative for Indian Muslims, he had never clearly defined what Pakistan stood for. He wanted the Muslim League leader to define the 'vital principles of Pakistan'. Jinnah obliged him with the following explanation, 'In five words. The Muslims are a Nation. If you grant that, and if you are an honest man, you must grant the principle of Pakistan.'[53] Nichols then asked if he was thinking about Muslims being a nation in terms of religion. Jinnah replied:

> Partly, but by no means exclusively. You must remember that Islam is not merely a religious doctrine but a realistic and practical Code of Life. I am thinking in terms of life, of everything important in life. I am thinking in terms of our history, our heroes, our art, our architecture, our music, our laws, our jurisprudence.[54]

IQBAL FORUM

He went on:

> In all these things our outlook is not only fundamentally different but, often radically antagonistic to Hindus. We are different beings. There is nothing in life which links us together. Our names, our clothes, our foods—they are all different; our economic life, our educational ideas, our treatment of women, our attitude towards animals . . . we challenge each other at every point of the compass. Take one example, the eternal question of the cow. We eat the cow, the Hindus worship it.[55]

Jinnah then turned to Nichols and asked him if he accepted that the Muslims were a nation. The latter said, 'I do.'[56]

Then Nichols asked if Muslims would be richer in a united India or poorer in Pakistan. To that question, Jinnah characteristically retorted, 'Supposing you were asked which you would prefer . . . a rich England under Germany or a poor England free, what would your answer be?'[57]

The interview continued with other subjects being taken up and then Nichols remarked, 'The ironical thing is that your critics say that Pakistan itself is a British creation—that it is an example of our genius for applying the principle of "divide and rule".'

Jinnah replied:

> The man who makes such a suggestion must have a very poor opinion of British intelligence, apart from his opinion of my integrity. The one thing which *keeps* the British in India is the false idea of a United India, as preached by Gandhi. A United India, I repeat, is a British creation—a myth, and a very dangerous myth, which will cause endless strife. As long as that strife exists, the British have an excuse for remaining. For once in a way, 'divide and rule' does not apply.

Nichols: 'What you want is "divide and quit"?'

Jinnah: 'You have put it very neatly.'[58]

It is crystal clear that Jinnah was leveraging his position as leader of the Muslim League to reach out to British public opinion through

IQBAL FORUM

those like Nichols, who was a prominent writer and journalist. Hitherto it was mainly the Indian National Congress and especially Gandhi who were known in Britain as the representatives of Indian opinion. Gandhi even enjoyed the sympathy of sections of British society, mostly working men and women, because of the saintly aura he had acquired with his exotic, half-naked appearance wrapped in a loincloth and a loose sheet around his body, which had impelled Churchill to describe him derisively as a 'naked fakir'. Jinnah lived in a palace-like house and dressed as an English gentleman, who additionally surrounded himself with tall Pathans as his bodyguards and other retainers. This was an occasion to project himself as a man of reason and logic.

Obviously, such a charm offensive had done the trick, and Beverley Nichols was to famously describe Jinnah as the most important leader in Asia. His importance had been acknowledged by Zetland and Linlithgow, and Nichols had probably been briefed about his importance. Alex von Tunzelmann mentions that it was rumoured that a secret pact between Churchill and Jinnah went back many years, and the former had pledged to reward Jinnah with Pakistan in return for the support to the war effort.[59] However, there is no documentary evidence of it, but enough proof is in hand to establish beyond any reasonable doubt that viceroys Lord Linlithgow and Lord Wavell, who served in India when Churchill was prime minister, harboured extreme antipathy towards the INC and, by default, were pro–Muslim League. D.N. Panigrahi refers to a letter written by Churchill to his wife on 11 February 1943 in which he recommended to her to read Beverley Nichols's *Verdict on India*. He wrote:

> I think you would do well to read it. It is written with some distinction and a great deal of thought. It certainly shows the Hindu and his true character and the sorry plight to which we have reduced ourselves by losing in our mission . . . I have had for some time a feeling of despair about the British connection with India and still more about what would happen if it is suddenly broken . . . I agree with the book and also with its conclusion—Pakistan.[60]

IQBAL FORUM

Karachi, presidential address at the 31st session of the Muslim League, 24 December

The Sind Provincial Muslim League had adopted a resolution in favour of Pakistan in 1938. It was the first of the provincial legislatures to adopt such a resolution, which later culminated in the Lahore Resolution, the official declaration for separate Muslim states in India. A new viceroy, Lord Wavell, had taken over and Jinnah took the opportunity to remind him that his predecessors, beginning with John Bright (1858), were fully aware of the fact that India could not be governed forever from London and that the British would have to go one day. He remarked, 'After 85 years we are now impressing upon the successors to those great British statesmen that the only way, the only honest way, for Great Britain is to divide and quit.'[61] Nawabzada Liaquat Ali Khan had been elected as the honorary general secretary of the Muslim League in 1936. In 1943, he was re-elected at the Muslim League session in Karachi and remained so till 1947. Jinnah praised his services to the Pakistan cause as outstanding. He described Liaquat as his right-hand man.[62]

In the concluding session attended by Khojas, Memons, Bohras, Pathans and other sects and nationalities, Jinnah observed that the reason why such diverse sections of the Indian Muslim community were now behind the demand for Pakistan was Islam. He said, 'It is the Great Book, Quran, that is the sheet-anchor of Muslim India. I am sure that as we go on there will be more and more oneness—one God, one Book, one Qibla, one Prophet and one Nation.'[63]

Gowher Rizvi observes:

> After the arrest of the Congress leaders in August 1942, political activities in India came to a standstill. The Congress was outlawed for three years, its ablest cadres imprisoned, its funds seized and organization virtually broken. In this peculiar vacuum the Muslim League flourished . . . All over India there was an upsurge of the League's strength. Sixty-one by-elections were held for Muslim seats in the legislatures during 1937–43, and of those 47 were won by the Muslim League, 10 by independent Muslim, and only 4 by the Congress.[64]

IQBAL FORUM

The tables had turned in favour of Jinnah and the Muslim League.

Speeches and decisions during 1944

In an interview given to the Associated Press in Karachi on 5 January 1944, Jinnah said categorically:

> I mean a partition in terms of the Lahore Resolution of 1940 that the provinces in which the Mussalmans are in a majority should form themselves into an independent state, and the rest of India—which is three-fourths Hindustan. There the provinces would be at liberty to form themselves into an independent state, so that there will be two independent states, Pakistan and Hindustan.[65]

Interview in New Delhi to Stewart Emen, of the *News Chronicle* of London, on 29 February

Jinnah was now using all opportunities to influence British opinion in favour of his demand for Pakistan. The interview consisted of a long series of questions and answers in which the bottom line of Jinnah's stand was that if Britain was sincere about giving freedom to India it must 'frame a new constitution dividing India into two sovereign nations—Pakistan for Muslims representing one-quarter of the country and Hindustan for Hindus, who would have three-fourth of all India'.[66] He expressed with optimism that if the British government were to make such an announcement, the Congress leaders would accept it in three months.[67]

Aligarh Muslim University: Foundation of Pakistan laid when first Indian converted to Islam (8 March 1944)

The link between Islam and Pakistan was firmly and inextricably made by Jinnah on the invitation of Aligarh Muslim University vice chancellor, Dr Ziauddin, and in the presence of British and American correspondents. After the 22 March 1940 speech in Lahore, the address to Muslim dignitaries and foreign correspondents at Aligarh was the most powerful elucidation of the ideology underpinning

IQBAL FORUM

Muslim separatism. The *Dawn* of 10 March 1944 reported it in these words:

> Pakistan, the Quaid-e-Azam remarked, was not the product of the conduct or misconduct of Hindus. It had always been there only they [Muslims] were not conscious of it . . . Tracing the history of the beginning of Islam in India, he proved that Pakistan started the moment the first non-Muslim was converted to Islam in India, long before Muslims established their rule. As soon as a Hindu embraced Islam, he was an outcast not only religiously but even socially, culturally and economically. As for the Muslim, it was a duty imposed on him by Islam not to merge his identity and individuality in any alien society. Throughout the ages, the Hindus had remained Hindus and the Muslims had remained Muslims, and they had not merged their entities—that was the basis for Pakistan.[68]

So, while the main thrust of Jinnah's strategy was to instil fear in Muslims that in a united India, Islam would be annihilated, here, he was reiterating another reason for demanding Pakistan: it was not the Hindus' bad conduct towards the Muslims but the creation of a separate state was an article of faith for Muslims. He was deploying a range of arguments to justify the demand for Pakistan.

Continuing the momentum, Jinnah spoke on 10 March at a meeting of the Aligarh Muslim League in favour of Muslims setting up their own industries and production and underlined the need to liberate Muslim women. He observed, 'I wish to impress on you that no nation can rise to the heights of glory unless your women are side by side with you. We are victims of evil customs. It is a crime against humanity that our women are shut up within the four walls of the houses as prisoners.'[69]

From Aligarh Jinnah came to Lahore, where, on 19 March 1944 at the concluding session of the Muslim Students' Federation Conference, he stressed strongly that Islam alone is the basis of Muslim solidarity. He severely criticized arguments that the Hindu and Muslim Jats in the Punjab were one people. He asserted that the Prophet (PBUH) himself had abolished such distinctions: 'Our bedrock and sheet-anchor is Islam. There is no question of even Shias and Sunnis.

IQBAL FORUM

We are one and we must move as one nation and then alone we shall be able to retain Pakistan.'[70]

Communists warned

In the aftermath of the 1940 Lahore Resolution, the Communist Party, which had been the most outspoken critic of communalism, began to be attracted to the Muslim League's call for self-determination. It opposed the idea that India was one nation; it recognized instead several nationalities in which both language and religion were included, and applying that to Muslims, it concluded that they too were entitled to the right of self-determination in areas where they were in a majority. The right of self-determination entitled the nationalities to the right to secede. The presumption was that if the Congress were to accept such a right for the Muslims, then a Congress–League alliance against imperialism could be forged to struggle together towards freedom. It would also encourage the Muslim League to voluntarily agree to remaining a part of the Indian union.[71]

Such convoluted reasoning derived from a revisionist interpretation of the concept of nation and nationalities. The right of nations to self-determination had been granted in the Soviet Constitution, entitling the federating nations, which constituted the United Soviet Socialist Republics, to secede from the USSR if they wanted. Such fiction had no chance of being realized because under Stalin it was believed that a strong Soviet State was imperative to serve as the pivot of world communism, and the terrible experience of Napoleon, the encirclement of the Soviet Union by Western powers and, later, Hitler's invasions rendered retaining territory an absolute prerequisite for the future of communism. However, CPI theorists such as Dr Gangadhar Adhikari and P.C. Joshi considered it the incentive that the Muslim League would accept and thus not demand separation from the rest of India.[72] The Communist Party's stand was fundamentally flawed because, according to the Marxist concept of nationality, nation and nationalism, religion as the basis of nation-ness was inadmissible. Marx, Engels, Lenin, Stalin, Trotsky—all were agreed on that. The Marxist theory of nationalism recognized language, shared territory, a viable economy and a distinct national culture as the prerequisites for a group of people qualifying as a nation. Moreover, Stalin, to

IQBAL FORUM

whom the CPI deferred for international leadership, had talked about the right of self-determination only for nations which could sustain themselves economically, whereas nationalities and nation groups were to be granted merely substantial autonomy. Religion as the basis of nation was rejected because it meant that Russian, Polish and German-speaking Jews were excluded from those big nations on the basis of religion (combined with separate ethnicity), thus creating an incongruence between nation and territory. On the other hand, the Jewish Bund, which represented Jewish workers, had claimed that since the Jews had suffered comprehensive persecution through the centuries they constituted a separate nation. Lenin had accepted that Jewish oppression qualified them as a nation, but his advice to them was to assimilate with other workers to bring about the proletarian revolution.[73] The orthodox communist standpoint on nation and nationalism, rejecting religion as the basis of nation and recognizing nations as only those large linguistic–cultural configurations which had attained economic viability was set forth by Stalin in 1913.[74]

Adhikari had deviated from that fundamental thrust of orthodox communism in two important ways. One, because he recognized religious communities including Muslims and Sikhs as nationalities; two, they were nationalities and not nations: as nationalities they could at most claim autonomy but Adhikari had ignored that distinction. If at all anyone qualified as a nation entitled to a separate state it was the Dalits, but their tragedy was that they were nowhere in a majority. In any event, upon such a basis 'Muslim communists' had been instructed to join the Muslim League, including Danial Latifi, who had formulated a radical manifesto on behalf of the Punjab Provincial Muslim League and provided the League with 'a direly needed progressive streak'.[75]

Jinnah's warning to communists

Jinnah, however, was very wary of communist infiltration. He was an avowed champion of private property and initiative, and his phenomenal wealth derived to a large extent from taking up civil suits on behalf of the rich and privileged. He therefore minced no words to warn them:

> The Communists think we are fools. There is some justification in their thinking like that. But they are mistaken . . . Hands off!

IQBAL FORUM

> Hands off! I say Communists Hands off!!! . . . We do not want any flag except the League flag Crescent and Star. Islam is our guide and a complete code of life. We don't want any red or any yellow flag. We don't want any isms, socialism, communism or national socialism.[76]

Jinnah and the ministries of Bengal, Sind and the Punjab

Jinnah's star was on the rise, and while the Congress sat in jail, he now turned his attention to extending greater control over the Muslim-majority provinces. In rural Bengal, class differences coincided with religious differences. The landlords were mostly upper-caste Hindus, while the toiling peasantry was Muslim. The 1905 partition of Bengal and later its annulment in 1911, sharpened class and religious differences in the long run and led to the communalization of Bengal politics.[77] A.K. Fazlul Haq was a prominent lawyer and legislator. He had a long political career on the left side of the political continuum; he nurtured social democratic ideas, but his constituency was made up of small farmers and the poor peasantry, mostly Muslims. He held the office of president of the Muslim League as well as general secretary of the Indian National Congress in 1918. However, Bengali Muslim politics was always ridden with factions.

Haq founded the Praja Party (People's Party) in 1929 and later renamed it the Krishak Praja Party (Farmers and People's Party) to broaden the social base and contested the 1937 provincial election. It won most Muslim reserved seats and formed a coalition government with the Muslim League, although his first choice was the Congress Party. Jinnah accorded him the honour of moving the 23 March 1940 resolution in Lahore. However, their relations were strained when, without seeking Jinnah's approval, he, along with Sir Sikandar of the Punjab and Sadullah of Assam, joined Linlithgow's National Defence Council. Jinnah ordered them to resign. Sikandar and Sadullah complied but Haq had refused. Thereupon, Jinnah expelled him. In those days, despite Jinnah's precondition that the British make a commitment to create Pakistan, which they were not willing to concede categorically, it was important for them not to antagonize Jinnah. Consequently, the Bengal governor and the viceroy did not back Haq. Thus began a leadership contest among

IQBAL FORUM

Bengali Muslim leaders. Huseyn Shaheed Suhrawardy and Khawaja Nazimuddin were against Haq. Jinnah fully backed the anti-Haq forces. Government policy was geared to consolidating Jinnah and the centralized leadership of the Muslim League. By 1943, Haq had been isolated and the Bengal Muslim League fully brought under the control of Jinnah.[78]

In Sind, wrangling between different Sindhi leaders provided Jinnah the advantage to be the arbiter in such disputes. However, Allah Bakhsh Soomro came out strongly against Jinnah after the 23 March 1940 resolution. He had been instrumental in arranging an alternative platform to Muslims who were opposed to the partition. Soomro had supported the Quit India movement and given up his title of 'Khan Bahadur' conferred upon him by the British. He was asked to resign from the ministry. Sir Ghulam Hussain Hidayatullah was appointed the chief minister. Sir Ghulam joined the Muslim League.[79]

Jinnah expels Khizr

Jinnah was in the Punjab in 1944. It may be recalled that it was the province he coveted most, and knew that unless he was able to bring it under his control, the Pakistan demand stood no chance of being realized. Sir Khizr had been trying to prevent that from happening but many Unionists had begun decamping to the Muslim League. Jinnah, as noted earlier, had taken the position that after the 1937 Sikandar–Jinnah Pact was signed, the PUP virtually ceased to exist and therefore those Unionists who had been elected to the Punjab Assembly were in actual point of fact members of the Muslim League. This was rejected by Khizr who maintained that the membership in the Muslim League did not entail the liquidation of the PUP. Jinnah rejected Khizr's interpretation and said:

> The creed of the so-called Unionist Party is Dominion Status and a united Democratic Federal Constitution for India as a whole. Its policy and programme are mainly in the interest of one class—the zamindars—whereas the Muslim League is the people's party and the custodian and Trustee of all interests and classes that constitute the Muslim nation . . . Those members of

IQBAL FORUM

> the Muslim League Party if they are under the impression that they are bound by the creed, policy, and programme of the so-called Unionist Party are wrong . . . You cannot owe allegiance to two political parties. There can be no divided loyalty, so far as the League is concerned.[80]

Such categorical positioning meant an ultimatum was delivered to Khizr, who decided to defy Jinnah. He was expelled from the Muslim League; many from his party decamped and joined the Muslim League.[81]

Contacts between the Muslim League and the Congress

While most Congress leaders were in jail since the launch of the Quit India movement, C. Rajagopalachari, popularly known as Rajaji, had opposed the Quit India movement and was therefore free. Gandhi used Rajaji's good offices to contact Jinnah to reach a settlement with him on the future of India. During April 1944, Rajaji and Jinnah exchanged letters. As a result, a 'C.R. formula' was formulated by Rajaji, 'C.R.' standing for C. Rajagopalachari's initials. Its salient points were:

1. The Muslim League was to endorse the Congress demand for independence.
2. The League was to cooperate with the Congress in forming a provisional government at the Centre.
3. After the end of the war, the entire population of the Muslim-majority areas in north-west and north-east India was to decide by a plebiscite whether or not it wanted to form a separate sovereign state. In principle, it meant that non-Muslims in those areas where they were in a majority could demand separation from Pakistan. This idea had been floated already by Dr Ambedkar in 1940.
4. In case of Partition being voted for by the Muslims in their majority areas, an agreement was to be made for the joint safeguarding of defence, commerce, communications and other related subjects between India and Pakistan.
5. The above terms were to be operative only if Britain transferred full powers to India. In other words, the partition of India was

IQBAL FORUM

> to take place after the British had transferred power to the provisional central government.[82]

Jinnah expressed satisfaction that, via Rajaji, Gandhi had now acknowledged that the demand for Pakistan was a compelling one, but he rejected the C.R. formula. He took exception to the suggestion that non-Muslims should also vote in the plebiscite in the Muslim-majority areas to express their views on whether they wanted to be placed in Pakistan or not. Jinnah wanted Bengal and the Punjab to be given to Pakistan, as a whole, if the Muslims voted in favour of partition. Moreover, he was not willing to consider any idea of joint defence and commerce and so on. Consequently, he rejected the proposals in the following words: 'As regards the merits of the proposals, Mr. Gandhi is offering a shadow and a husk, maimed and mutilated, and moth-eaten Pakistan, and thus trying to pass off as having met our Pakistan scheme and the Muslim demand.'[83]

Jinnah–Gandhi talks, Bombay, 9 September–27 September

Notwithstanding the rejection of the C.R. formula by Jinnah, Gandhi persisted with his efforts to reach some understanding with him on Pakistan. Wavell had released Gandhi because the British too were interested in a settlement, which they could then use as a basis for their own position on the future of India. Jinnah met the Muslim League Working Committee in Lahore in July 1944 to inform its members about the forthcoming talks with Gandhi. In the wake of the C.R. formula, Jinnah was confident that the Congress had agreed to partition. Jinnah was not only life president but also chairman of the Muslim League Working Committee. He had prepared a long address which was endorsed by the committee. It basically demanded the partition of India to create Pakistan. According to Jinnah's private secretary, K.H. Khurshid, Jinnah was upbeat and said, 'Suffice it to say that Mr. Gandhi has now accepted the principle of the vivisection of India.'[84]

Jinnah met Gandhi on 9 September, but a meeting on 10 September was cancelled because it coincided with the day when Ali, the son- in-law of Prophet Muhammad (PBUH), was assassinated. For Khurshid, this was puzzling, but he thought that since Jinnah was a Shia and some

IQBAL FORUM

Muslims in Bombay had advised him to abstain from treating such a day as a normal day, he had complied. A few days later was the 27th Ramadan, Shab-e-Qadr, a far more popular holiday for Muslims because the Quran was revealed on that day. Jinnah made Gandhi listen to Khurshid tell him about the importance of that day.[85]

Jinnah, it seems, was keen to underscore that Muslims had a distinct identity and way of life and were a separate nation. Khurshid remarks that Gandhi listened with an expressionless face. The private secretary describes Gandhi's response negatively, but more likely is the case that Gandhi was already well informed about Islam and used Quranic verses along with excerpts from other sacred texts in his daily prayers. He probably sensed that Jinnah's enthusiasm for Islam was political rather than a change of heart towards piety. Jinnah was still having his drink regularly. It is worth noting that no evidence exists that Jinnah ever participated in the main Shia Ashura, or Muharram mourning ceremony, though he began to attend celebrations for Prophet Muhammad's (PBUH) birthday, a Sunni practice, and even participated in Friday prayers with Sunnis on a few occasions.

In any case, Gandhi visited Jinnah altogether fourteen times from 9–27 September at his Malabar Hill residence. The negotiations included direct talks as well as the exchange of letters. However, these led nowhere. The position taken by Jinnah in the exchange of views with Rajaji remained the same, with no change. He wanted a commitment from Gandhi based on the Lahore Resolution, which he explained meant the creation of Pakistan as a separate state and that included a partition.[86]

Gandhi wrote to him that he was approaching him in his private capacity. The reason was that some leaders in the Congress Party, including Azad, were not in favour of the initiative because they felt it was an act of appeasement—it would not only confer on Jinnah the status of sole spokesman of Indian Muslims but would also make him more intransigent on his stand on Partition and the creation of a separate Pakistan. Gandhi wanted Jinnah to agree to join a provisional national government until the British left India; thereafter, through a plebiscite it could be ascertained if the people in the designated Pakistan area, including those areas of Bengal and the Punjab where Muslims were in a majority, wanted to separate from the rest of India. It was a reiteration of the position that Rajaji had taken that

IQBAL FORUM

the claim to territory for Pakistan could entail a plebiscite in which Muslims and non-Muslims would participate, and if the lattervoted for the separation of those parts of Bengal and the Punjab which were Hindu–Sikh majority, that would be done. Jinnah was adamant that only Muslims could vote in such a plebiscite.

Gandhi questioned the two-nation theory based on religion, asserting that a mere change of religion did not mean one's nationality would also change. He argued that all Indians, whatever their religion, were part of one big family. However, he was willing to recommend to the Congress to agree to the Pakistan demand, provided a commission approved by the Congress and the Muslim League demarcated the areas claimed by the Lahore Resolution for Pakistan, and its inhabitants voted in favour of its separation from the rest of India to establish a sovereign, independent Pakistan after the British had left. Another treaty would be reached between the two states on matters of common interests such as the administration of foreign affairs, defence, internal communication, customs and commerce.[87]

In a letter dated 25 September 1944, Jinnah argued:

> You have already rejected the basis and fundamental principles of Lahore Resolution: 1) You did not accept that the Muslims of India are a nation. 2) You do not accept that the Muslims have an inherent right of self-determination. 3) You do not accept that they alone are entitled to exercise this right. 4) You do not accept that Pakistan is composed of two zones, north-west and north-east, comprising six provinces, namely, Sindh, Baluchistan, the North-West Frontier Province, the Punjab, Bengal and Assam subject to territorial adjustments.[88]

The same day, 25 September, Gandhi wrote to Jinnah, requesting him not to reject his offer. He pleaded:

> Do not take, I pray, the responsibility of rejecting the offer. Throw it on your Council. Give me an opportunity of addressing them. If they feel like rejecting it I should like you to advise the Council to put it before the open session of the League, if you will accept my advice and permit me, I would like to attend the open session and address it.[89]

IQBAL FORUM

The following day, Jinnah wrote back, thanking him for the advice, but added:

> With regard to your suggestion to be allowed to address the meeting of the Council and if they feel like rejecting your 'offer', the matter should be put before the open session, let me inform you that only a member or delegate is entitled to participate in the deliberation of the meeting of the Council or in the open session respectively.[90]

In practical terms, Jinnah was saying that since Gandhi was a Hindu and therefore neither a member nor a delegate, he could not be invited to address the Muslim League Council. Jinnah had found a basis for denying him a chance to present his case before the Muslim League. Some follow-up correspondence followed, but the talks ended in failure on 27 September.

The blame game about the Partition and the bloodshed and upheaval it caused continues to be discussed and debated. Gandhi's offer was reasonable. To insist that only Muslims could vote in the plebiscite on Pakistan and, on such a basis, claim the whole of Bengal and the Punjab, was neither logical nor morally justified. The Lahore Resolution to which Jinnah referred had notoriously used vague language about Muslim-majority areas. Moreover, the Pakistan that Jinnah finally got was exactly what Gandhi had offered. Had a peaceful agreement been reached, perhaps the havoc the Partition riots wreaked on millions of innocent people could have been avoided. Lord Wavell, who admired Jinnah and hated Gandhi, came to the same conclusion. He said Jinnah was getting the same deal in 1944 which finally also became the basis for the demarcation of the border between India and Pakistan.[91]

On 4 October, Jinnah spoke at a press conference about his talks with Gandhi. He covered many areas reviewing his talks with Rajagopalachari and Gandhi and blamed them for not accepting his legitimate demand on behalf of the Muslim nation to agree to the creation of Pakistan as demanded in the Lahore Resolution. He ridiculed Gandhi's argument that the third party, the British, complicated matters. He described the idea of a provisional government for independent India as a cunning move to prevent the establishment of Pakistan. He wanted first an agreement on the partition of India to create Pakistan.

IQBAL FORUM

He then applied his usual sarcasm to describe Gandhi: 'In one breath Mr. Gandhi agrees to the principle of division, and in the next he makes proposals which go to destroy the very foundations on which the division is claimed by Muslim India. On the one hand he wants a League–Congress agreement, and on the other he denies its representative character and authority to speak on behalf of the Mussalmans of India. Mr. Gandhi is an enigma.'[92] He repeated that the territorial adjustments the Lahore Resolution had proposed meant 'that the division should be on the basis of present boundaries of the six provinces, namely N.W.F.P, the Punjab, Sind, Bengal, Assam and Baluchistan',[93] and that 'territorial adjustments did not apply to one side only but on both sides, Hindustan and Pakistan'.[94]

He continued:

> If the principle of division was accepted then it followed that both Hindustan and Pakistan would have to choose their own constitution make [making] bodies. Those bodies as representing two sovereign states would deal with questions of mutual and natural relations, and obligations by virtue of the physical contiguity and they would then as two independent sovereign states—two nations—would come to agreement on various issues.[95]

The Hindu Mahasabha was relieved because the talks had ended in failure. In terms of prestige, Jinnah was the main gainer. At long last, Gandhi had conceded that Jinnah was the supreme leader of Muslims, even when he did not accept his two-nation theory and rejected the partition being agreed on Jinnah's terms. Khurshid claims that Jinnah told Gandhi, 'You remain quiet and do not talk about your non-violence stuff. The League shall fight the British. We will know how to deal with them.'[96] Jinnah had started making such remarks in public meetings and in his press conferences and interviews to foreign correspondents to emphasize the martial nature of Muslims in contrast to the docility of Hindus, and it should not be surprising that this is what he said to Gandhi. The context was that World War II was still raging and hence the importance of emphasizing the martial qualities of Muslims.

Jinnah told a foreign correspondent on 6 October:

> There is only one practical, realistic way of resolving Muslim–Hindu difference. This is to divide India into the two sovereign

IQBAL FORUM

> parts of Pakistan and Hindustan by the recognition of the whole of the North-West Frontier Province, Baluchistan, Sind, Punjab, Bengal and Assam as sovereign Muslim territories *as they now stand* (emphasis added), and for each of us to trust the other to give equitable treatment to Hindu minorities in Pakistan and Muslim minorities in Hindustan, we are willing to trust 15 million Muslims to them if they will trust us . . . No power can frustrate our coming to any agreement in ten minutes if the Muslim claim to complete independence is recognised.[97]

On his part, Wavell wrote on 3 October on the failure of the talks to the secretary of state, Leo Amery, that the two-nation theory precluded the possibility of an all-India federation, even with minimal powers. Jinnah wanted sovereign Muslim states based on the existing provincial boundaries. He further stated that Jinnah 'wants Pakistan first and independence afterwards'.[98] Amery replied that negotiations between the two adversaries were doomed. He considered Jinnah's demand for Pakistan through Partition completely unrealistic because Jinnah could not have his cake and eat it too—have India partitioned as well as get all of Bengal and the Punjab against the will of minorities in those provinces. Instead, he came up with a drastically new idea on how to solve the Indian problem. He wrote:

> The conclusion I draw . . . is that instead of making Indian agreement an essential pre-requisite to full self-government vis-à-vis Whitehall, we should go the other way about and concede independence in the fullest sense as a prerequisite to an internal settlement in India . . . what I believe would be the real solution would be to declare here and now that we recognise India as enjoying the full freedom status enjoyed by the Dominion under the Statute of Westminster, i.e. full equality with ourselves, and no power to legislate for Indian affairs from here except at the request of the Indian Government. You may think the ideas widely [wildly] fantastic and I am afraid they would certainly seem to the Cabinet. Winston from his point of view would violently oppose what he calls 'being kicked out of India'.[99]

IQBAL FORUM

Amery had disagreed with Churchill on his apathy towards the Bengal famine, but this was going too far. No such decision was taken by HMG. During the rest of 1944 Jinnah continued with his argument that Indian Muslims would not settle for anything less than complete independence as well as reaching out to Muslim entrepreneurs to support for demand for Pakistan. He said that the ideal economic system before the Muslim League should 'not be capitalistic but Islamic, and the interests and welfare of the people should be kept constantly in mind'.[100]

The war was still going on, but with American resources and manpower now at the disposal of the Allied forces, the defeat of the Axis powers was only a matter of time. Jinnah had said that he did not look to the Congress to get Pakistan but to the British. That reality remained unchanged. Most Congress leaders were still in jail, so Jinnah had a field day consolidating his hold over the Muslim-majority provinces. The Congress's claims to represent all Indians were overstated, but Jinnah still had to prove that he enjoyed the support of the Muslims. The Muslim League had won most by-elections but without a general election validating his claim to be the supreme leader of Indian Muslims, this was still unproven.

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IQBAL FORUM

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IQBAL FORUM

Chapter 11

Jinnah's Relentless Election Campaign for Partition and Pakistan



At the beginning of 1945, there was no ambiguity about what Jinnah wanted: it was the partition of India with a view to creating Pakistan. The British policy was clear from a directive issued on 22 January by the War Cabinet to Wavell:

> The declarations of His Majesty's Government in favour of the establishment of a self-governing India as an integral member of the British Empire and Commonwealth remains our inflexible policy. You will make, as occasion warrants, any proposals which you may consider may achieve that end.[1]

However, in the triangular game that was going on about the future of India, a fourth party had gained influence: the United States of America. Since the Atlantic Charter of August 1941, American pressure had been growing in favour of India being granted independence. In American calculations, a united India would be able to withstand communist threat, which they believed was going to emerge in Asia and not from the Soviet Union. That threat was posed by the Chinese communists who were fighting the nationalists who enjoyed US support.[2] It was under such circumstances that we need to examine Jinnah's unrelenting efforts to win the game.

During January and the third week of March 1945, Jinnah attended to political conflicts between different Muslim politicians

IQBAL FORUM

and factions in Sind, addressing Muslim meetings in Ahmedabad, Gujarat, Hyderabad, the capital of Hyderabad state, and other miscellaneous issues. He had quietened virtually all opposition to him from regional leaders, while nationalist Muslims in the Congress or outside had been denounced by him as traitors to Islam and Muslims.

The Desai–Liaquat parleys

Nawabzada Liaquat Ali Khan, the honorary secretary of the League, was, like Jinnah, a member of the Central Legislative Assembly. Sometime in 1944, Congress leader Bhulabhai Desai and Liaquat reportedly began to discuss a power-sharing formula for a national government during assembly sessions. Desai passed on a chit to Liaquat suggesting a 40:40:20 power-sharing deal. The 20 per cent was for the minorities such as the Sikhs and the Scheduled Caste Hindus. He claimed that Gandhi was willing to accept it and that Jinnah had been kept informed behind the scenes. The War Cabinet took great interest in the Desai–Liaquat talks.[3] However, on 22 January, Jinnah disclaimed that he had authorized any negotiations between Desai and Liaquat, and that if both had been talking to each other, it must be in their private capacities.[4]

On 22 March 1945, in a statement issued on Pakistan Day, Jinnah laid to rest all speculations about his political goal and objectives:

> In Pakistan lies our deliverance and honour. If we fail, we perish and there will be no sign or symptom of Muslims or Islam left in this sub-continent . . . No sacrifice should be considered too great. We shall never accept any constitution on the basis of a united India.[5]

Wavell in Britain

Meanwhile, Wavell left for Britain on 23 March to discuss with the government an idea to call a conference of Indian leaders to discuss the future Constitution of India. The idea was to create a new Executive Council representing public opinion. Hitherto, members of the Executive Council were chosen by the British. Wavell's preference was that apart from him as viceroy and the commander-in-chief,

IQBAL FORUM

the rest should be Indians. There was little enthusiasm for his idea of a conference. Churchill kept him waiting but Wavell met other members of the War Cabinet. They sought clarification as to the role of the governor-general in such a provisional government. Would he be able to override the decision of his Executive Council or hold only ceremonial powers? Wavell told them that the 40–40 balance between the Congress and the League would prevent the Executive Council from overriding the governor-general. Moreover, the veto power he enjoyed under the 1935 Constitution would remain his prerogative; the Muslims would be alarmed if he were to surrender it because they would see in such a move the domination of Hindus in the central government; therefore, he was not willing to forgo it. Wavell was advised that whatever proposals the cabinet agreed on should be confined to British India. Moreover, it was emphasized that military control over India should remain with Britain for another twenty years.[6,7]

The war in Europe ended on 9 May. It also resulted in the dissolution of the coalition government and, instead, a caretaker Conservative government came to power, led by Churchill. Churchill remained sceptical about the need for any constitutional initiative, but after some prevarication agreed to see Wavell. It resulted in the government agreeing to his idea to call a conference.[8] On 14 June, the secretary of state, Amery, presented the plan in the House of Commons, while in India Wavell presented it in a radio broadcast. It included the following main points:

1. The Viceroy's Executive Council was to be reconstituted forthwith.
2. There was to be parity in representation to caste Hindus and Muslims.
3. Scheduled Caste Hindus, Sikhs and other minorities were to be given representation in the Council.
4. Except the viceroy and the commander-in-chief, all othermembers were to be Indian.
5. The defence of India would remain in British hands until power was ultimately transferred to Indians.
6. The viceroy would convene a meeting of Indian politicians at which they would nominate members of the new council.

IQBAL FORUM

7. If the plan were to be approved by the central government, then similar councils of local political leaders would be formed in all the provinces.
8. None of the changes suggested would in any way prejudice or prejudge the essential form of the future permanent Constitution of India.[9]

Simla Conference: 25 June–14 July 1945

The Simla Conference began on 25 June with a short speech by the viceroy in which he explained that the proposals he had made should be accepted if the conference was to succeed. The viceroy had invited a broad spectrum of opinion and among those who attended were, notably, Maulana Abul Kalam Azad, Bhulabhai Desai, Gandhi, Jinnah, Liaquat, Sir Khizr, Khawaja Nazimuddin, C. Rajagopalachari, Ghulam Hussain Hidayatullah, Sir Sadullah, Pandit Pant and Master Tara Singh.[10] Only the Hindu Mahasabha had not been invited. Churchill had earlier recommended that the Hindu Mahasabha should be invited to the conference, but he was no longer in power. Wavell decided not to invite the Mahasabha leader, Syama Prasad Mookerjee, to the conference on the grounds that not only was he bitterly communalist but also that during the war he published several articles which were anti-British and pro-German.[11]

The idea of parity between caste Hindus and Muslims in the 40–40 proportion caused some concern. Gandhi objected to the distinction between caste Hindus and the Scheduled Castes. Azad, speaking on behalf of the Congress, underlined that the Congress Party was a non-communal organization, while Jinnah retorted that it was a Hindu party in which some Muslim dummies were also present. After the preliminaries on 26 June it was agreed that there should be an equal number of Muslims and Hindus other than those belonging to the Scheduled Castes. However, such an agreement did not result in progress on the list of names of those to be included in the Council. On 29 June, Jinnah gave a press conference explaining the Muslim League's standpoint. He asserted that although he had full sympathy for the Scheduled Castes, the Muslim League could not count on their

IQBAL FORUM

support because they, too, shared the same goal as the rest of Hindu society: a united India.[12]

About the Sikhs he wrote, 'As regards the Sikh representation, they are already opposed to dividing India and their political idea and goal are the same as those of the Congress. And so, they are not likely to have any particular bias for us. As to any other community I do not know.'[13] He then noted that there will be two British members, the commander-in-chief and the viceroy. Such a composition would enable the Congress to command a majority.[14] He objected to the Congress nominating Muslims to the council. He also opposed the British nominating a Muslim to it. He claimed that the Muslim League represented 90 per cent of Muslims. Therefore, he asserted that 'the Muslim League alone and nobody else is entitled to give the names for the entire Muslim bloc to the Viceroy'.[15] On 30 June, Jinnah told Preston Grover of the Associated Press of America that Gandhi should drop the present conference and instead work out with the Muslim League a new arrangement in which the creation of Pakistan should be an accepted arrangement.[16]

The conference then adjourned for consultations. Wavell informed the governors that Jinnah was not agreeable to non–Muslim League Muslims being nominated to the Council, and if that were so, he did not consider it practical to form a new Executive Council in which the Muslim League was not represented. The NWFP governor, George Cunningham, telegrammed Wavell, informing him that in his province there would be objections to Jinnah nominating all Muslims.[17] From Sind, Governor Hugh Dow came down harshly and said, 'In my opinion if Jinnah is intransigent, attempts should be made to form the Executive Council without the Muslim League.'[18] From the Punjab, Governor B.J. Glancy sent similar feedback, saying, 'Jinnah's claim to nominate all Muslims appears to me in light of the League's meagre hold on Muslim-majority Provinces to be outrageously unreasonable.' However, he added, 'I agree with you that it would be inadvisable if Jinnah maintains his present attitude to attempt forming the Council without League representation. This would place Congress in an unduly dominating position.'[19]

IQBAL FORUM

In another telegram, he informed Wavell that the Punjab premier, Khizr, wanted the viceroy to quickly nominate a non-League Muslim as a fait accompli, so that Jinnah had no chance of persisting with his objection to it.[20] Bengal governor, Richard Casey, took a different line. He began by agreeing that it would not be worthwhile forming a council without the Muslim League. He thought that the Bengali Muslim Leaguer Khawaja Nazimuddin would solidly stand behind Jinnah if he were to refuse to accept a Congress-nominated Muslim member of the Council.[21] Governor Andrew Clow of Assam suggested that if the Muslim League were not to cooperate, then the viceroy should nominate 'one Caste Hindu and one Muslim who are not members of either Congress or League'.[22]

In any event, Congress president, Maulana Azad, submitted a list on 7 July of its nominees to the Council. It included from the Congress: Abul Kalam Azad, Jawaharlal Nehru, Vallabhbhai Patel, Rajendra Prasad and Asaf Ali. From the Muslim League, Jinnah, Liaquat Ali Khan and Nawab Mohammad Ismail Khan were nominated. Jinnah wrote to Wavell on 7 July that the Muslim League Executive Council had taken the position that all Muslim members of the Council should be from the Muslim League and that he had no list of names to be submitted until that demand was granted. That resulted in an impasse.

On 14 July, the conference broke down. It stalled on the ideological question of Muslim representation, because Jinnah would not let either the Congress or the government nominate a Muslim, claiming it to be the prerogative only of the Muslim League. In a long report, Wavell reviewed the events leading to the failure of the 1945 Simla Conference. Wavell blamed both Azad and Jinnah for sticking to their respective stands. Some observations he made are interesting:

> Jinnah is narrow and arrogant, and is actuated mainly by fear and distrust of the Congress. Like Gandhi he is constitutionally incapable of friendly co-operation with the other party. Azad is an old-fashioned scholar with pleasant manners . . . His main object is to get even with Jinnah and the League Muslims who despise him as a paid servant of the Congress . . . Nehru is an idealist, and I should say straight and honest. Having devoted most of his life to agitation, he is probably not very practical, but he would be more likely to make friends with the Muslims than any other Hindu leaders I have seen.[23]

IQBAL FORUM

He then concluded:

> The immediate cause of the failure of the conference was Jinnah's intransigence about Muslim representation and Muslim safeguards. The deeper cause was the real distrust of the Muslims, other than nationalist Muslims, for the Congress and the Hindus. Their fear that the Congress, by parading its national character and using Muslim dummies will permeate the entire administration of any united India is real and cannot be dismissed as an obsession of Jinnah and his immediate entourage . . . The failure of any political move narrows the field for future negotiations, and now that Jinnah has rejected a move within the present Constitution based on parity between Caste Hindus and the Muslims, it is not clear what he would be prepared to accept short of Pakistan.[24]

Jinnah himself was clear about his responsibility. K.H. Khurshid reports that Jinnah told him: 'Yes, I broke the conference. Surely I am prepared to accept it. If we are not satisfied, we shall have nothing to do with such a conference.'[25] Therefore, Wavell's apportioning of blame was not justified. Azad was not only a member of the Congress Party, he was also its president. It was India's major party and Muslims had held high office therein, and Azad was one of the most prominent Muslims who subscribed to its ideology of inclusive territorial nationalism. Still, at a press conference on 14 July at Simla, Jinnah declared the Wavell Plan 'a snare'. He went on to say that since 1940 the Muslim League had made it clear that it could not join any interim provisional government unless express commitment was given to it that after the war Muslims would be given the right of self-determination, so that Pakistan could be established in areas where they were in a majority.[26]

British election

One of the major upsets in British electoral history was the defeatof Churchill and his Conservative Party in the general election of 1945 whose results became public on 26 July. Sir Clement Attlee of the Labour Party became the new prime minister. The Labour Party had been sympathetic to the Indian freedom struggle and favoured the

IQBAL FORUM

Congress, though it was committed to keeping India as a dominion in the British Commonwealth. On the other hand, keeping India, united or divided, in the British Commonwealth was not without complications, because some conservative circles considered it unsuitable for a non-white colony to be a part of the Commonwealth.[27]

British moves

A meeting of provincial governors was held in Delhi on 1–2 August to consider what steps should be taken regarding the future of India. The opinion was divided. The governors of Bombay and Madras were of the opinion that the viceroy should go ahead with the proposals he made at Simla, but others thought that without the cooperation of Jinnah and the Muslim League, progress could not be made. It was suggested that the demand for Pakistan be examined by a committee. The committee could be formed by British and American members. Wavell even suggested a committee formed entirely of foreign members. Some governors thought that a statement by His Majesty's Government on Pakistan, clarifying its stand, should be made. Such a declaration, 'might scotch the whole idea or make it clear that there would be no partition of India on a purely Muslim vote'.[28]

The idea of elections had been in the air ever since the new government had come to power. Finally, on 21 August, Wavell announced that elections would be held in the winter to the central and provincial assemblies.[29] Firoz Khan Noon asked permission to resign from the Viceroy's Council where he held the defence portfolio, to take part in the election. Wavell was invited to London to discuss Indian affairs with the new government. The Pakistan scheme was discussed; the general opinion was that it should not be granted on the lines that Jinnah wanted, but that Muslim fears of Hindu domination should be considered and a scheme taking care of such fears should be devised. Wavell returned to India on 19 September and announced in a radio broadcast that after the election the government intended to:

1. Hold discussions about convening a Constitution-making body.
2. Install an Executive Council enjoying the support of the main political parties.[30]

IQBAL FORUM

The Muslim League's election campaign

For Mohammad Ali Jinnah, it was a matter of now or never to demonstrate incontrovertibly that the Muslim voters were behind him, that the Muslim League was the one and only representative of Indian Muslims and that he was their sole spokesman. Neither he nor the League had had occasion to develop the blueprint of a separate state before March 1940. After 1937, membership had been opened to the masses on the same lines as the Congress: anyone entered in the census records as Muslim was granted membership. Resolutions in favour of socio-economic development were also adopted. For example, the Punjab Provincial Muslim League adopted a programme of radical structural reform of the economy, which was drafted by the Muslim communist Danial Latifi.[31]

Every vote counted. The Shia minority and the Ahmadiyya community of the Punjab had to be convinced to support the Muslim League. Fears of Sunni domination existed in both groups. That Jinnah, a nominal Shia who took a drink regularly, and other leaders such as Liaquat Ali Khan were nominal Sunnis, was some reason to believe that Pakistan would be a non-sectarian Muslim state. Ever since Jinnah spearheaded the Pakistan movement, he had taken part in Sunni congregations on many occasions. His typical answer about his faith was that since the Prophet (PBUH) was neither Shia nor Sunni, neither was he. Many big landowners of north and western India were Shias and major financiers of the Muslim League. However, others feared Pakistan would be Sunnistan.[32] This is obvious from the correspondence between the Shia leader Syed Ali Zaheer and Jinnah in July 1944.[33] The Council of Action of the All-Parties Shia Conference passed a resolution on 25 December 1945, rejecting the idea of Pakistan.[34] However, most Shias shifted their loyalty to the Muslim League. The Congress, on the other hand, was supported by the Momin Party of north India and the Ahrar and Khaksars of the Punjab.[35]

The Ahmadis and Pakistan

It is noteworthy that in his public appeals to Muslims to join the Muslim League, on several occasions, Jinnah named Shias, Sunnis, Wahhabis, Ismailis, Bohris, the Ahrar and Khaksars.[36,37] However,

IQBAL FORUM

the Ahmadis were not mentioned in such general appeals. He knew that including the Ahmadis would offend most Muslims. However, every vote counted, including those of the Ahmadis who were well connected to the British and exercised influence far beyond their numbers.

Notwithstanding Ahmadi claims that they were the ones who persuaded Jinnah in the 1930s to return to India and lead the Muslim League, the problem was that the idea of a separate Muslim state in the Muslim-majority zones of India would inevitably mean a Sunni-dominated Pakistan. That is why the Rabwah group especially had been hesitant and reluctant to support Pakistan. There is evidence in their literature that suggests that they were thinking of reuniting with India; but by 1945 their leaders had decided to support the demand for Pakistan.[38]

The Rabwah Ahmadis wrote letters to Jinnah and Liaquat, wanting to know if the stand taken by the Punjab Muslim League not to grant membership to the Ahmadis was also their position. They both remained silent. In 1944, it was reported in newspapers that the Ahmadiyyas had claimed that Jinnah had referred to them as a section of Islam and stated that they were free to join the Muslim League.[39] This claim of the Ahmadis was based on a reply Jinnah gave to journalists in Srinagar on 23 May 1944 that 'so far as the constitution of the All-India Muslim League was concerned, it is laid down that any Muslim, irrespective of his creed or sect, if he wishes to join the All-India Muslim League, he can do so, provided he accepts the creed, policy, and programme of the All-India Muslim League'.[40] The confusion on the status of the Ahmadis had arisen because of what Jinnah had said earlier on 8 May in Srinagar. He had first spoken at the National Conference of Sheikh Abdullah and the same day afterwards to the pro–Muslim League Muslim Conference. Jinnah had said, 'We have one God, one Quran, one Ka'aba, and one Prophet. Let's have one organization, one platform, one flag and one leader.'[41] The Ahmadis were concerned about the statement because there was a clash of belief between them and the Sunnis over the issue of the finality of prophethood.

It was in this background that Jinnah was then forced to issue a public statement regarding membership in which he said 'he had not agreed to anything and he had merely reiterated a clause in

IQBAL FORUM

the Constitution of the AIML that held that all must be Muslims, residents of British India and at least 18 years old'.[42] The Ahmadis have, in their publications, given their version to that incident. It is asserted that Jinnah had, in a reply about the faith of the Ahmadis, said, 'Who am I to declare as non-Muslim a man who calls himself a Muslim?'[43] It was after this that almost all the Ahmadis of Kashmir joined the Muslim Conference.[44]

Sir Sikandar Hayat's son Shaukat Hayat has reported that during the 1945–46 election campaign, Jinnah used to travel day and night and would make six to seven speeches every day canvassing support for Pakistan. He remarks:

> One day I got a message from Quaid-i-Azam saying 'Shaukat, I believe you are going to Batala, which I understand is about five miles from Qadian. Please go there and meet the Hazrat Sahib of Qadian [and] request him on my behalf for his blessings and support for Pakistan's cause [. . .]' When I got there [. . .] I sent him a message that [. . .] I had brought a request for him from the Quaid-i-Azam. He came down immediately and enquired what were Quaid's orders. I conveyed him Quaid's message to pray for and also support Pakistan. He replied please convey to the Quaid-i-Azam that we have been praying for his mission from the very beginning.[45]

Shaukat Hayat informs that the head of the Rabwah Ahmadis assured him that no Ahmadi would stand against a Muslim Leaguer and that if someone disobeyed Jinnah's advice the community would not support him. We also learn that Jinnah had instructed him to visit Abul Ala Maududi in Pathankot, who had settled there though he belonged originally to Hyderabad state in southern India. We learn that when Shaukat conveyed Jinnah's message to him requesting him to pray as well as support Pakistan's cause, Maududi replied saying how could he pray for *Na Pakistan* (impure Pakistan). How could there be a Pakistan till the whole of India had been converted to Islam?—this was Maududi's take on Pakistan.[46]

Maududi was later the supreme leader of the Jamaat-e-Islami, founded in 1941 to spearhead the movement to convert Pakistan into a full-fledged Islamic state. His stand was that since Pakistan had

IQBAL FORUM

been created in the name of Islam, it was inherently an Islamic state and had to be realized in full measure. He propounded the blueprint of such a state, which was accepted by the ulema in Pakistan and has served as their battle cry ever since.[47]

Jinnah lashes out at Gandhi, 6 August 1945

The Muslim League's election campaign was launched formally in Bombay, where Jinnah famously demanded silver bullets (money) to fight the battle of Pakistan. However, he had, for some time, been demanding silver bullets wherever he went, and received purses with cash in them, even from Muslims of the Hindu-majority areas. On 6 August 1945, Jinnah addressed a large public meeting in Bombay, which was practically the start of the election campaign. He lashed out at Congress, especially targeting Gandhi:

> When it suits him [Gandhi], he represents nobody, he can talk in individual capacity; he is not even a four-anna member of the Congress; he undertakes fast to decide the political issue; he reduces himself to zero and consults his inner voice; yet when it suits him, he is the supreme dictator of the Congress! He thinks he represents the whole of India. Mr Gandhi is an enigma . . . How can we come to a settlement with him? There was so much venom and bitterness against the Muslims and the Muslim League that the Congress was prepared to go to any length with two objectives; first, to hammer down, humiliate and discourage the Muslim League and every method was adopted to bully us, coerce us and to threaten us to surrender; the second was to see Muslim League ignored and by-passed and for that purpose, they scooped to the lowest point, that they threw up their principles to the winds.[48]

According to Wolpert, Gandhi's description of Jinnah in 1915 as a Muslim leader instead of an Indian nationalist had hurt Jinnah's pride so profoundly that he could never forget or forgive Gandhi.[49] According to K.H. Khurshid, Jinnah said the following when he visited a mosque in Bombay:

IQBAL FORUM

Galay main mala
Mukh pay mangal
Baghal main churri

(Rosary beads around theneck,
Ecstasy on the face,
A knife up the sleeve)[50]

Khurshid expressed surprise that Jinnah could take recourse to such slogan mongering and that too in a mosque. In any event, stereotyping Hindus as treacherous had become a tool that Jinnah used with relish once he had adopted communalism as his strategy to rouse Muslim passions and fears—a clever combination indeed for a politician hoping to maximize support for his Pakistan project.

Jinnah's Eid message issued from Karachi, 8 September 1945

Although he fired the first shots of the election campaign in Bombay, Jinnah fully appreciated that it was the Muslims of the north-western provinces whose support was critical to secure a mandate in favour of Pakistan. He left it to his trusted lieutenants in Bengal to mobilize Muslim voters to support the demand for Pakistan. Muslims constituted a majority in Bengal and one-third of the population of Assam, where they were concentrated in districts next to the predominant Muslim-majority regions of eastern Bengal. Jinnah stationed himself in Karachi to kick-start the election campaign. He waxed eloquent when speaking about the authority of the Quran:

> Every Musalman knows that the injunctions of the Quran are not confined to religious and moral duties . . . Everyone, except those who are ignorant, knows that the Quran is general code of the Muslims. A religious, social, civil, commercial, military, judicial, criminal, penal code; it regulates everything from the ceremonies of religion to those of daily life; from the salvation of the soul to the health of the body; from the rights of all to those of each individual; from morality to crime, from punishment here to that in the life to come, and our Prophet (S.A.V.) has enjoined

IQBAL FORUM

> on us that every Musalman should possess a copy of the Quran and be his own priest. Therefore Islam is not merely confined to the spiritual tenets and doctrines or rituals and ceremonies. It is a complete code regulating the whole of Muslim society, every department of life, collective and individually.[51]

He then underscored that the right of self-determination was the birthright of all Muslims. Upon such a basis he argued:

> There is only one solution of the problem of this great sub-continent, and that is that we should be free to establish Pakistan in our homelands in all those Provinces where Muslims are dominant . . . The election will be fought on the issue of Pakistan or Akhand Hindustan.[52]

The invocation of Islam was now a regular and recurring feature of the Muslim League's election campaign, and it had been set in motion by the supreme leader Mohammad Ali Jinnah.

Sind

According to the 1941 Sind census, the total population of the Sind province (minus Khairpur state) was 4,535,008. Muslims constituted 70.7 per cent of the total population. Hindus and the tiny Sikh groups together made 29.3 per cent of the Sind population. As elsewhere trade and commerce were in the hands of the Hindus, while the Muslims were landowners, including many pirs (incumbents of Sufi shrines) or poor peasants. According to a 1936 estimate, only 13 per cent of Sindhi Muslim agriculturalists were free from a debt obligation to the moneylender. The debt burden turned many Sindhi Muslims towards the Muslim League.[53] The Sind Muslim League was the first in India to adopt a resolution in October 1938, demanding the right of self-determination for the Muslim-majority provinces and their right to establish a federation of autonomous states.[54]

Once the British patronage of Jinnah and the Muslim League became known, many landlords, pirs and ulema began to join the Muslim League, but opposition to it existed as well.[55] The Congress enjoyed the support of the Hindus. The 1945–46 election campaign

IQBAL FORUM

in Sind was ridden with factional feuds. Instead of a centralized campaign, powerful landowners and pirs fought one another—some were pro-Congress but most supported the Muslim League's call for Pakistan. Among the pir networks, the Naqshbandi Order especially supported Jinnah. Pir Ghulam Mujaddid Sirhindi actively took part in the campaign for Pakistan.[56]

Baluchistan

Baluchistan was not a full province like Sind or the Punjab. It consisted of a British-ruled Baluchistan centred on Quetta and several small states; Kalat was the paramount state. A Shahi Jirga of tribal chiefs was recognized as representative of native opinion in British Baluchistan. On 16 October, Jinnah said at a meeting of the Quetta Muslim League that he could not understand why Gandhi and Nehru did not grasp what Pakistan was about: 'I ask them: if they do not understand what Pakistan is, what then have they rejected and against what are they carrying on propaganda, day and night? . . . They are afraid of dividing or cutting of "Bharat Mata". They want to keep the Muslims in the Hindu Raj in order to give them a fate similar to Jews in Germany.'[57] He repeated the familiar demand for Partition on 18 October when speaking at the Baluchistan Muslim Students' Federation, 'Pakistan means partition, it means you must take Hindu provinces of yours and leave our Muslim provinces where we want to establish our own Government.'[58]

The NWFP

The problem province for Jinnah had always been the NWFP. Despite its 91–93 per cent Muslim majority, its leadership, headed by Khan Abdul Ghaffar Khan of the Khudai Khidmatgars, was staunchly pro-Congress. Under Khan's leadership, the Pakhtuns (or Pashtuns) had carried out educational reforms and mobilized men and even women for peaceful resistance to British rule.[59] As elsewhere modern trade and commerce were in the hands of Hindus and Sikhs, while the Muslims were indebted to moneylenders. However, tribal and clan chiefs enjoyed considerable influence, and the landlords, big and small, were known as khans. Since the entry of invading

IQBAL FORUM

armies into the subcontinent had historically been mostly through the mountain passes in the NWFP, the British were very wary of its pro-Congress stance. In the wake of World War II, after the NWFP Congress ministry resigned, the great game became even more pronounced. The governor, Sir George Cunningham (1939–46), set up District War Committees through funds to loyal khans and ulema to start campaigning against the Soviet Union (which, at that time, had not entered into the war against Germany), alleging that in alliance with Germany, it planned to destroy Islam with its atheistic ideology.

Spies were sent to report on those ulema who were aligned with the Congress. Communalism was promoted to weaken the Khudai Khidmatgars and the Frontier (as the NWFP was known) Congress. Many of the Frontier Congressmen were in jail. Several seats were vacant due to the deaths of incumbents, and the Muslim League won a number of by-elections. In 1943, a Muslim League government was installed in office.[60] In March 1945, however, the Muslim League government fell because of internal disputes and factions. Dr Khan Sahib (the elder brother of Ghaffar Khan) formed a Congress ministry. In this case, the Congress high command made an exception and allowed them to do so with a view to preventing another Muslim League government coming to power.

On 20 November, Jinnah spoke at the Frontier Muslim League Conference, saying:

> We have to fight a double-edged battle, one against the Hindu Congress and the other against British Imperialists, both of whom are capitalists. The Muslims demand Pakistan, where they could live according to their own code of life, their own cultural growth, traditions and Islamic laws.[61]

He continued with such arguments the following day at a public meeting in Peshawar, adding, 'As long as I live I shall not allow a single drop of Muslim blood to be shed in the cause which leads to Hindu rule over Muslims.'[62] On 24 November, he spoke at a special session of the Frontier Muslim League. He said that both the Hindus and the British were banias (moneylenders) and called on the martial Pakhtuns to join the League so that both could be defeated.[63]

IQBAL FORUM

A secret meeting with Pir Sahib Manki Sharif on 24 November 1945?

In the major collection of Jinnah's speeches, statements and messages, there is no mention of a meeting with Pir Sahib Manki Sharif, the incumbent of a prominent Sufi order with a large following in the province. It was presumably kept a secret. However, it is discussed in several books and academic journals. Liaquat Ali Khan was with him when Manki Sharif had invited other pirs known as *sajjadanashins* and *makhdooms* (custodians of shrines) and like-minded ulema.[64]

In his doctoral dissertation, 'India, Pakistan or Pakhtunistan?' Erland Jansson writes:

> The Pir of Manki Sharif . . . founded an organisation of his own, the Anjuman-us-asifa [Anjuman-ul-Asifa]. The organisation promised to support the Muslim League on condition that sharia would be enforced in Pakistan. To this Jinnah agreed. As a result, the Pir of Manki Sharif declared jehad to achieve Pakistan and ordered the members of his anjuman to support the League in the 1946 elections.[65]

The Anjuman-ul-Asifa consisted of not only the pirs of the NWFP but also those from the Punjab and other areas. Thus, two powerful pirs from the Punjab emerged: Pir Jamaat Ali Shah of Alipur Sharif of Sialkot became the president, Pir Sahib of Golra Sharif its vice president and Pir Sahib Manki Sharif from the NWFP its convener.

Israj Khan and Toheeda Begum, research scholars at Abasyn University, Peshawar, have presented the following agreement reached on 24 November 1945 between Jinnah and Manki Sharif:

1. Every law in Pakistan will be in consistency with Islamic sharia and not repugnant to the Quran and the Sunnah.
2. Each bill concerned with Islamic sharia will be presented to the president of the Jamiat-ul-Asifa to check, and, after the endorsement by its president, will present the bill to the Constituent Assembly for further proceedings.
3. Members of the Muslim League will present each and every stipulation of the Jamiat-ul-Asifa in the assembly and will try for its acceptance.[66]

IQBAL FORUM

Regarding what type of Constitution Pakistan would have, Jinnah had reportedly stated the following:

> [L]et me clear that Muslim believes in one God, one Prophet, Holy Quran and Islamic principles are the Constitution which we inherited from our Holy Prophet (PBUH) thirteen centuries before, so there will be nothing but only Quranic principles will be our Constitution. In order to achieve our goal you should vote in favour of Muslim League candidates. Regarding legislation I will say that when you elect your representatives to the Parliament they make laws in the conformity of the Quran and Sunnah . . . If concreted efforts are made by all the achievement of Pakistan is not difficult . . .[67]

The seminal work on which all the researchers have based their narrative of the Jinnah–Manki Sharif pact is Prof. Dr Sayed Wiqar Ali Shah Kakakhel's article, 'The Making of Pakistan and the NWFP: Quaid-i-Azam—Pir Manki Sharif Correspondence, November 1945–November 1946'.[68] Upon my request, he sent me the article and copies of the original letters exchanged between Jinnah and Manki Sharif, on which he has based his research. In the letter to Manki Sharif referring to the demands about Pakistan being declared an Islamic state and sharia the supreme law of the land, with the ulema being consulted on matters of law, Jinnah had worded his letter in less categorical words. He wrote to Manki Sharif on 18 November 1945:

> As regards your note which raises five points may I point out to you that when the preliminary question of Pakistan being established is settled it will not be the Muslim League that will frame the constitution of Pakistan but the inhabitants of Pakistan in which 75% will be [sic] Muslamans and therefore you will understand that it will be a Muslim Government for the people of Pakistan to frame the constitution under which the Pakistan Government will come into being and function. Therefore there need be no apprehension that the Constitution Making Body which will be composed of overwhelming majority of Muslims can ever establish any constitution for Pakistan other

IQBAL FORUM

> than one based on Islamic ideals, nor can the Government of Pakistan when it comes into being act contrary to Islamic ideals and principles.[69]

In response to my query, Prof. Kakakhel confirmed in an email to me dated 20 June 2018 that Jinnah was too cautious a man to commit himself categorically to all the demands of Manki Sharif. The reference to the five points without naming them was his way of, on the one hand, taking cognition of them and, on the other, not concretely discussing them. The battle for Pakistan was still to be waged, and Jinnah was careful not to spell out the type of state Pakistan would be, except that it would be a 75 per cent Muslim state with a Muslim government which would remain faithful to Islamic principles and formulate the Constitution in the light of those principles. There is no record that when Jinnah and Manki Sharif met, a formal agreement was signed, though Manki Sharif began to claim this in his speeches and in his campaign for Pakistan. Prof. Kakakhel wrote to me that it was Manki Sharif who was the real force for the breakthrough in the NWFP of the Muslim League and responsible for the referendum being won in favour of Pakistan in 1946. Later, when Pakistan came into being, he was sidelined by Qayyum Khan; he became disillusioned and joined ranks once again with Ghaffar Khan.

In any event, on 27 November 1945, at the welcome address to the students of Edwardes College, Peshawar, Jinnah remarked:

> We the two major nations, not only differ in religion but have two totally different cultures. Our religion contains a code of life in the conduct of every department and we want to live in accordance with the same ideals, but the Hindu leadership is bent upon establishing 'Ram Raj' and treat the Muslims as a minority.[70]

The same day he sent a message to the Muslims of the Frontier Province: 'Every vote in favour of Muslim League candidate means Pakistan. Every vote against Muslim League candidate means Hindu Raj.'[71] Jinnah was definitely in the NWFP from 20–27 November, and therefore a secret meeting with Manki Sharif on 24 November most probably took place. The reason why it was kept a secret must

IQBAL FORUM

be because giving a categorical pledge would compromise his image of a modern Muslim nation and Pakistan as a democratic state based on Islamic principles.

The Punjab

According to the 1941 census, the total population of the Punjab, including the British Punjab and the princely states, was 33,922,373. The Muslims were in an absolute majority of 53.2 per cent, the Hindus were 29.1 per cent, the Sikhs 14.9 per cent and the Christians 1.4 per cent. The British Punjab had a total population of 28,418,819, of which the Muslims were 57.1 per cent, the Hindus 28.8 per cent, the Sikhs 13.2 per cent and the Christians 1.7 per cent. The election was confined to the British Punjab. Upper-caste Hindus and Sikhs of mainly Khatri and Arora castes and clans were educationally and economically the most advanced. They owned 80 per cent of real estate, businesses, banks and other commercial enterprises and paid 75 per cent of the land revenue. The Muslims were some 70–73 per cent of the police force, however. The Muslim majority consisted of landlords, big and small, various categories of peasant proprietors, artisans and tenant cultivators. Hindu and Sikh landlords also existed. The Sikh peasantry owned a lot of land. A Hindu peasantry also existed in eastern Punjab. The agriculturists, mostly Muslims, were heavily in debt to Hindu and Sikh moneylenders.[72]

The Muslim League had to wrest power from the PUP led by Sir Khizr Tiwana. Sir Khizr was in Europe, having sailed for Paris to attend the Peace Conference of the Allied Powers which opened on 29 July. He spent several weeks abroad and returned to the Punjab in the middle of September. The Congress was too poorly organized to participate in a hectic election campaign. Its Punjab leaders had been in jail since August 1942, and additionally the party was plagued by factionalism of the right and left. The Sikhs were vociferous in their denunciation of the Pakistan demand. As far as the PUP was concerned, it was beset with defections, but the most severe blow it received was the death of Sir Chhotu Ram on 9 January 1945.

In his fortnightly report of 16 August 1945, the Punjab governor, Glancy, observed:

IQBAL FORUM

> Muslim Leaguers have been indulging in much propaganda, wholesale vilification of Congress and of the Unionist Government in the Punjab . . . I must confess that I am gravely perturbed about the situation, because there is a very serious danger of the elections being fought, so far as Muslims are concerned, on an entirely false issue. Crude Pakistan may be quite illogical, undefinable (sic) and ruinous to India and in particular to Muslims, but this does not detract from its potency as a political slogan. The uninformed Muslim will be told that the question he is called on to answer at the polls is—Are you a true believer or an infidel and a traitor? Against this slogan the Unionists have no spectacular battle-cry . . . if Pakistan becomes an imminent reality, we shall be heading straight for bloodshed on a wide scale; non-Muslims, especially Sikhs, are not bluffing, they will not submit peacefully to a Government that is labelled 'Muhammadan Raj'. Hence it appears to me to be of vital importance to take action, before it is too late, to deflate the theory of Pakistan.[73]

In the fortnightly report of 13 September, Glancy described the Muslim League campaign in the following words:

> Muslim Leaguers are doing what they can in the way of propaganda conducted on fanatical lines; religious leaders and religious buildings are being used freely in several places for advocating Pakistan and vilifying any who hold opposite views. Communal feeling is, I fear, definitely deteriorating. Sikhs are growing distinctly nervous at the possibility of Pakistan, and I think there is no doubt that they will forcibly resist any attempt to include them in a Muslim Raj.[74]

In the fortnightly report of 29 September, Glancy provided more descriptions of a highly tense and combative election campaign. Regarding the Khaksars and the Ahrar, the governor remarked: 'Khaksars and Ahrars have also entered the lists, and the Ahrars in particular, who include some very effective speakers among their ranks, have been unrestrainedly vituperative about the Muslim League.'[75]

IQBAL FORUM

In the fortnightly report of 27 October, Glancy took up the employment of Islamic threats by the Muslim League to non-Muslims in the election campaign:

> Communal relations continue to deteriorate. Baldev Singh, our Development Minister, spoke to me a few days ago about the effect produced by Muslim League supporters in the Ambala Division declaring that Pakistan would soon be a reality, that the only laws that would prevail in a short time would be the Muslim laws of the Shariat and that non-Muslims would have to bring their complaints to the mosques for settlement.[76]

Glancy reiterated his earlier suggestion that the government should announce that the Punjab would be divided on contiguous communal lines if India was partitioned on such a basis, as it would 'provide a most timely, and surely an entirely unexceptionable, corrective to the fanatical and highly dangerous doctrine of "Islam in danger" that is now being preached by advocates of the League'.[77]

In the fortnightly report of 27 December, we learn that Sir Firoz Khan Noon resigned the defence portfolio in the Viceroy's Council to contest the election. Glancy writes:

> Among Muslims the Leaguers are increasing their efforts to appeal to the bigotry of the electors. *Pirs* and *Maulvis* have been enlisted in large numbers to tour the Province and denounce all who oppose the League as infidels. Copies of the Holy Quran are carried around as an emblem peculiar to the Muslim League. Firoz and others openly preach that every vote given to the League is a vote cast in favour of the Holy Prophet (PBUH).[78]

The Muslim League campaign in the Punjab comprised three specific groups of activists. The first was of Muslim students from the Aligarh Muslim University in the United Provinces, who came in large numbers as volunteers to tour the towns and villages, propagating the idea of Pakistan as an escape for Muslims from the slavery of caste Hindus. The second group was the Muslim communists who had joined the League after the CPI concluded that the demand for Pakistan was consistent with the Leninist right of

IQBAL FORUM

self-determination for oppressed nations. The third and perhaps most crucial group drafted by the Muslim League to win Muslim support was that of the ulema and pirs, who had slogans such as *'Pakistan ka Nara Kiya? La Illaha Ilillah'* (What is the slogan of Pakistan? It is that there is no god but Allah).[79]

A Mashaikh committee consisting of some leading pirs was formed to lead the propaganda campaign in favour of Pakistan. Among them were Pir Jamaat Ali Shah of Alipur Sharif, Sialkot, Pir Fazl Shah of Jalalpur in Jhelum district, Pir Ghulam Mohiyuddin Shah of Golra Sharif, Pir Nazimuddin of Taunsa Sharif, Makhdum Reza Shah of Multan and others. Not only that but some lay politicians such as Nawab Mamdot, Mumtaz Daultana, Sardar Shaukat Hayat Khan and others played the charade of associating holy suffixes to their names such as Nawab Mamdot of Pir Mamdot Sharif, Shaukat Hayat of Sajjada Nashin of Wah Sharif, Firoz Khan Noon of Darbar Sargodha Sharif and Nawab Muhammad Hayat Qureshi as Sajjada Nashin of Sargodha Sharif. In addition, the conservative ulema of the biggest Sunni sub-sect of Brelawis, who were close affiliates of the pirs, were also deployed in the field.[80,81]

In the fortnightly report of 2 February 1946, Glancy wrote to Viceroy Wavell:

> The [Muslim League] orators are becoming increasingly fanatical in their speeches. *Maulvis* and *Pirs* and students travel all round the Province and preach that those who fail to vote for the League candidates will cease to be Muslims; their marriages will no longer be valid and they will be entirely excommunicated . . . It is not easy to foresee what the results of the elections will be. But there seems little doubt the Muslim League, thanks to the ruthless methods by which they have pursued their campaign of 'Islam in danger', will considerably increase the number of their seats and unionist representatives will correspondingly decline.[82]

In the fortnightly report of 28 February, Glancy reproduced a translation from an Urdu poster circulated by the Muslim League candidate Raja Khair Mehdi Khan that appealed to religious differences to solicit votes:

IQBAL FORUM

Muslim League Zindabad, Pakistan Zindabad

In His name Muslims, the time of your test has come.

In this battle of righteousness and falsehood, you have to choose between Din (religion) and Dunya (worldly possessions).

Din (the faith)	*Dunya (the world)*
On one side is your belief in the Almighty and your conscience	On the other side you are offered squares and Jagirs.
Righteousness and faithfulness are on one side	The other side has to offer Lambardari and Zaildari.
On one side is the rightful cause	On the other is Sufedposhi (economic advantage and status).
One side has Pakistan for you	The other has Kufiristan (reign of infidels)
On the one side is the problem of saving the Muslims from the slavery	As opposed to this, there is only consideration of personal prestige of Hindus
On one side you have to bring together all those who recite the Kalma (the basis of Islam)	On the other side is the idol worship, biradri (clan) and caste consideration
On the one side you have the Holy Muhammad and Ali	On the other side Baldev Singh and Khizr Hayat.
On the one side is the consideration of the unity and brotherhood of all Muslims	On the other side is the Danda (big stick) of the bureaucracy and the terror of officialdom
On the one side are the lovers of Muslim League and Pakistan	On the other side are the admirers of Congress and Unionists.
On the one side is the honour of the Green Banner	On the other side is the Government of Khizr Ministry

With this in view, leaving aside your party feuds and personal grievances for the sake of your religion, you have to decide in the light of the strength of your faith, that in tehsil Jhelum the

IQBAL FORUM

> rightful claimant of your vote is the Muslim League candidate, i.e, Raja Khair Mehdi Khan.[83]

In the Khosla Report, a long passage by a well-known journalist, Brailsford, published in the *Tribune*, Lahore, in February 1946, is quoted, which confirms the view that religious fanaticism was employed extensively by the Muslim League to garner votes. Brailsford wrote:

> It [the Muslim League] has created a fear that Islam is in danger. The clergy tells the peasants that their hope of salvation depends on their voting for the League, and sometimes they enforce this appeal by parading the roads with a copy of the Quran. I have heard the loudspeaker on their cars shouting the slogan 'A curse on the infidel Hindus.' The result is that a wave of communal feeling has gripped the Muslims of this province, who form a slight majority of its population, and, with rare exceptions, they have rallied to the demand for Pakistan.[84]

Bengal and Assam

In 1941, 70.5 million people lived in Bengal and Assam combined—62 million in Bengal, the rest in Assam (which encompassed all of north-east India at the time, not only the modern state of Assam). There were a few small princely states, but 96 per cent of the population lived in British India. The religious breakdown in Bengal was 53.4 per cent Muslim, 41.7 per cent Hindu and 4.8 per cent other, mainly people practising tribal religions. Rural Bengal was dominated by a powerful upper-caste Hindu landlord class, while most Muslims were poor peasants. Such class differences and the Hindu practice of untouchability towards Muslims had resulted in the support for the Muslim League increasing rapidly. In Assam, 41.5 per cent were Hindus, 31.8 per cent were Muslim and 26.7 per cent were tribal.

The major city in that region was Calcutta in West Bengal. It was the biggest city of British India with a population of 2.1 million. The Hindus constituted 72.7 per cent of the population of Calcutta and the Muslims 23 per cent. Among them, the elite included many of Ashraf extraction, whose mother tongue was Urdu or Persian.

IQBAL FORUM

Calcutta was the capital of the British Indian empire until 1911. The Bengalis were the most educated community. Both right- and left-wing revolutionary movements had a strong base in the city.

At the time of the 1945–46 election campaign, the Bengal Muslim League, notwithstanding internal squabbles, was in favour of Pakistan—which they saw as a separate Muslim state, an 'Eastern Pakistan'. After Fazlul Haq's expulsion, no opposition to Jinnah existed in Bengal. The veteran Khawaja Nazimuddin and others such as Abul Hashem and Huseyn Shaheed Suhrawardy campaigned for a separate independent Eastern Pakistan. As already noted, the Lahore Resolution had spoken of Muslim states and that meant at least two Pakistans. The idea of an independent Eastern Pakistan had taken shape around 1943 and gained the interest of several Bengali Muslim politicians. It included the whole of Bengal, Assam and some parts of Bihar.[85] Assam was a small province with the Muslim minority located mainly in Sylhet district. Its Muslim leadership too had fallen in line with Jinnah. The Bengal Muslim League also drafted ulema and pirs into their campaign for Pakistan. The Congress sent ulema of the JUH to counter them, but Bengali Muslims were solidly in favour of an Eastern Pakistan.[86]

Election results

Roughly, some 10–14 per cent of the total population, or 28.5 per cent of the adult population, of directly British-administered areas was enfranchised at the time of the 1946 election.[87] The elections were held in two stages—first for the Constituent Assembly and then for the provincial assemblies.

This was the Central Legislative Assembly election result announced on 10 January 1946:

Congress	57
Muslim League	30
Independents	5
Akali Sikhs	2
Europeans	8
Total	102[88]

IQBAL FORUM

On 11 January, Jinnah issued a statement congratulating Muslim India for voting for Pakistan. Thirty out of the thirty reserved Muslim seats were won by the Muslim League. It is intriguing that Jinnah did not visit the Punjab during the election campaign until the results for the Constituent Assembly were announced. One reason could be that Governor Glancy believed in the unity of India and most strongly in that of the Punjab. He was pro-Khizr. He believed that if India were partitioned, the Sikhs would not reconcile to the Punjab being given to Pakistan undivided and a civil war would erupt. It would mean a bloodbath.[89,90] Jinnah was in Lahore on 13 January. Speaking at a public meeting, he was emphatic, 'Our programme is clear. We are determined to get Pakistan either by agreement or by force.'[91] He stayed for a week, addressing many gatherings, urging Muslims to vote in the provincial elections for the League. He was confident that Punjabi Muslims would reject the Unionist Party. He used the occasion to lash out at the Ahrar and Khaksars, calling them henchmen of the enemy.

On 28 January, Jinnah issued a statement in Delhi on Wavell's address to the Central Assembly in which he had expressed the view that an interim government needed to be set up while other issues were sorted out. Jinnah stressed in his comment:

> There is no reason, whatsoever, now to talk of any arrangement to up an interim government . . . Muslim India has made it clear beyond any doubt that the only solution of India's political problem is the division of India into Pakistan and Hindustan, *and it is our grim resolve [to] set up a free Muslim state in the Muslim-majority zones in the North West and East parts of India* [italicized by the author].[92]

1946 provincial election returns for the Muslim League

Province	Total no. of Muslim seats	Seats won by the Muslim League
Assam	34	31
Bengal	122	116
Bihar	40	34

IQBAL FORUM

Bombay	30	30
Central Provinces and Berar	14	13
Madras	28	28
NWFP	38	17
Orissa	4	4
Punjab	88	75*
Sind	34	28
UP	66	54

* In the Punjab, four members joined the League immediately after the elections.[93]

The Muslim League won 428 out of the 492 Muslim reserved seats. Out of a total of 1585 seats in the provincial assemblies, the Congress captured 905 seats. The Congress and the nationalist Muslims (those supporting Indian unity in contrast to Muslim nationalists supporting Pakistan) secured fifty-two Muslim seats only. The elections clearly showed that the Congress commanded the overwhelming support of the Hindus, while the claim of the Muslim League that it was supported by the Muslim community was also confirmed beyond doubt. Jinnah could now claim that he had solid Muslim support for Pakistan. With the Congress receiving a clear mandate for a united India with a strong Centre and the Muslim League an equally incontrovertible mandate for Partition, the grounds for a compromise between the two adversaries now practically ceased to exist.

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 12

The Cabinet Mission Plan and Jinnah



No other event has generated more confusion and controversy than the fact that after delivering the 22 March 1940 presidential address in Lahore, Jinnah was never once willing to agree to a power-sharing deal with the Congress in a united India. As demonstrated abundantly in the previous chapters, Jinnah demanded ad infinitum, in verbal and written communications, the partition of India to create Pakistan. However, when the Cabinet Mission arrived in India and deliberations started with the main protagonists involved in negotiating the future of India, Jinnah changed his position and accepted the 16 May Cabinet Mission Plan. The plan rejected Pakistan and recommended instead power-sharing within a united but loosely federated India with several uncertainties built into the agreement. The Congress rejected that plan.

In this chapter, the question we shall especially probe is: Why did Jinnah—who, since March 1940, had relentlessly demanded the partition of India to create Pakistan—accept the Cabinet Mission Plan? We need to step back a few months to put into perspective the events leading up to the Cabinet Mission.

Lord Wavell had sensed that following the 1945 Simla Conference fiasco, things could go from bad to worse and create serious law-and-order situations, unless the constitutional deadlock was broken quickly. He mistrusted the Indian police and the Indian Army because in the fall of Singapore in February 1942, many Indian officers as well as thousands of soldiers had switched sides to the Japanese and joined

IQBAL FORUM

Subhas Chandra Bose's Indian National Army (INA).[1] Whether they did it because of disloyalty or to escape the proverbial cruelty meted out to prisoners of war by the Japanese is a moot point. In Pakistan's Kashmir Operation, which started soon after Partition, Maj. Kayani of the INA took part in the raid, while in the attacks on Muslims in eastern Punjab, Col. Niranjan Singh Gill played a leading role.[2] These names are well known but other INA men also took part in such actions, which casts doubt on their secular convictions. In fact, in western Punjab, too, INA men were involved, such as Col. Iqtidar Shah Dara, in raids on fleeing Hindus and Sikhs.[3]

In any case, the intelligence services and commander-in-chief General (Field Marshal from 1 June 1946) Sir Claude Auchinleck, believed that widespread unrest could be expected by the summer of 1946.[4] Moreover, Wavell was pessimistic about a negotiated settlement between the various parties and therefore wanted the government to announce a constitutional award. He prepared an emergency plan for the British to leave India quickly if things went out of control.

Wavell's Breakdown Plan of 27 December 1945

In a top-secret communication to the secretary of state for India, Lord Pethick-Lawrence, dated 27 December 1945, Wavell asserted that the situation could deteriorate to an explosive level because of 'excessive requirements by the Muslim League for representation and safeguards; or a demand by Congress for the abolition or weakening of the Governor-General's powers of veto'.[5] He submitted a plan in which, he argued, the government should be ready to announce an award to settle the constitutional problem. He noted:

> We should base ourselves on two points of principle:
>
> A. If the Muslims insist on self-determination in genuinely Muslim areas this must be conceded.
> B. On the other hand, there can be no question of compelling large non-Muslim populations to remain in Pakistan against their will.[6]

Proceeding along such a line of reasoning, Wavell observed:

IQBAL FORUM

> If these principles were followed, the effect would be that at least two divisions of the Punjab (Jullundur and Ambala) and almost the whole of Western Bengal, including Calcutta would have to be allowed to join the Union (i.e. an India ruled by Congress). The attractiveness of Pakistan to the Muslims would largely disappear. Only 'the husk', in Jinnah's own words, would remain.[7]

He urged the British government to authorize him to open negotiations in which he could threaten Jinnah with announcing an award which would divide both Bengal and the Punjab. He added:

> It is likely that Jinnah would press for an exact statement showing how H.M.G. would demarcate the 'genuinely Muslim areas' . . . To meet such a request we should, I think, be ready with a detailed demarcation. This is difficult, and any line will involve grave trouble with the Sikhs in the Punjab, but I will put forward proposals shortly.[8]

Wavell thought such a strategy would induce Jinnah to work towards the best possible terms for Muslims within a united India. At the same time, while conceding the principle of Pakistan, he opposed the idea of leaving its area undefined. He asserted that an award from the government would be considered as fair by the world, but the Muslim League was unlikely to accept it as the consequence could be serious communal conflict.[9]

Wavell's boundary-demarcation plan of 7 February 1946

On 7 February 1946, Wavell submitted to the secretary of state for India, Pethick-Lawrence, an award (of a binding nature), which the government could give demarcating 'genuinely Muslim areas'.[10] The boundaries it proposed were:

1. (a) Sind, North-West Frontier Province, British Baluchistan, and Rawalpindi, Multan and Lahore divisions of Punjab less Amritsar and Gurdaspur districts.
   (b) In Bengal, the Chittagong and Dacca divisions, the Rajshahi division (less Jalpaiguri and Darjeeling), the Nadia,

IQBAL FORUM

Murshidabad and Jessore districts of Presidency division; and in Assam the Sylhet District.

2. In the Punjab the only Moslem-majority district that would not go into Pakistan under this demarcation is Gurdaspur (51 per cent Moslem). Gurdaspur must go with Amritsar for geographical reasons [for ensuring Amritsar is not surrounded from south, west and north by Pakistan] and Amritsar being a sacred city of Sikhs must stay out of Pakistan. But for this case for [of the] importance of Amritsar, demarcation in the Punjab could have been on divisional boundaries. Fact that much of Lahore District is irrigated from upper Bari Doab canal with headworks in Gurdaspur District is awkward but there is no solution that avoids all such difficulties.
3. Greatest difficulty is position of Sikhs with their homelands and sacred places on both sides of the border. This problem is one which no version of Pakistan can solve."

Wavell presented the population figures of Sikhs in the Punjab, including the princely states, as 5,116,000. Of these, 1,461,000 would be in Pakistan and the rest in India. Regarding Calcutta (23 per cent Muslim population) in Bengal, he argued that it should remain in India or be made into a free port if negotiations between the parties could successfully reach such an arrangement.[12] He reiterated that the government should declare the demarcation of India and Pakistan as an award which is binding so that the Muslim League could be dissuaded from demanding Partition. HMG replied that it was worthwhile trying one more time to achieve a negotiated settlement.

Jinnah continued to insist on partition and Pakistan

On 5 January 1946, Wavell told Jinnah that HMG was determined to find a settlement to the Indian question in 1946. Jinnah said to him that he was willing to face any consequences but was not willing to compromise. 'He finished by saying that the only thing to do was to settle the fundamental issue, by which he meant Pakistan.'[13] In the public sphere, Jinnah continued to reiterate his proverbial uncompromising stand on Pakistan. He rejected the claim that the Muslim League was a party of nawabs and British toadies, saying

IQBAL FORUM

that the election results show that the Muslims were solidly with the League. Such an argument was reminiscent of what Nehru said in 1937 that the poor masses, Hindus and Muslims and others were with the Congress. In both cases the claims were based on a restricted electorate of less than around 10–14 per cent of the population, but even then, the trend was unmistakable, and Jinnah was justified in making the claim of the Muslim masses being with him and not with Gandhi or Nehru.

Threatens civil war

The first round of elections had brought out in sharp relief the polarization in Indian politics. The Americans had been following the developments with a keen eye. Thousands of American troops were based in eastern India. The US were assisting Chinese nationalists against the Chinese communists and against Japanese occupation. Since World War I, when President Woodrow Wilson had propounded his Fourteen Points, which included the right of self-determination, American influence and power had been amply confirmed by the dismemberment of the defeated empires—German, Austro-Hungarian and Ottoman. After World War II, US leadership of the West was no longer in doubt. Jinnah had received no sympathy for his demand for Partition and Pakistan. It was against such a background that he was interviewed by the correspondent of the *New York Times*. The interview was reported on 13 February under the heading 'Jinnah Threatens Civil War'. He was quoted issuing a warning that if the British did not grant Pakistan in the six Muslim-majority provinces, there 'would be a Muslim revolt throughout India'.[14]

Earnest Durham of the American Associated Press asked Jinnah on 20 February what he meant by revolt. Jinnah replied with absolute candour: 'By "revolt" I mean revolt . . . We will not agree to a single constituent assembly for the whole of India. We want the British Government to make an unequivocal declaration of policy accepting the Pakistan demand of Muslim India.'[15]

Visits to Bengal and Assam

Jinnah was in Bengal and Assam from about 16 February till at least 9 March, urging the Muslims to learn Urdu, the national language

IQBAL FORUM

of Muslims. Using the method of contrast between caste-ridden Hinduism and egalitarian Islam, he underscored that Pakistan was needed for Muslims to live their lives in accordance with Islam and the Quran. He insisted that not only the whole of Bengal but Assam, too, should be included in Pakistan. He made assurances that the minorities would be adequately protected in Pakistan. On 24 February, he said at a public meeting in Calcutta, 'The voice of Muslims has been raised. We shall achieve Pakistan and live in it. Without Pakistan there is only death of Muslims.'[16] He said he would do all to create a fairer and equal society because he had seen the poverty and squalor of the Muslims of Bengal and he would do all he could to eradicate it.[17]

While in Calcutta he learnt that a coalition ministry had been formed in the Punjab under Sir Khizr Tiwana. He described the decision of outgoing governor Sir Bertrand Glancy to call upon Khizr to form the government as a 'flagrant abuse of power under the constitution to have summoned his protégé, Khizr Hayat, to form a Ministry in the Punjab before his departure'.[18] In an interview to the press on 17 March, Jinnah accused the Congress of impeding progress by insisting on India remaining united and the Congress alone being able to prevent a bloodbath which otherwise would follow. He also chided Nehru for offering India as a huge market for British goods. He noted:

> [I]f the British Government is going to put Muslim India to the test of bloodshed and going to repeat their history they have learnt no lessons and if that is the only argument which will convince them they will force the Muslims to resort to the last course and so far as trade is concerned, it is not realised that the largest consumers of British goods are Muslims.[19]

It is not clear what he meant by Muslims being the largest consumers of British goods, but he was probably referring to Muslims in other parts of the world, especially the Middle East, which was largely under British mandate and control.

Willing to grant Sikhs a state and the Sikh predicament

The Sikh leaders had been the most vociferous in their opposition to the Muslim League's demand for Pakistan. Already, after the March

IQBAL FORUM

1940 Lahore Resolution, they expressed their opposition by saying that they would demand the partition of the Punjab on a religious basis if Pakistan came into being. Jinnah had, over the years, tried to convince the Sikhs that they stood to gain more in Pakistan than in India, where their numbers would be minuscule. However, the Sikhs had remained unconvinced. On 21 March 1946, he issued a statement about what he had told the leaders of the All-India Sikh Federation when he met them in Lahore:

> I met the President and the Secretary of the All-India Sikh Federation this morning and had a discussion with them. I made it clear to them that the Sikhs as a nation are entitled to a State of their own and I am not opposed to it as such provided they show me where it can be created. I assure the Sikhs that I am ready and willing to do everything I can to bring about a settlement between the Sikhs and the Muslims.[20]

The statement calls for scrutiny. Hitherto Jinnah had been saying that there were only two nations in India—Hindus and Muslims—and several other subnations. Such a standpoint had been taken especially to refute the claims of the Sikhs that they were a nation. However, after the election, the Muslim League campaign of 1945–46—which was laced with communalist battle cries and threats which had been met with equally shrill Sikh promises not to let Jinnah get Pakistan and the whole of the Punjab—Jinnah was now trying to placate them. He was aware of the Sikh predicament. The Sikhs were not in a majority anywhere in the Punjab, and any partition of the Punjab would inevitably entail the partition of the Sikh community between India and Pakistan. Rahmat Ali had talked about a Sikkhia confined to a few Sikh princely states in eastern Punjab. Jinnah presumably wanted the Sikhs to demand a separate state confined to those princely states only. That, however, was not what the Sikhs wanted because their holy places and shrines were spread all over the Punjab. Moreover, they owned businesses in all major cities and towns as well as extensive agricultural land in the canal colonies of western Punjab. At that point in time, the Congress was bent upon keeping India united and therefore the Punjabi Hindus were not in favour of the partition of the Punjab; but without the support of Punjabi Hindus, a case for a bigger Sikh state or union with India was not possible.

IQBAL FORUM

In the 1946 Punjab provincial election, all other parties had been eliminated, and Hindus had voted for the Congress, Muslims for the Muslim League (some for the PUP) and Sikhs for the Panthic parties of which the Akali Dal was the main one. Therefore, while Jinnah offered the Sikhs a separate state by revising his distinction between nations and subnations and recognizing them as a nation, the Sikh leadership's own idea of a Sikh state was presumably different from what Jinnah wanted them to demand.

No compromise on Pakistan

In any event, there was no let-up in Jinnah's indefatigable crusade for partition to create Pakistan. Speaking to Reuters political correspondent Fraser Wighton in New Delhi on 30 March, he reiterated, 'One thing is certain—there will be no compromise on the subject of Pakistan because that means our very existence is at stake.'[21] On 2 April, he spoke to Donald Edwards of the BBC in New Delhi. The message remained the same:

> Pakistan must be a fully sovereign state, with complete control of defence and foreign policy. In a Federation, member states are compelled to grant more and more power to the Central authority. Little by little, they lose their independence. This may have been all right in such Federation as the United States, Canada, Australia and South Africa, but in an Indian Federation, the Central Authority would inevitably be Hindu.[22]

Cabinet Mission to India

The prevailing view in London was that the idea of Pakistan was irrational (though this view was not shared by Churchill). Placed on the north-western and north-eastern zones of India, it would face the international border on both sides of the subcontinent. Without a defence pact with India, it would entail prohibitive defence expenditure which would be unviable.[23] On the other hand, it was felt that if Jinnah could be persuaded to change his mind, the Congress could be convinced to agree to a decentralized, loose Indian federation.[24]

IQBAL FORUM

On 19 February, HMG informed the House of Commons and the House of Lords that a high-level delegation consisting of cabinet ministers, the secretary of state for India, Sir Pethick-Lawrence, Sir Stafford Cripps and Mr A.V. Alexander. Cripps, a socialist, had been associated with the India question for a very long time. Cripps's friendship with Nehru was well known, but much to the chagrin of Nehru in 1942, Cripps had, in his proposals, alluded to a potential Pakistan which was a reconfirmation of the August 1940 announcement of Amery that the interests of minorities will be taken into consideration in any advance on self-rule and dominion status.

Jinnah on the Cabinet Mission

Speaking to the Associated Press of India on 20 February, Jinnah said he had seen the announcement that the Cabinet Mission would seek to promote a single Constitution-making body and the formation of a representative political executive of the governor-general as an interim arrangement. He said that the Muslim League was opposed to such ideas and remarked: 'The major issue must be decided first and that is the demand of Muslims in India for Pakistan. After the principle of Pakistan is accepted we can proceed to settle the details. There [cannot] be and there is no room for compromise on the Pakistan demand of Muslims in India.'[25]

The uprising of naval ratings, February 1946

After the INA episode, another incident of disloyalty to the British Raj was the mutiny of young naval ratings, Hindus and Muslims, of the Royal Indian Navy in Bombay and Karachi. They had two immediate grievances: the discriminatory attitude of white officers and the poor quality of food. Native officers did not take part. The rebels captured some installations; the Union Jack was brought down, and the flags of the Congress and the Muslim League were hoisted instead. However, they did not find support from any leader except the communists. Vice Admiral J.H. Godfrey demanded that the rebels surrender; they refused. It resulted in an exchange of fire between them and the loyal troops. Sardar Patel told them bluntly that he agreed with Admiral Godfrey and advised them to surrender, promising to press for their

IQBAL FORUM

legitimate demands. On 23 February, their leader M.S. Khan called off the uprising, which had resulted in 236 dead and 1156 injured.[26]

The Cabinet Mission arrives in India

The Cabinet Mission arrived in India on 23 March 1946. Volume VII of *The Transfer of Power* is devoted entirely to it. Its 1095 pages are a fascinating record of their proceedings. The ministers met party leaders, community leaders, chief ministers and ministers of provinces, regional leaders, princes and their ministers, British civil and military officials in India and a host of other people. Viceroy Wavell was present on most occasions and conducted negotiations with Indian representatives on behalf of the delegation and submitted his reports to it. There were several interlocutors, most notably Major Woodrow Wyatt, a Labour MP, who was personal assistant to Sir Stafford Cripps. He talked to various leaders and reported to his superiors.

On 2 April, Maulana Abul Kalam Azad met the delegation and Wavell. He opposed the two-nation theory, Partition and the creation of Pakistan. One interesting argument he put forward was that since substantial minorities would be found in both India and Pakistan, Partition would not solve the so-called communal problem. Also, while the Hindus and Sikhs in Pakistan would be financially strong and powerful, the Muslims left in India would be predominantly poor and powerless.[27] On 3 April, the delegation (Wavell was present) met Gandhi. Gandhi went over his version of the Congress being the representative of all Indians and a secular party. He said that for eighteen days in 1944 he tried to convince Jinnah that the two-nation theory was flawed. Further, he argued that Jinnah had never given a clear picture of what Pakistan would be like. He proposed that for the interim period Jinnah should be asked to form the government and choose the ministers he wanted. However, there should be one Constitution-making body. Such a government would be responsible to the Central Assembly and ministers drawn from the provincial legislatures. Pethick-Lawrence said such an assembly would inevitably have mostly Hindu members because that was the reality, and Jinnah might not be willing to accept it. Gandhi appreciated the difficulties but said he could not think of an alternative.[28]

IQBAL FORUM

4 April: A veiled threat to Jinnah?

Jinnah met the delegation on 4 April. Wavell was present. He was requested to give his reasons why there should be a Pakistan. Jinnah's response was that India was never a united country, not even during the British period, because of the hundreds of princely states being outside the directly administered territories of British India. Hindus and Muslims were two separate nations that shared nothing in common except conflict at all levels of life, individual and collective. Those regions brought under one central control were administered by the 'steel frame' (civil service) backed by the force of arms. If India was left united, it would break down and this would cause unprecedented upheaval and chaos. Under the circumstances, not one but two 'steel frames' should be created to manage the affairs of Hindu and Muslim India. He said that although Muslims had not decided if they would remain in the British Commonwealth, it might be in the interest of both countries to do so. On being pressed by Cripps on the issue of defence, Jinnah conceded that some sort of defence arrangement with Hindustan was possible but he could not 'agree to any machinery which would derogate the sovereignty of Pakistan'.[29] The mission explained that they were thinking of an all-India machinery for the defence of both India and Pakistan. It could have a common organization with a secretariat, chiefs of staff, with equal representation, which would concert measures for common defence.

Jinnah wanted both India and Pakistan to join the United Nations and through its machinery arrange for a peace treaty between the two nations. Pethick-Lawrence replied that the mission 'was interested in exploring the possibility of Pakistan and its viability both in peace and war. *If Mr Jinnah could not convince the Delegation of the defensibility of Pakistan, he was rather driving the Mission into the solution of handing over authority to a United India* [emphasis added].'[30] Jinnah retorted that 'if he had not convinced the Delegation he could not do so. He could not agree to anything which would derogate from the sovereignty of Pakistan.'[31] Cripps then asked him if he could agree to a mutual defence pact between India and Pakistan. Jinnah said he would agree to a defensive alliance. Cripps then asked if Pakistan would agree to mutual consultation on foreign policy.

IQBAL FORUM

Jinnah replied in the affirmative. When asked about inter-running communications of all kinds, Jinnah said that could be arranged, but he could not express an opinion about sea customs.

Wavell then asked him what the boundaries of Pakistan would be. Jinnah said he wanted an economically viable Pakistan. He would not insist on the inclusion of Hindu-majority areas, but could not agree to Calcutta being given to India, simply because it had a Hindu majority. When asked if he would agree to Calcutta as a free port for both countries, Jinnah was reluctant to agree, saying that the examples of Danzig, Shanghai and other such seaports were imposed by force and maintained by force. Pakistan without Calcutta would be like a body without a heart. He said what he wanted was a 'nucleus Muslim territory surrounded by sufficiently additional territory to make it economically viable'.[32]

On 5 April

On 5 April, the Sikhs met the delegation. Master Tara Singh said that the Sikhs were against the partition of India and favoured a coalition government of all communities, but if Partition took place, the Sikhs could not live either in India or Pakistan. However, in a united India, they would be in a better bargaining position and no one community would be able to dominate the government. Sardar Harnam Singh argued that in the division of the Punjab, heads alone should not be counted. He asserted that the Sikhs held more land than the Muslims in the Lahore and Amritsar districts and paid more land revenue than them. If Jinnah's Muslims were not reconciled to majority rule, why should the Sikhs reconcile to Muslim-majority rule? Giani Kartar Singh emphasized the importance of the Sikhs in the army. All three wanted a separate Sikh state to be established which should include the Ambala and Jullundur (also written as Jalandhar) divisions and parts of Lahore division where they claimed Sikhs owned more land and other property.[33]

Sardar Baldev Singh met the delegation separately on 5 April. He complained that the Sikhs had suffered because of their minority position in the Muslim-dominated governments, even if they were not communal governments. Their numbers in the army had fallen. He said that enmity between Sikhs and Muslims went far back in history.

IQBAL FORUM

Like other Sikh leaders, he favoured a united India, but if India was to be partitioned, a Sikh State, Khalistan, should be established, which should include the Ambala and Jullundur divisions and include Lahore, with the border with Pakistan to be drawn on the Chenab River.[34]

Dr Ambedkar met the delegation and the viceroy on the same day. Although he had famously supported the demand for Pakistan in his book published in 1941, he now said he doubted if Muslims would benefit from Pakistan because many of them would remain in India. He deplored that an independent India would be the greatest disaster for his people, whom caste Hindus continue to mistreat in all senses of the word. He wanted safeguards for the Scheduled Castes to be included in the Indian Constitution and separate electorates granted to his people. He was told that the British were going to hand over power to Indians. Therefore, it was advisable for the Scheduled Castes to align themselves with the (Congress) left-wing rather than relying on the British.[35] The Punjab premier, Sir Khizr Tiwana, also met the delegation the same day. Cripps asked what the status of the Punjab would be if Pakistan came into being. Khizr replied that the British had committed grave blunders by not making Jinnah spell out or define Pakistan, but if the whole of the Punjab was given to Pakistan with substantial non-Muslim minorities, it would be good, but the Sikhs would have great difficulty in accepting it. He remarked:

> The Muslim League had liked to keep the idea [of Pakistan] vague, so that every Muslim might interpret it as a sort of Utopia where his own ambitions would be satisfied. At the elections they had identified it with Islam, the Koran and the Holy Prophet (PBUH). At the same time it must be admitted that the Pakistan idea, in which Mr. Jinnah himself had not believed seven years ago, had now taken root among the educated classes.[36]

He feared that after the British withdrew, democratic institutions in India would not survive and some sort of dictatorship would take over, or the country might even be divided into warring princely states, as was the case before the coming of the British.[37]

IQBAL FORUM

Address to AIML members of the central legislature and provincial legislatures, 7 April

To Jinnah, it was now clear that the British were preparing to withdraw from India. He was no longer in the enviable position he enjoyed during the war: partnering with Britain to checkmate the Congress bid for independence. His communications with Churchill notwithstanding, the reality was that the Labour Party would not go out of the way to reward him for his loyalty during the war. However, the elections had validated his claims that Muslim India wanted Partition and Pakistan. For him, it legitimized and vindicated his stand. It was in such a spirit that he congratulated the Muslim League legislators on their great victory. He told them that the Muslim League stand remained the same: that India should be partitioned to create Hindustan and Pakistan. As usual, he went over various aspects of his core argument that the two-nation theory was the correct way of looking upon the communal question. He upbraided Nehru and Sardar Patel for trying to scare the British that a bloodbath would take place if India was partitioned.[38]

Interview with Victor Lewis of the *Western Mail*, 7 April

A report published in the *Western Mail* informed the public that Jinnah wanted the Indian Army to be split into regiments and given to India and Pakistan. He also said that Pakistan must have Calcutta (which had only a 23 per cent Muslim population), arguing that the Hindu population was mostly settlers who had come there for trade and employment. He said India would have the Bombay and Madras seaports.[39] Jinnah continued issuing statements, categorically rejecting all ideas of an Indian federation in a united India, asserting it would mean the permanent slavery of Muslims. He said he himself belonged to a minority province but that had not deterred him from prioritizing the interests of the Muslim nation of India over his own. He summed up his stand: 'We Muslims have everything—brains, intelligence, capacity and courage—virtues that nations must possess . . . No nation achieves anything unless its women go side by side with men—even to the battlefield.'[40]

IQBAL FORUM

8 April

On 8 April, Bengal's premier, Huseyn Shaheed Suhrawardy, met the delegation. He said Jinnah was the leader of all Muslims and the Muslims wanted Pakistan. He wanted the whole of Bengal and Assam in Eastern Pakistan, even if that meant a large Hindu minority, because Hindu and Muslim Bengalis shared the same language and culture. They questioned such reasoning because, while on the grounds of language and culture, he wanted Bengal to remain united, he wanted India partitioned by religion, even though Bengali Muslims had no linguistic or cultural affinity with Punjabis, Sindhis and others.[41]

The same day, the Muslim leaders of the Hindu-majority provinces, Muhammad Ismail (Madras), I.I. Chundrigar (Bombay), Maulana Syed Abdur Rauf Shah (Bihar) and Chaudhry Khaliquzzaman (UP), met the delegation. They all took the stand that Hindus in Pakistan would be the best guarantee for the rights and safety of Muslims left in India, because in case they were mistreated, Pakistan could take retaliatory action against Hindus or even intervene in India to prevent that. A strong Pakistan would be the deterrent to the persecution of Indian Muslims. When asked if that would entail that Muslims might migrate to Pakistan, he was told that educated Muslims as well as Muslim industrialists from Bombay might do it.[42] In short, theirs was the hostage theory which, on 23 March 1940, the delegates from the Hindu-majority provinces had set forth to justify the partition of India to create Muslim states in the Muslim-majority provinces.

A delegation of leaders of the All-India Depressed Classes League consisting of Jagjivan Ram, Radhanath Das and Prithvi Singh Azad met the delegation on 8 April as well. They said the Scheduled Castes Federation (of Dr Ambedkar) had been defeated everywhere (including Ambedkar). It was the All-India Depressed Classes League, supported by the Congress, which won all seats. Therefore, it represented the interests of the Scheduled Castes. They said they stood with other Indians for an undivided, independent India. They were against weightage for any community if it adversely affected the rights of another community. However, if weightage was granted, then the Scheduled Castes must also be given it.[43] It can be noted that when Ambedkar was defeated in Maharashtra, Jogendra Nath Mandal in Bengal vacated his seat and let Ambedkar be elected instead. This is how Dr Ambedkar could become

IQBAL FORUM

a member of the Constituent Assembly, members of which were elected indirectly by the provincial assemblies.

Miscellaneous ongoing interactions

In the meanwhile, notes and letters were being exchanged and meetings taking place with British officials and HMG. Also, rulers and their chief ministers presented their concerns regarding the question of paramountcy. Would it be transferred to India (and Pakistan), or would it terminate with the end of British rule? Major Wyatt submitted a note (undated) of a conversation with Gandhi, who had alleged that the idea of Pakistan was a British creation. Gandhi agreed it would be much better if the Congress conceded it rather than the British. He feared that bloodshed would follow. He gave his word that he would try to influence the Congress not to resort to violence, but he could not guarantee it. He advised that an interim government should be formed that would be answerable to the central legislature. The central legislature members should nominate members of the Executive Council. European and other nominated members should be excluded from taking part in the making of the interim government.

Gandhi assured them that he would urge the Congress to offer seats in the Executive Council to the Muslim League. If the British did not want to accept the nominations of the Congress, they should accept the nominations of the Muslim League. He would tell the Congress to play fair with the Muslim League. The British should inform the interim government that after a certain date they would have no responsibility for India. They must therefore solve their problems before that date.[44] Cripps and Alexander met S.P. Mookerjee and L.B. Bhopatkar of the Hindu Mahasabha on 15 April. Mookerjee said that the Hindu Mahasabha would not compromise on Pakistan. He believed in an effective Centre and doubted that such an arrangement would harm Muslim interests.[45]

On 16 April, the delegation met Jinnah again and told him that agreement might be possible in two ways. First, agreement on a separate Pakistan consisting of Sind, the NWFP, Baluchistan, the Muslim-majority districts of the Punjab, minus *perhaps* Gurdaspur, eastern Bengal and the district of Sylḥet in Assam. Regarding Calcutta, its inclusion in Pakistan was doubtful based on the principle of self-determination. It could be possible only if Pakistan entered a

IQBAL FORUM

defence treaty with India. The second option was that the Congress and the Muslim League sit down together to try to evolve a scheme for an Indian union. The Centre can have defence, foreign affairs and communications. If Jinnah accepted it, then the Muslim federation could include all the areas specified already. Whether the princely states would come into the Union as a separate federation would be a matter for negotiations.[46]

Jinnah told them that no amount of power-sharing would be fair and the domination by Hindus of Muslims would not be prevented in any scheme which kept them together. He remarked, 'It is only when the Muslims are in the majority in Pakistan and the Hindus in Hindustan that you can have sufficient united force running through the State from the top to the bottom to provide a "steel frame" which could hold it together.'[47] He further said that 'once the principle of Pakistan was conceded, the question of the territory of Pakistan could be discussed'.[48] Jinnah added that under no circumstance could he accept a Pakistan without Calcutta. He was told that neither of these two options would be acceptable to the Congress. Jinnah again reiterated that India would retain three-fourths of undivided India and it should be willing to give Calcutta to Pakistan. He was reminded that if Jinnah insisted on Partition, he would have a real problem with the defence of Pakistan since it would comprise two separate wings. Jinnah said that, 'so far as the Union is concerned he could not accept the principle'.[49] In other words, he was dead set against a union with the rest of India which would compromise Pakistan's sovereignty.

The same day, on 16 April, Cripps and Alexander met the representatives of several Muslim parties opposed to the Muslim League: Maulana Hussain Ahmed Madani (All-India Muslim Parliamentary Board), Zahiruddin (All-India Momin Conference), Sheikh Hisamuddin (All-India Ahrars), Abdul Majid Khwaja (Nationalist Muslims) and Hosseinbhai Laljee (All-Parties Shia Conference). All of them said they were opposed to the partition of India and that the Muslim League did not represent all Muslims and that many Muslims did not believe in Pakistan.[50]

On 17 April, the delegation first met P.C. Joshi of the CPI. He reiterated the Adhikari thesis and advised the British to declare India independent and leave authority to some other power. Next, they met Azad and asked for some clarifications about his ideas of a federation

IQBAL FORUM

with compulsory and optional subjects. They also discussed ideas of the interim government and so on. Azad said that if the idea was to have a federation, then it could not consist of two parts. It would have to be one state. The option to opt out from the federation was also discussed.[51] On 18 April, Cripps reported that he talked to Jinnah who thought that talking to the Congress was pointless. He was dead set against any compromise on Pakistan and only in the case of a treaty between Pakistan and Hindustan would he agree to common foreign and defence policies. Cripps added, 'He was, however, firmly opposed to any Legislature or Executive even on the basis of equal representation.' Cripps also reported that he met Gandhi who was willing to meet Jinnah but thought it would solve nothing.[52]

The delegation sent a telegram to Prime Minister Attlee dated 18 April, which informed him that they had told Azad that paramountcy would lapse when British India becomes independent and the states thereby would acquire independence. Paramountcy could not be transferred to an Indian authority.[53] Further, that Cripps had met Gandhi and Nehru and his interviews convinced him that there was no basis for an agreement.[54] More communications followed between the mission and Indian leaders, resulting in clarifications, accusations and counter-accusations.

Draft statement

In an undated draft statement of the Cabinet Mission and Wavell, it was observed that the territorial demarcation the League was claiming would still have 37.9 per cent non-Muslims in areas claimed in the north-west and 48.3 per cent in eastern Bengal, or rather East Pakistan, and would leave some 20 million Muslims in India in a total population of 188 million.[55] Moreover, large areas of Bengal and the Punjab could not be given to Pakistan. 'Every argument that can be used in favour of Pakistan, can equally in our view be used in favour of the exclusion of the non-Muslim areas of Pakistan. The argument was especially pressed upon us by the Sikhs.'[56] Thereafter followed another fervent round of communications. The idea of an umpire giving the final award was also discussed between Jinnah and Nehru. A second Simla Conference on 11 May 1946 found the principal adversaries sticking to their respective positions.[57]

IQBAL FORUM

Statement of Jinnah on the minimum conditions for an agreement

On 11 May, Jinnah, on behalf of the Muslim League, listed the minimum conditions for an agreement:

1. The Muslim-majority provinces must be grouped together as one group.
2. They must appoint their own Constitution-making body which will deal with all matters, except defence, foreign affairs and communications.
3. Provincial governments will deal with all other matters and will have residuary powers.
4. There will be a separate Constitution-making body for the Hindu group.
5. The Muslim and Hindu groups will separately frame constitutions for the group and for the provinces within them.
6. Each province will have the option to opt out of the group after the constitution for the group has been framed.
7. Each community in each province will be properly represented in the group and in each province within the group.
8. The Union will be limited to three subjects: foreign affairs, defence and communications. Its financing will be decided by the joint meeting of the two Constitution-making bodies.
9. There will be parity of representation of the two groups in the Union executive and legislature, if any.
10. No major point in the Union Constitution which affects the communal issue will be passed unless a majority of the representatives of the Hindu-majority provinces and Muslim-majority provinces are present and voting separately in its favour.[58]

It ended by saying, 'These are the final minimum requirements of the Muslim League on the basis of which they would be prepared to come to an agreement.'[59] Noteworthy is that the future of princely states were not included but strong emphasis was laid on the offer being treated in its entirety and interdependence.

IQBAL FORUM

Congress advanced its points as a basis for an agreement, 12 May

1. The Constituent Assembly shall be formed by elected representatives elected by each provincial assembly by proportional representation. The representatives of the princely states will be on the basis of their population in proportion to the representation from British India.
2. The Constituent Assembly shall draw up a constitution for the Federal Union. It will consist of an all-India federal government and legislature dealing with foreign affairs, defence, communications, fundamental rights, currency, customs and planning, as well as other subjects as may be found to be allied intimately to them. The Federal Union will have the necessary powers to acquire finances needed for these subjects and thus the power to raise revenue in its own right. Additionally, it must have powers to take remedial action in cases of breakdown of the Constitution and in grave emergencies.
3. All the remaining powers will be vested in the provinces or units.
4. Groups of provinces may be formed which can determine the provincial subjects they desire to take in common.
5. After the Constituent Assembly had framed the Union Federal Constitution the representatives of the provinces may form groups to decide provincial constitutions for their groups and for the group.
6. No major point in the Indian Federal Union which affects communal matters shall be deemed to be passed by the Constituent Assembly unless a majority of members of the community or communities concerned present and voting in the Assembly separately are in its favour. In case of no agreement on such an issue, it would be referred to arbitration. In case of doubt on whether an issue is communal or not, the Speaker can decide, or it can be referred to the Federal Court.
7. If a dispute arises in the process of Constitution-making, it can be referred for arbitration.
8. The Constitution should provide machinery for its revision subject to such checks as may be desired. It can be laid down that the whole Constitution may be reconsidered after ten years.[60]

IQBAL FORUM

It was stated that the Muslim League's stand differed radically from the Congress's and could not serve as the basis of a settlement. The key points are taken up below:

1. The Congress wanted that one Constitution-making body should meet for the whole of India and later for the groups to be formed if so desired by the provinces. Such matters should be left to the provinces if they wanted to function as a group and adopt a Constitution for it. 'In any event Assam has obviously no place in the group mentioned, and the North-West Frontier Province, as the elections show, is not in favour of this proposal.'[61]
2. There was no necessity for the opting out of a province from its group because the previous consent of the province was necessary to join the group.
3. It declared forcefully that it was opposed to parity of representation between groups of provinces in the Union executive or legislature. The inclusion in the Union Constitution that no major communal issue will be passed unless a majority of members of the affected community or communities are present and voting for it is a sufficient safeguard for all minorities.
4. Fundamental rights and safeguards concerning religion, culture and like matters should be included in the All-India Federal Union Constitution.[62] 'There should be uniformity in regard to these Fundamental Rights all over India.'[63]

The two principal parties had moved to the middle: for the League, a sovereign Pakistan was willing to confederate with India on foreign affairs, defence and communications, while the Congress wanted to secure a united India, while conceding substantial autonomy to the provinces through a federal Constitution and state. As already noted, a confederation is a voluntary and limited union and can be dissolved by the confederating units, while a federation stops short of that. The League would not compromise on the right of provinces to opt out of the Union, and the Congress would not agree to it. Under the circumstances, it was left to the British to announce an award or something less definitive: a scheme or plan for the transfer of power.

IQBAL FORUM

The Cabinet Mission Plan, 16 May 1946

In the Cabinet Mission Plan announced on 16 May 1947, the demand for Pakistan was rejected on the grounds that such a state would still have considerable non-Muslim minorities living in it—in western Pakistan, 37.9 per cent non-Muslims, and in eastern Pakistan, 48.3 per cent non-Muslims would be left in the areas claimed by the Muslim League, besides the 20 million Muslims found in India in a total population of 188 million.[64] The Mission then considered a smaller Pakistan from which non-Muslim areas in the eastern Punjab and western Bengal would be excluded. It rejected that, too, making the following observation:

> We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these Provinces. Bengal and the Punjab each has its own common language and a long history and traditions. Moreover, any division of the Punjab would of necessity divide the Sikhs leaving substantial bodies of Sikhs on both sides of the boundary. We therefore have been forced to the conclusion that neither a larger nor a smaller sovereign State of Pakistan would provide an acceptable solution for the communal problem.[65]

The report continued along such lines, giving administrative, economic and military reasons for rejecting the partition of India. That the two wings of Pakistan would be separated by some 1500 kilometres would make Pakistan extremely vulnerable and indefensible in a war with India. Additionally, the report asserted that such a separation would make it difficult for the princely states to associate themselves with a divided British India.[66]

Regarding the princely states, it was declared that with the attainment of independence by India, whether inside or outside the British Commonwealth, British paramountcy would lapse. It would not be transferred to the new government. However, the princely states were willing to cooperate with the new developments in India. The precise form of cooperation would be decided later through negotiations.[67]

IQBAL FORUM

The solution proffered by the Cabinet Mission Plan had, among other items, the following chief ones:

1. There should be a union of India, embracing both British India and the princely states, which should deal with foreign affairs, defence and communications and have the power to raise finances required for those three areas of government activity.
2. All other areas of policy would be vested in the provinces.
3. The princely states would retain all powers other than those ceded to the Union.
4. The provinces would be free to form groups, with each group forming their own executive and legislatures, and each group could determine the provincial subjects to be taken up in common.
5. 'The constitutions of the Union and of the Groups should contain a provision whereby any Province could, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the constitution after an initial period of 10 years and at 10 years intervals thereafter.'[68]
6. Representation should be given to three groups—General (Hindus and others), Muslim and Sikh representatives in the provincial legislatures, with each group electing its own members.
7. Three sections or groups should be constituted by the provinces. Group A should include the Hindu-majority provinces of Madras, Bombay, the United Provinces, Bihar, the Central Provinces and Orissa. Group B should include the Muslim-majority provinces of the north-west: the Punjab, the North-West Frontier Province and Sind. Group C should include the Muslim-majority provinces of the north-east: Bengal and Assam.
8. It was calculated that in the Constituent Assembly consisting of 385 members, elected by each provincial legislature of the three groups, General seats (Hindus and other communities minus Muslims and Sikhs) would be 210, Muslim seats seventy-eight and princely states would have ninety-three seats.[69]
9. Several clauses about the Constituent Assembly, which would frame a Constitution for the federation, were taken up. It was stated that the government assigned the greatest attachment to the setting up of an interim government enjoying the support of the major parties. The British intention was now to create an

IQBAL FORUM

independent India which would choose to remain a member of the British Commonwealth.[70]

Jinnah's statement on the Cabinet Mission Plan, 22 May

In a long review of the League and the Congress demands and the mission's and viceroy's dealing with them, Jinnah deplored that the Muslim League's just and fair demand for the partition of India had been overruled; that Pakistan had been divided into two sections, B and C zones, instead of the one which the Muslim League had demanded; instead of two Constitution-making bodies, only one Constitution-making body had been devised with three sections A, B and C; furthermore, instead of finances for the Union being made by contribution instead of taxation, it had been left unclear how the Union would be empowered to raise finances.[71] He further complained that while the Muslim League wanted an explicit provision for Pakistan to secede from the Union after ten years, it had been whittled down to 'reconsideration of terms of the Union Constitution after an initial period of ten years'.[72] Jinnah also took strong exception to the Constitution-making body's composition because, for British India, if the Muslims had seventy-nine seats out of 292, and the princely states were granted ninety-three seats, the Muslim proportion would reduce drastically. He ended by saying that the AIML Council would give the final decision on the Cabinet Mission Plan.[73]

Congress, Sikh and Muslim League responses

The Congress, in a resolution of 24 May 1946, stated that it was not agreeable to the proposals since it believed that an independent India 'must necessarily have a strong central authority capable of representing the nation with power and dignity in the councils of the world'.[74] It regretted that the scheme did not fulfil that fundamental requirement. The future of the princely states had not been clearly spelled out. It demanded that 'the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing upon a constitution and giving effect to it'.[75] The bottom line was that Indian unity must be ensured through an effective central government.

IQBAL FORUM

The Sikh leader Master Tara Singh sent a letter dated 25 May 1946 to the secretary of state in which he said:

> The Sikhs have been entirely thrown at the mercy of the Muslims. Group B comprises the Punjab, the N.W.F. Province, Sind and Baluchistan . . . The Cabinet Mission recognises 'the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu majority rule'. But is there no 'genuine and acute anxiety' among the Sikhs lest they should find themselves subjected to a perpetual Muslim-majority rule? If the British Government is not aware of the Sikh feelings, the Sikhs will have to resort to some measures in order to convince everybody of the Sikh anxiety, in case they are subjected to a perpetual Muslim domination.[76]

Jinnah's speech in Delhi at a meeting of the Council of the Muslim League, 5 June

In a speech reported in the *Dawn* of 6 June, Jinnah reviewed the Cabinet Mission Plan and argued for careful consideration of what was being offered. He said rhetorically:

> Let me tell you that Muslim India will not rest content until we have established full, complete, sovereign Pakistan . . . I repeat from this platform that delay is not good either for the British Government or the Hindus. If they love freedom, if they love the independence of India, if they want to be free, then the sooner they realise the better that the quickest way is to agree to Pakistan. Either you agree or we shall have it in spite of you.[77]

Jinnah's speech at the secret session of the AIML Council, 6 June

Jinnah now prepared the most crucial speech in his life since his 22 March 1940 presidential address in Lahore. He said among other things: 'I advised you to reject the Cripps proposal, I advised you to reject the last Simla Conference formula. But I cannot advise you to reject the Cabinet Mission's proposal. I advise you to accept it . . .

IQBAL FORUM

The Lahore Resolution did not mean that when Muslims put forward their demand, it must be accepted at once . . . Acceptance of the Mission's proposals was not the end of their struggle for Pakistan. They should continue their struggle till Pakistan was achieved.'[78] He went on to say that the struggle to create Pakistan would continue and if anything was done against their wishes, they would create a deadlock in the Constituent Assembly. They would also fight for the rights of the groups or units to rejoin the group from which they have seceded.[79]

Now, as we noted, on 4 April, Jinnah had been obliquely warned by the delegation that unless he could convince them about the defensibility of Pakistan, it could think of handing over power to a united India. That had elicited positive responses from him to the idea of a defence pact with India and consultation on foreign affairs. However, Jinnah maintained a defiant and uncompromising facade, sticking to his demand for Partition to create Pakistan until 5 June. His diametrically opposite advice on 6 June to the Muslim League Council to accept the Cabinet Mission Plan shows that he understood that his ability to bargain to get a deal on his terms had been severely limited. The war was over and so was his role as the most important man in Asia. The British would leave India on their terms, and he'd better accept that. Considered in the light of this chain of events, no grounds exist to accept that Jinnah did not want Partition—he wanted power-sharing within a united India. The truth was that he was left with no other choice but to accept the Cabinet Mission Plan as a better option than a united India on Congress terms. At any rate, the Muslim League passed a resolution on 6 June 1946 in which it regretted that the demand for Pakistan had not been conceded—but it was willing to accept the proposals because the idea of Pakistan was inherent in them 'by virtue of the compulsory grouping of the six Muslim Provinces in Sections B and C, [and would be] willing to co-operate with the constitution-making machinery in the hope that it would ultimately result in the establishment of complete sovereign Pakistan'.[80]

Yet, Jinnah continued to make demands that would in some way bring the Muslim League at a par with the Congress. On 7 June, he demanded 5:5:2 representation for the Muslim League in the interim government and followed up by elaborating in a note to

IQBAL FORUM

Wavell that he should be given assurance that there would be only twelve portfolios—five for the Congress, five for the League, one Sikh and one Christian or Anglo-Indian—and that the most important portfolios would be equally divided between the League and the Congress. He also pointed out that if the Congress included a Muslim in their quota, it would be strongly resented by the Muslim League and would be another hurdle in the way of progress.[81]

The Congress response was that instead of the Hindu–Muslim parity which Jinnah had previously demanded, he now wanted Congress–League parity: 'This cut out all the non-League Muslims who were a considerable element in the country.'[82] This was unacceptable to the Congress. Major Wyatt reported on 10 June that Gandhi was against parity being imposed by the British. However, if it was left for Nehru and Jinnah to decide this matter, he thought 'it was quite possible that Congress would then concede parity to the Muslim League in order to get them in'.[83] On 10 June, the Sikhs passed a resolution rejecting the Cabinet Mission Plan, which stated that 'no constitution will be acceptable to the Sikhs which does not meet their just demands and is settled with consent'.[84]

Interim government

Wavell met Gandhi on 11 June and told him that it would be impossible for Jinnah to relent on his demand for parity, though he (Wavell) agreed that it was illogical because there were 19 million Hindus and only 9 million Muslims. Jinnah's plea was that for the sake of starting the process of a coalition government, it was necessary it was conceded by the Congress.[85] Gandhi agreed on the imperatives of forming a coalition government. However, since Jinnah was not willing to talk to Azad, Gandhi wanted that Nehru and Jinnah should meet to decide the members of the coalition government.[86]

Wyatt met Jinnah the same day. Jinnah said he was not willing to compromise on the parity issue. He had had great difficulty in making the Muslim League Council accept the Cabinet Mission Plan. Without parity there would be no Muslim League participation in the interim government. He further said that he was not willing to meet Nehru until the Congress had accepted the Cabinet Mission proposals.[87]On 12 June, Wavell met Sardar Patel, who told him that Gandhi had tried

IQBAL FORUM

to convince the Congress Working Committee to accept the Cabinet Mission Plan and parity, but they were not willing to agree. However, if Jinnah and Nehru can meet and settle the issue, he would be happy.[88] The same day Nehru met Wavell and gave him fifteen names: five Congress (all Hindus), four Muslim League, one non-League Muslim, one non-Congress Hindu, one Congress Scheduled Caste, one Indian Christian, one Sikh and one Congress woman. Wavell told him that such a composition of the interim government would be unacceptable to Jinnah. Nehru replied that the Congress was going to reject the whole proposal, but since Gandhi had intervened, the letter informing Wavell about it had been withheld.[89]

Wavell sends invitations to join the interim government, 16 June

The wrangling continued without resolution. The viceroy then issued invitations to the following fourteen individuals to join the interim government: Sardar Baldev Singh, Sir N.P. Engineer, Mr Jagjivan Ram, Pandit Jawaharlal Nehru, Mr M.A. Jinnah, Nawabzada Liaquat Ali Khan, Mr H.K. Mahtab, Dr John Matthai, Nawab Mohammad Ismail Khan, Khawaja Sir Nazimuddin, Sardar Abdur Rab Nishtar (Muslim League), Mr C. Rajagopalachari, Dr Rajendra Prasad (Congress) and Sardar Vallabhbhai Patel.[90]

Paragraph 5 of the invitation stated:

> The above composition of the Interim Government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only and to obtain the best available coalition government.[91]

Paragraph 8 stated:

> In the event of the two major parties or either of them proving unwilling to join in the setting up of a coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of an interim Government which will be as representative as possible of those willing to accept the Statement of May 16.[92]

IQBAL FORUM

What followed were objections to some people invited to join the government. For example, the Congress protested that Sarat Chandra Bose from Bengal had not been included and instead Harekrushna Mahtab had been included. Sardar Abdur Rab Nishtar had been defeated and Congress Muslims from the NWFP had protested. Gandhi wanted to include a non-League, non-Congress Muslim, Zakir Husain. The Sikhs sent a telegram that they were willing to join the interim government.[93]

An interview dated 17 June between Jinnah, Pethick-Lawrence and Alexander records that Jinnah asserted that the League had accepted the Cabinet Mission Plan on the assumption that parity would be the basis of power-sharing between the Congress and the League, but that had not been granted. He complained that the mission was yielding too much to the Congress but was told that most of the demands of the Congress had been rejected.[94]

Jinnah finally agreed but wanted assurances on two points. First, if the League accepted the proposals, he did not want the Congress to qualify its acceptance by unreasonable demands relating to the portfolios. He wanted the defence portfolio to be given to the Muslim League if he himself decided to serve in the Constitution-making body. Second, that on communal questions both major parties had to concur for an issue to be carried forward. He was told that it was for the viceroy to allocate portfolios, but his second point would be granted because that was intrinsic to the idea of a coalition. Jinnah, it seemed, was willing to recommend that the proposals should be accepted.[95]

After Jinnah's response was considered by the delegation and Wavell, the latter met Azad and Nehru on 18 June. They wanted Bose to be accepted instead of Mahtab. The viceroy conceded their demand. They wanted a non-League Muslim to substitute for a caste Hindu. Wavell thought they would name Zakir Husain.[96] He next met Jinnah later the same day. He was willing to agree to Bose replacing Mahtab but categorically refused to accept the Congress nominating Zakir Husain instead of a caste Hindu. He said he was meeting the Muslim League Working Committee later but was convinced it would not accept such a nomination.[97] The same day Jinnah wrote to Wavell:

IQBAL FORUM

> In the course of my interview with you this evening, you informed me that the Congress proposed to substitute Dr. Zakir Hussain for one of the Caste Hindus invited by you to join the Interim Government, although you expressed the hope that they would not do so. I told you that the reaction of Muslim India would be deadly against such a substitution and the Muslim League would never accept the nomination of any Muslim by you other than a Muslim Leaguer. I placed the matter before my Working Committee and it has unanimously endorsed this view and considers it vital and fundamental.[98]

This was followed by a letter dated 19 June from Jinnah to Wavell in which he poured out his bitterness and accused Wavell of giving in to the Congress. Apart from the issue of parity, Jinnah also complained that the five Muslim Leaguers named by the viceroy were chosen without consulting him, the president of the League. He also objected to Jagjivan Ram being nominated for representation of the Scheduled Castes because he was a member of the Congress. He then wanted to know if the proposals for the interim government had been finalized or they were still open to change and modification.[99]

On 19 June, Cripps first met Azad and then Gandhi. Cripps told him that the mission could not accept the Congress nominating a Muslim. Azad was receptive and suggested he should meet Gandhi and put the case to him. He met Gandhi afterwards, who expressed the view that since Azad was the president of the Congress, he should decide the Congress's stand and regretted that he had left it to Cripps and Gandhi.[100] On 20 June, the delegation and Wavell discussed the developments. Complaints and objections on minor issues had been sorted out on both sides. The sticking point was the Congress wanting to nominate a nationalist Muslim. The Congress Working Committee was of the view that if a Muslim from the Congress Party was to be included in the interim government, it should be Azad. However, Azad himself was unwilling to be included. Rajagopalachari suggested to Maj. Wyatt that if negotiations broke down on the nomination of Azad, a strong case existed for asking the Congress to form the government.[101] Wavell wrote to Jinnah on 20 June, a letter in which, among other things, he assured him that no change in the fourteen persons nominated to the interim government would be made without

IQBAL FORUM

the consent of both parties; other issues were also mentioned but the core point was that the fourteen persons named would be invited first to join the cabinet.[102]

A secret telegram sent to Attlee by Pethick-Lawrence informed him that a majority of the Congress Working Committee were in favour of accepting the proposals. Also, the majority was against the nomination of Azad, as Gandhi wanted, because it would wreck the negotiations. However, Gandhi held on to his guns because, for him, it is a 'lifelong principle that the Congress is a non-communal organization'.[103] At this stage, Gandhi was sticking to the Congress stand that it had the right to nominate a Muslim, even when Azad and others had relented. Jinnah, on the other hand, was completely opposed to such a nomination.

Wavell against Jinnah being invited to form the government!

One of the most intriguing turns of events in the Cabinet Mission's deliberations was that in a meeting dated 21 June of the delegation, Wavell's arguments were considered for and against Jinnah being asked to form the government in case the Congress refused to budge on nominating a Muslim to the interim cabinet. Cripps was in favour of asking Jinnah's help to form the government and nominate members of the cabinet; he believed the Congress would want to take part in the Constitution-making body.[104]

On the other hand:

> His Excellency the Viceroy said he would be very chary of giving Jinnah responsibility to form the whole government. He would prefer to ask Jinnah to come in on the basis that he would get the same share as now proposed. The responsibility for this Interim Government would be the Viceroy's and Jinnah would not be a Prime Minister. He (the Viceroy) would choose the non-Muslim members whom he proposed to serve and would show his list of names to Jinnah. He thought he could get Hindus of sufficient weight who would be willing to serve.[105]

Cripps said that if, instead of the viceroy nominating the ministers, the Muslim League were to do so, it would be more acceptable to

IQBAL FORUM

the Congress because Gandhi had suggested that earlier. Gandhi was against the British deciding the formation of the interim government.[106] However, Mr Abell who was present warned that it would be extremely difficult to form an interim government when eight of the eleven provincial governments were run by the Congress.[107] On 22 June, Wavell wrote to Azad that it was not possible to accept the right of the Congress to include a Muslim of their own choice among the representatives of the interim government.[108]

On 23 June, the delegation and Wavell met representatives of the Congress Party. Many issues were discussed but the Congress could not be convinced to relent on their right to nominate a Muslim to the coalition government. Doing so would mean that all Muslims who were in the Congress would leave the party because it would mean surrendering to the dictates of Jinnah.[109] On 24 June, Congress president, Azad, informed Wavell that the Congress Working Committee had decided 'against the acceptance of the Interim Government proposals as framed by you'.[110] Gandhi told Cripps on the same day that it seemed to him that the Congress would decide to go in for the Constitution-making body, but he could not advise it to join the interim government.[111]

The Congress rejects idea of interim government, 25 June

On 25 June, the Congress Party's Working Committee rejected the idea of forming an interim government but accepted the Constitution-making proposals and suggested it would put its own interpretation on the Cabinet Mission Plan. Its resolution stated:

> The kind of independence which Congress has aimed at is the establishment of a united democratic Indian Federation with a Central authority which would command respect from the nations of the world, maximum provincial autonomy and equal rights for all men and women in the country. The limitation of the Central authority, as contained in the proposals, as well as the system of grouping of Provinces, weakened the whole structure and was unfair to some Provinces, such as the North-West Frontier Province, and Assam, and to some of the minorities, notably the Sikhs... The Provisional Government must have the

IQBAL FORUM

> power and authority and responsibility and should function, in fact if not in law, as a *de facto* independent Government leading to full independence to come. The Members of such a Government can only hold themselves responsible to the people and not to some external authority (Wavell wanted final authority vested in him as viceroy) . . . Congressmen can never give up the national character of Congress or accept an artificial and unjust parity, or agree to a veto of a communal group. The Committee are unable to accept the proposals for the formation of an interim Government as contained in the Statement of June 16th.[112]

It was added, 'The Committee have, however, decided that the Congress should join the proposed Constituent Assembly with a view to framing the Constitution for a free, united, and democratic India.'[113]

The Muslim League Working Committee accepts the Cabinet Mission Plan, 25 June

Having waited for the decision of the Congress, the Muslim League now stated:

> [T]he Working Committee of the All-India Muslim League hereby resolve to agree to join the Interim Government on the basis of the Statement of the Cabinet Delegation and His Excellency the Viceroy dated 16th June, and the clarifications and assurances given by the Viceroy after consultation with the Cabinet Delegation . . .[114]

It was added:

> The Working Committee cannot accept the contention of the Congress . . . that the Congress is entitled to adhere to its interpretation of some of the provisions in the statement of the Cabinet Delegation and His Excellency the Viceroy dated 16th May, 1946, which is opposed to the interpretation and explanation embodied in the statement issued by the Cabinet Delegation and the Viceroy on the 23 [25] May, 1946.[115]

IQBAL FORUM

Efforts continued to persuade both sides to agree to forming a coalition government. When asked if he would be willing to agreeto have a Congress Muslim in the interim government, Jinnah replied that he would not.[116] He complained that the mission had made him make very important concessions to appease the Congress and he had with great effort convinced his Working Committee to accept the 16 June proposals and therefore the Muslim League should be asked to form the interim government. The delegation and Wavell said that the 16 June statement stated that point eight required that if both or either of the two parties declined to join the interim government, the viceroy should try to form a caretaker government of officials he may choose.[117]

27 June statement of Jinnah

In a long statement, Jinnah took up the concessions he had made. He had agreed to the 5:5:2 formula. Later, Wavell had come up with a 5:5:3 formula which Jinnah had, with great difficulty, persuaded his Working Committee to accept. He reviewed other communications with the delegation and the viceroy giving his criticism of the government. He rejected that the Congress was a national, non-communal party, describing it as the party of caste Hindus, who had at their disposal some Muslim henchmen. He said that the Muslim League should have been invited to form the interim government. He concluded by warning that if the government whittled down the 16 June proposals in any way, it would forfeit the confidence of Muslim India.[118]

Jinnah releases secret communications between him and Wavell, 29 June

What Jinnah had already said in his statement of 27 June was now released with the letters exchanged between him and Wavell from 8–28 June 1946. The addition was the letter of 28 June that Jinnah wrote to Wavell after the viceroy's last letter dated 27 June. In his 28 June letter, Jinnah accused Wavell of not officially sending his views to him on behalf of the Cabinet Mission. He quoted paragraph 2 of Wavell's letter of 27 June:

IQBAL FORUM

> As we explained to you during our interview on Tuesday, the Cabinet Mission and I consider that in the light of paragraph 8 of the Statement of June 16, I am clearly bound to make an attempt to form a Government representative of both the major parties, since both have accepted the statement of May 16.[119]

Moreover, Wavell had said in the same letter that he was also thinking about 'reopening negotiations after the elections to the Constituent Assembly have been completed'.[120] Jinnah asserted that Wavell was bound according to the 16 June statement of the mission to form a government, even if one or both the major parties refused to join the interim government. Since the Muslim League had accepted the 16 June statement, while the Congress had rejected it, Wavell was duty-bound to call it to form the government (which would be representative of the major communities). After Jinnah ended and signed the letter, he added a strong-worded note at the bottom of the letter:

> I maintain that the Cabinet Delegation and the Viceroy have gone back on their word within ten days of the publication of their final proposals in not implementing the Statement of June 16, and I fully endorse what has been put so well — 'Statesmen should not eat their words.'[121]

Thereafter followed accusations from Jinnah and Wavell's refutations that the delegation and viceroy had gone back on point eight by not inviting Jinnah to form the interim government. Efforts to convince the Congress to enter a coalition government with the League also failed.

Wavell's letter dated 8 July to His Majesty King George VI

The penultimate letter from the Viceroy Lord Wavell to the British monarch pertaining to the Cabinet Mission is most revealing. Among other things, he wrote:

> The failure to secure an Interim Government was perhaps more my fault than theirs [cabinet ministers], since I conducted most

IQBAL FORUM

> of the negotiations to this end. They came near success, I think. But at the last moment Gandhi, whose conduct, as always, was quite unpredictable, threw a spanner in the works at the Congress end; and Jinnah chose that moment to give to the Press an intemperate letter he had written to me about the attitude of Congress, before I had ever received it . . . we must try to leave India united; and we must secure the co-operation of the Congress which represents the great majority of Indian political opinion, whatever our views on the past record of that Party.'[122]

Wavell asserted that the spanner in the works was thrown by Gandhi who insisted that the Congress could nominate a Muslim, but Jinnah was equally intransigent. He had insisted on the absolute precondition, since at least the Simla Conference of 1945 which he had wrecked, that only the Muslim League could nominate a Muslim. For Wavell, presumably, it was reasonable to describe the Congress as a Hindu party even when neither its Constitution, nor its leadership nor membership was exclusively with Hindus. He made some interesting observations about the key players involved in the negotiations over India's future:

On Gandhi: 'Gandhi . . . however double-tongued he may be, he is quite single-minded on the one objective from which he has never swerved in the last 40 years, the elimination of the hated British influence from India. My distrust of this shrewd, malevolent, old politician was deep before the Conference started; it is deeper than ever now.'[123]

On Jinnah: 'I have much sympathy for Jinnah, who is straighter, more positive and more sincere than most of the Congress leaders; but he overcalled his hand in the end, and thereby, I think missed the opportunity of having a more favourable share in the Interim Government than he is likely to get again . . . He is a curious character, a lonely, unhappy, arbitrary, self-centred man, fighting with much resolution what I fear is a losing battle.'[124]

On Azad: 'Azad, the Congress President, did well. He is a gentleman and stood for good sense and moderation as far as he was able, in spite of poor health and a naturally weak character. But up against Gandhi he was a rabbit faced by a stoat.'[125]

IQBAL FORUM

On Nehru: 'I have seen much of Nehru and cannot help liking him. He is sincere, intelligent, and personally courageous. But he is unbalanced . . . and also lacks the political courage to stand up to Gandhi when he knows he is wrong.'[126]

On Patel: 'Sardar Vallabhbhai Patel is the recognised "tough" of the Congress Working Committee, and by far the most forcible character amongst them. I have a good deal of respect for him than for most of the Congress leaders, and he is probably the only one of them capable of standing up to Gandhi.'[127]

Thereafter followed the assessment of several minor players. The viceroy found the princes and their diwans (chief ministers) performing better than the politicians. He considered the Nawab of Bhopal flirting with the Congress in the hope of obtaining a political post. About the others, he remarked, 'The Nizam [of Hyderabad] is an eccentric miser with a bad record of misrule; Kashmir is little better; there is hardly a semblance of constitutionalism in either State,' and went on giving his views, some positive and some negative about other rulers.[128]

On the dangers ahead: 'The Sikhs . . . who have more conceit than political sense, are threatening to make trouble; Jai Prakash Narain and the Congress left-wing will certainly do so if they have a chance . . . the loyalty of the Police and Indian Army in face of a real challenge to British rule is problematical; and the Congress are convinced that immediate power is theirs for the asking. This has been their real objective, and they will concentrate on it rather than on constitution-making; that is in their eyes a sequel to the seizure of power, not a preliminary.'[129]

On securing British interests: 'We may be able to secure an orderly withdrawal from our rule over India without a rebellion or civil war . . . Still, if we play our hand well, they are likely to continue to lean on British help, and may maintain some connection with the British Commonwealth.'[130]

These views of Wavell were those of a military general who spoke his mind with absolute candour. Obviously, the villain of the piece who

IQBAL FORUM

emerges in his evaluation is Gandhi. This is not surprising because, like for the rest of the British establishment, the Congress was their greatest enemy and it was under Gandhi's leadership that forty years of struggle to attain freedom for India was launched. Gandhi had especially earned the wrath of the viceroy for being the mastermind behind the Quit India movement. That challenge—at a time when the British were fighting the war with their back against the wall, when Singapore had fallen and the Japanese were advancing towards India—was seen as treachery of the highest order and unpardonable. Wavell did not mince words when he said categorically:

> I can never entirely rid my mind of the recollection that in 1942, as almost the most critical period of the war for India, which I was endeavouring as Commander-in-Chief to secure India with very inadequate resources against Japanese invasion, the supporters of Congress made a deliberate effort to paralyse my communications to the Eastern Front by widespread sabotage and rioting.[131,132]

The Cabinet Mission and its proposals failed to secure a settlement which would be acceptable to the two major parties. The delegation left India for the UK on 29 June 1946. This chapter amply demonstrates that after Mohammad Ali Jinnah was served an ultimatum, his intransigence could mean power being transferred to a united India, in which the Congress would have the advantage to organize it in accordance with its idea of an integrated federation with a strong Centre, he began to reconsider his strategy and on 6 June finally advised the Muslim League to accept the 16 May Cabinet Mission Plan. No grounds exist to even remotely infer from this change in position that Jinnah secretly always wanted a power-sharing deal with the Congress: he simply had no other option to consider but to accept the plan, though the acceptance was not unconditional. Not doing so would mean the British leaving India to the Congress—that would be a defeat he wanted to avoid at all costs.

We also learn that Wavell was not willing to appoint Jinnah as the prime minister of the interim government and wanted himself to continue enjoying effective executive powers under the 1935 Act. That Gandhi was responsible for not agreeing to relent on the Congress

IQBAL FORUM

nominating a Muslim, when apparently others in the party, including Azad, were agreeable to it, or whether his position was identical to the opposite position of Jinnah to claim the exclusive right to nominate Muslim members to the interim government, is a controversy on which discussion and debate will continue. However, Gandhi was not taking an unreasonable stand when we also learn that he was willing to back a government formed by Jinnah as prime minister which would render Wavell merely a ceremonial head of state—something Wavell was not willing to agree to. In short, the Cabinet Mission failed to find a constitutional formula which would satisfy the major protagonists while securing the overall British geostrategic and economic interests in the subcontinent.

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 13

British Efforts to Salvage the Cabinet Mission Plan



At the beginning of July 1946, the overall British objective remained to transfer power to a unitary (single) India constituted as a three-tiered federation, with residuary powers vested in the provinces. The Muslim League's demand for Partition and Pakistan had been rejected because, besides the problem that substantial numbers of Hindus would continue to be part of Pakistan, it was considered economically, financially and militarily unfeasible. However, that did not mean that there was consensus on this in the British establishment. Dissenting voices existed; that of Churchill was well known. In the establishment, suspicion and contempt for the INC was deep-rooted. With the exception of Wavell's intense dislike for Gandhi, most others in the British establishment considered Nehru more dangerous because of his socialist and pro-Soviet leanings.[1] We shall presently examine how and why the pro-Pakistan lobby gained the upper hand and finally the partition of India took place, but not before Bengal and the Punjab were partitioned too.

On 3 July, Wavell wrote to Azad, hoping that the Congress would not create difficulties in his quest to form a coalition government through negotiations. Azad wrote to him on 10 July saying that his stand was that the interim government must include both the Congress and the League but that the national character of the Congress (vis-à-vis the communal character of the Muslim League) was non-negotiable—which meant that the Congress should have

IQBAL FORUM

the right to nominate a Muslim to the interim government.[2] Wavell announced a Caretaker Executive Council, while he and the cabinet ministers continued discussions with Indian politicians, princes and others regarding the formation of an interim government. British policy remained that the Congress and the Muslim League should join the coalition. Talks between Jinnah and Nehru were considered important to pave the way for the interim government.

Nehru's press conference in Bombay, 10 July 1946

Nehru reiterated the position that the INC had taken in the protracted negotiations with the Cabinet Delegation and Wavell and did not depart in any radical way from it, except that he made some remarks, which, Azad alleged in his book, *India Wins Freedom*, wrecked the chances of the Muslim League joining the interim government. Azad quoted Nehru as saying that the Congress would enter the Constituent Assembly 'completely unfettered by agreements and free to meet all situations as they arise'.[3] The text given in government papers of what Nehru said is worded slightly differently: 'Congress had made no commitment in regard either to the long-term or short-term plan, except to go to the Constituent Assembly.'[4]

Jinnah's interview to the Associated Press of India, 13 July

In the interview published in the *Dawn*, Jinnah accused Nehru and the Congress of never being sincere in honouring either the 16 May or 16 June proposals, while he and the Muslim League had gone the extra mile to make a deal possible.[5] Such a claim, as I have demonstrated in the previous chapter, was quite arbitrary. From both sides there was no compromise made on fundamental ideology. Jinnah did relent on the 5:5:2 formula, but insisted that the Congress could not nominate a Muslim to the interim government: that had to remain the prerogative of the Muslim League. The Congress would not compromise on its credentials as a non-communal party and would not join an interim government in which that claim was compromised. It wanted to enter the Constituent Assembly with the intention of making a Constitution for a united India with an effective Centre, but was agreeable that, on communal issues, the majority of legislators from the community

IQBAL FORUM

affected by the proposed law should vote in its favour for it to become law proper.

The only significant difference between Nehru's choice of words in the press conference from either what he or even Azad had been saying on the issue was that Azad had, on one occasion during negotiations with the Cabinet delegation, shown willingness to concede to the demand of the Muslim League to exclusively nominate a Muslim, and was willing not to put himself forward as the Muslim nominee of the Congress.

Gandhi and Nehru, however, had overruled that and were not willing to relent on that, because it would mean Jinnah's stand—that Congress was exclusively a Hindu party—would thus be vindicated. Another possible reason why Nehru took such a stand in the press conference could be that he was not willing to compromise on the Congress stand of establishing an independent, sovereign India, while the British were compelling him and his party to agree to economic and defence ties with Britain through the British Commonwealth.

Such ideas were being discussed in the corridors of power in London, Delhi and Simla. In fact, V.P. Menon, a man who rose from the humble position of a clerk to become a senior civil servant, who enjoyed the trust of Wavell and was appointed reforms commissioner, is often named as the Congress mole in the viceroy's staff. Did the Muslim League have their own agent informing them? We don't know. What we now know is that Churchill and Jinnah were in touch with each other. Equally, all the major Indian parties had informers keeping the government abreast with inside information. One finds intelligence reports mentioned here and there in *The Transfer of Power* volumes. A systematic record is not provided, however. We know the most sensitive documents were destroyed before the British left India. Nevertheless, top-secret letters and telegrams from that period show that the British were planning to secure their strategic interests in South Asia after the transfer of power to Indians—in the summer of 1946 the prevailing view was to keep India united.

HMG's and Wavell's communications

In July, Lord Pethick-Lawrence worked on a set of instructions to be sent to Wavell to resume negotiations with the INC and the AIML with

IQBAL FORUM

a view to forming an interim government representing both. Jinnah was to be told that his stand that only the League could nominate a Muslim to the provisional government could not be accepted. On the other hand, his demand that, on communal questions, a majority of Constituent Assembly members of both communities supporting it would be acceptable. Both parties should be invited to join the government. If such an invitation was rejected by both or one of them, the viceroy should then go ahead by forming a provisional government which was representative of the communal composition of India.[6] On the other hand, Cripps had sent on 29 June his own note to Pethick-Lawrence with similar suggestions.[7]

Wavell's top-secret note dated 13 July on the implications of the transfer of power for Britain contained a number of points:

1. Clear strategic, economic and prestige points of which these are especially interesting.[8]
2. 'The principal advantage that Britain and the Commonwealth derive from the control of India is Strategic. The greatest asset is India's manpower. The War of 1939–45 could hardly have been won without India's contribution of two million soldiers, which strengthened the British Empire at its weakest point.'[9]

   This point was developed in great detail, and apart from the troops, Wavell argued that the naval and air bases in India proved to be of vital strategic interest for Britain. It was pointed out that 60,000 British troops were stationed in India. They were trained and paid by the Government of India.[10]
3. The third point of Wavell's note dealt with the economic implications for Britain of a transfer of power. The trade connection with India was of immense significance. In 1944, India was one of the largest trading partners of Britain. Although Indian entrepreneurs were increasingly gaining production units, British stakes in India remained very large.[11]
4. By giving up political power in India, Britain would lose a valuable field of employment in technical and administrative services: 'The earnings of British personnel in these Services are estimated at about £2,000,000 a year, and civilian pensions paid by India in the U.K. amount to £3,000,000 a year. Britain is not likely however to lose the whole of these amounts, as there is

IQBAL FORUM

likely to be a demand in India for British technical and other experts for some time to come.'[12]

5. Wavell argued that Britain may gain in prestige by transferring power to Indians provided:
   A. Power can be transferred in an orderly manner to a united and friendly India.
   B. A satisfactory defensive alliance is secured.[13]

   Wavell concluded, 'These two provisions are the crux of the whole matter.'[14]

   Points 6, 7, 8 and 9 of the note underscored the great importance of a defensive alliance with India. It pointed out that poverty, famine and maladministration could help Indian communists gain the support of the masses. The worse scenario would be a lack of responsible government or a communist revolution, or by deliberate choice, if India were to fall under the control of Russia.[15]

Wavell's top-secret note ends:

> To sum up it is vital to Britain that when she gives over political power in India she may be able to hand it over to a stable and friendly Government and contract with it a genuine defensive alliance. Fortunately, India's interests quite obviously point the same way. If this objective is achieved, the demission of political power may bring advantage and not loss. In all other circumstances the debit balance will be heavy.[16]

It was accompanied by an enclosure written by Commander-in-Chief Field Marshal Sir Claude Auchinleck looking at the disadvantages of a sovereign India deciding to remain outside the British Commonwealth. It provided details of how India served Britain's economic military and security needs on land, sea and the air, ranging from the oil fields in the Persian Gulf to Burma, Malaya and all the way to Australia, which would be adversely affected.[17] The C.-in-C. concluded:

> We consider that it is impossible to guarantee that Independent India would not be unfriendly or would not be influenced by

IQBAL FORUM

> a power such as Russia, China or Japan, hostile to the British Commonwealth. Should such a situation arise, we could not maintain our power to move freely by sea and air in the Northern part of the Indian ocean area, which is of supreme importance to the British Commonwealth.[18]

The top-secret document prepared by Wavell brings out in sharp relief the way the British establishment was thinking about the future of India. Wavell was himself a general, a field marshal, who had served as commander-in-chief of India during World War II; he therefore intimately understood the importance of Britain retaining a link with India. The enclosure from Auchinleck had drawn attention to another possibility: India refusing not only to join the British Commonwealth but even harbouring sympathies for other powers such as the Soviet Union. Earlier, in a memorandum dated 11 May 1946 examining the pros and cons of creating a separate Pakistan, the C.-in-C. had concluded that India should remain united with a strong Indian Army linked to Britain through treaty, so that the Soviet Union was not tempted to move towards South Asia.[19] We shall look at the memorandum later when British thinking in favour of Pakistan is taken up specifically. Wavell's secret note along with Auchinleck's concerns was indicative of the British military establishment's deep worries about the future of India. At that moment in time the preferred option was an undivided India.

Jinnah demands immediate partition and Pakistan

From 13 July onwards, Jinnah, in his public addresses and statements, not only lashed out at the Congress and its leaders, reiterating that they represented caste Hindu Raj in the shape of Congress Raj, but also at the Government of India and HMG for following a policy of appeasement towards the Congress. He insisted that the Constituent Assembly could not be a sovereign body, because to accept that would mean that the Congress, through its brute majority, would dictate the future of India. He explained that for the League, groupings B and C and their right to opt out of the Union remained non-negotiable. That right must be granted to them.[20]

IQBAL FORUM

Jinnah rejects constitutionalism, 29 July

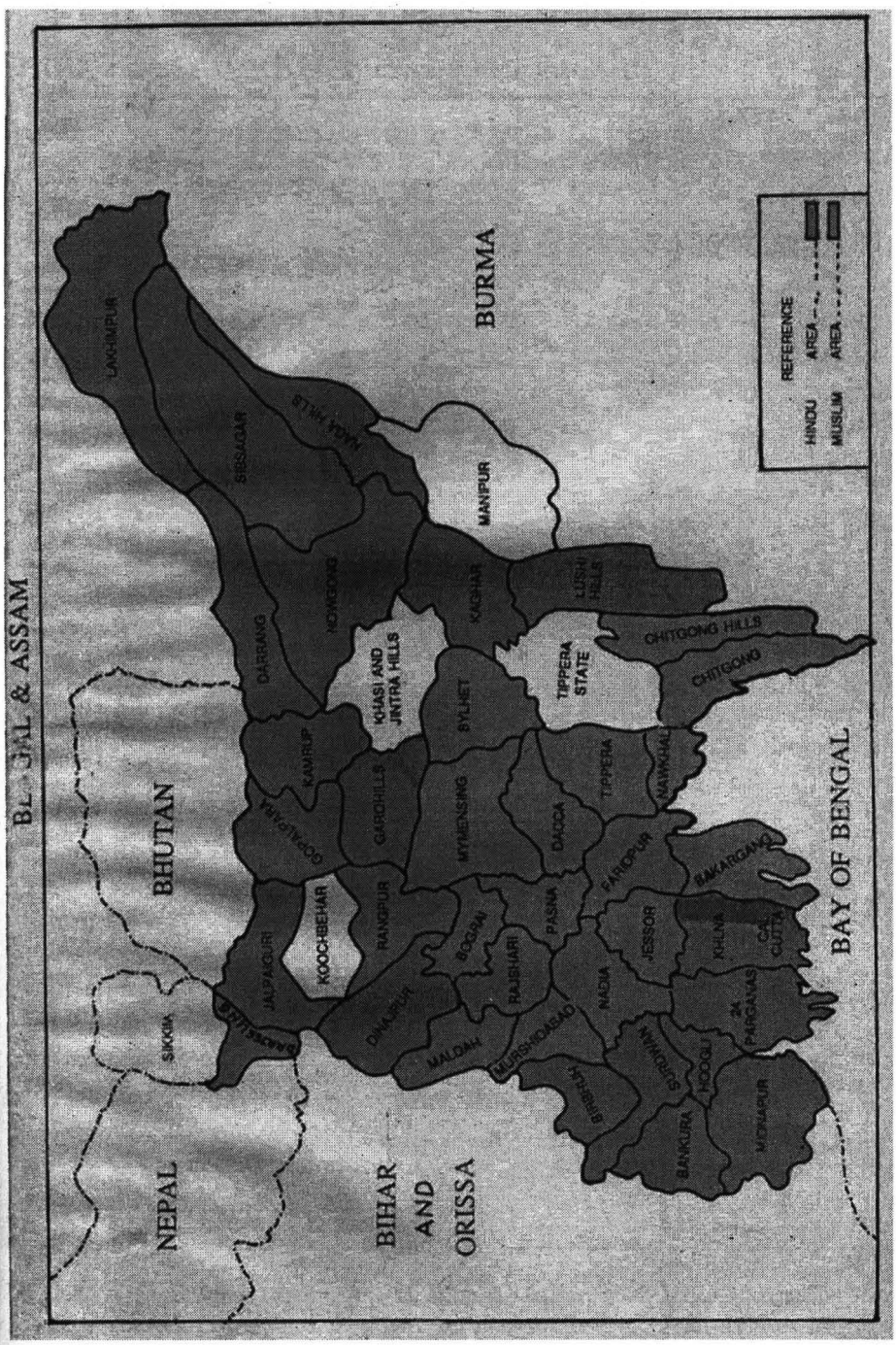
Jinnah's tirade against the Congress and the British reached a crescendo when, at the meeting of the AIML Council, he declared that the League was going to change its ways and methods to get Pakistan. I quote him at length:

> Never have we in the whole history of the League done anything, except by constitutional methods and by constitutionalism. But now we are obliged and forced into this position. This day we bid good-bye to constitutional methods.
>
> Throughout the fateful negotiations with the Cabinet Delegation and the Viceroy, the other two parties, the British and the Congress, held a pistol in their hand, the one of authority and the other of mass struggle and non-co-operation. Today, we have forged a pistol and are in a position to use it.
>
> The decision to reject the proposals and to launch direct action had not been taken in haste, but it was taken with full sense of responsibility and all deliberations that [are] humanly possible.
>
> We mean it and release [sic] every word of it. We do not believe in equivocation.[21]

In a press conference given in Bombay on 31 July Jinnah argued that the Muslim League had made every effort to reach a compromise. He said that they accepted a limited Pakistan, that is minus three subjects, viz., defence, communications and foreign affairs.[22] He went on to say that such concessions were made to avoid bloodshed and to quickly achieve independence for India. He blamed the Congress for not accepting either the long-term or short-term implications of the Cabinet Mission Plan. When asked whether Direct Action would be violent or non-violent, Jinnah replied, 'I am not going to discuss ethics.'[23]

However, on 4 August, Jinnah issued a statement that the hartal on 16 August Direct Action Day would be peaceful. The same day he rejected Sardar Patel's proposal that the Muslim League case for Pakistan on the basis of the right of Muslim self-determination should be submitted for arbitration. Patel had also appealed to Jinnah to act as the Indian nationalist he once was. He retorted: 'His advice that

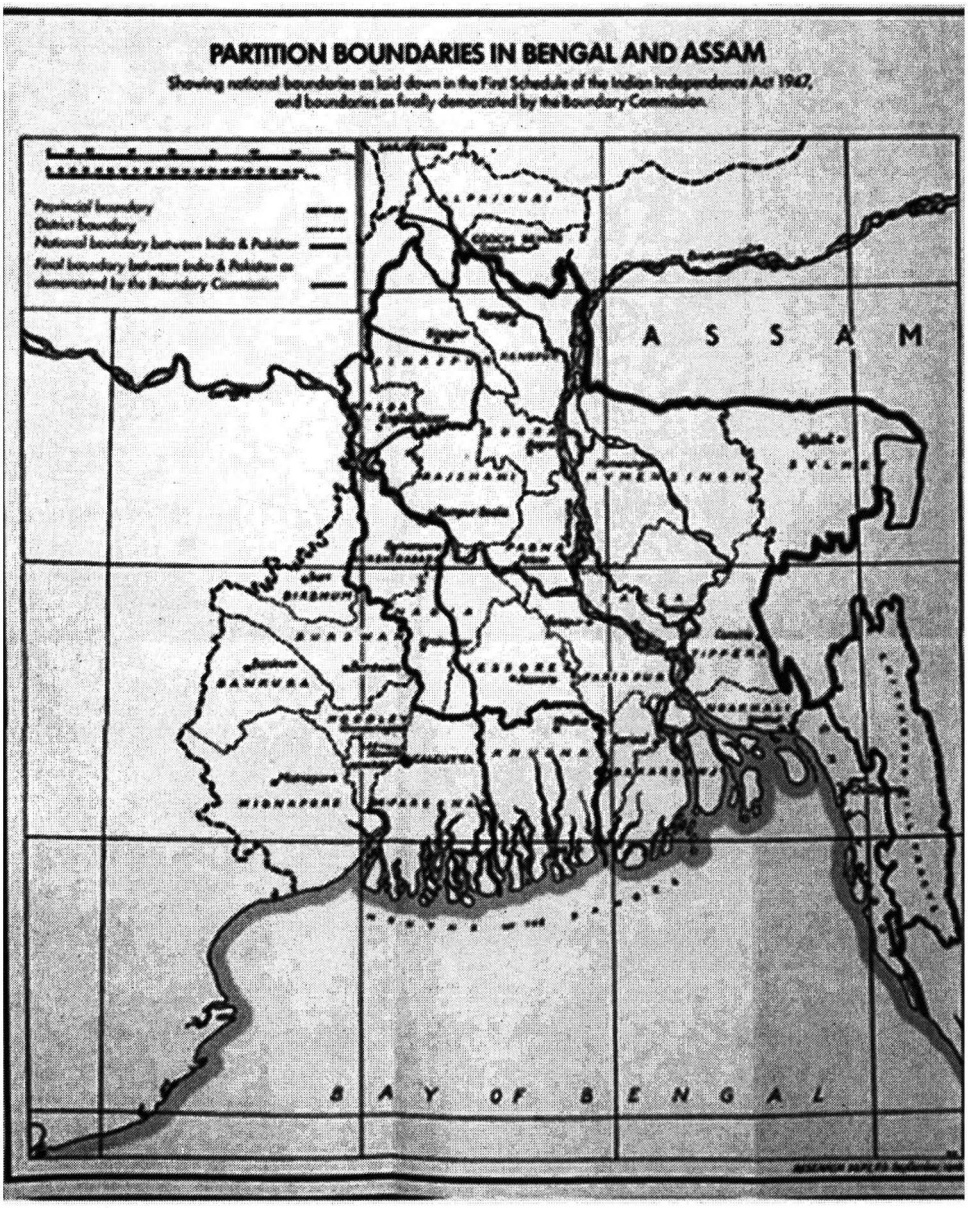
Map A



Source: Jawaharlal, 'How Did Partition Change the Religious Map in Bengal?', *South Asia Blog: Politics and History of the Indian Subcontinent* (blog), 23 January 2014, https://southasiablog.wordpress.com/2014/01/23/how-did-partition-change-the-religious-map-in-bengal/ and http://www.columbia.edu/itc/mealac/pritchett/00ambedkar/ambedkar_partition/graphics/bengalmap.jpg.

Map B

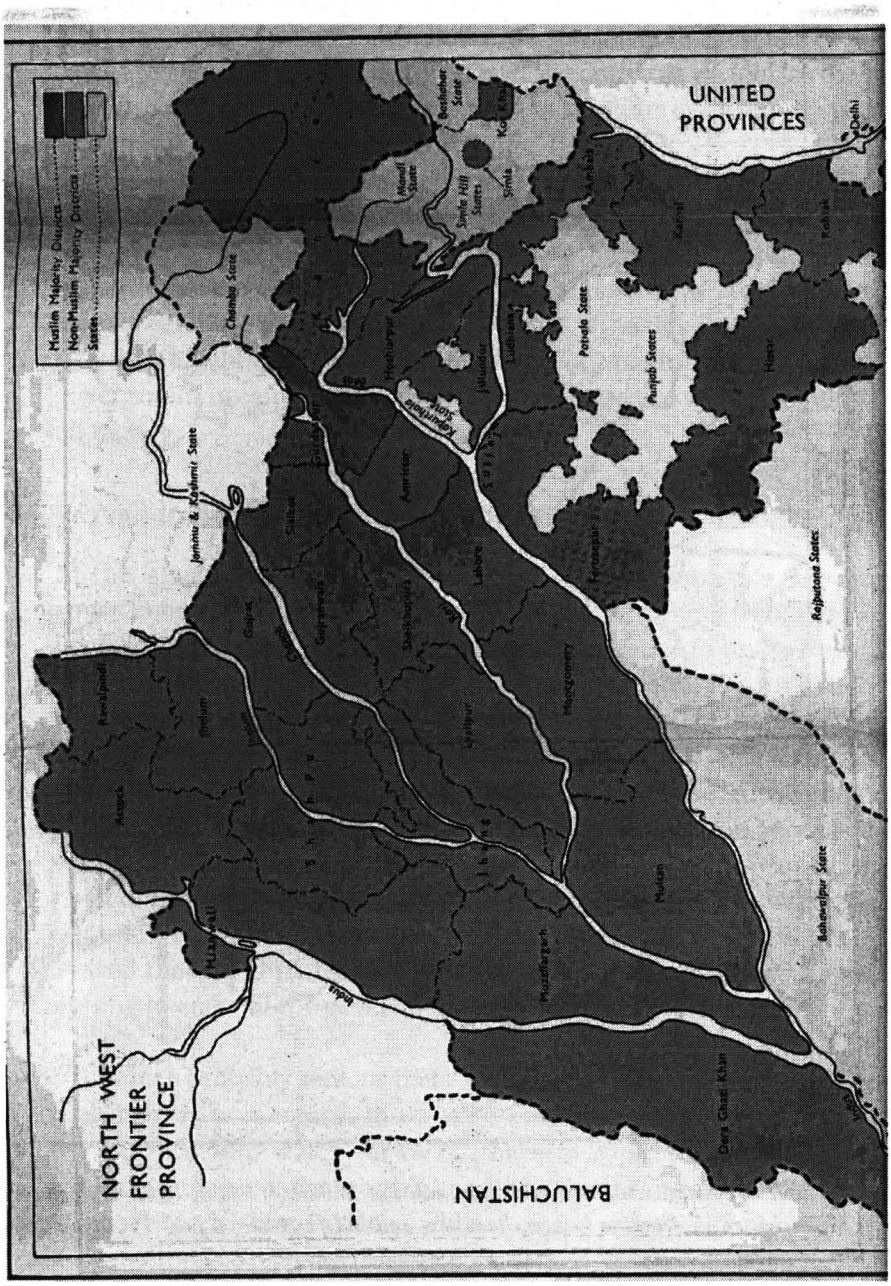
The Radcliffe Award for Bengal



Source: Nicholas Mansergh and Penderel Moon, ed., *The Transfer of Power, 1942–47, Volume XI The Mountbatten Viceroyalty: Princes, Partition, and Independence, 8 July–15 August 1947* (London Her Majesty's Stationery Office, 1983).

Map C

Map of the Punjab showing the Muslim and non-Muslim districts, based on the 1941 census

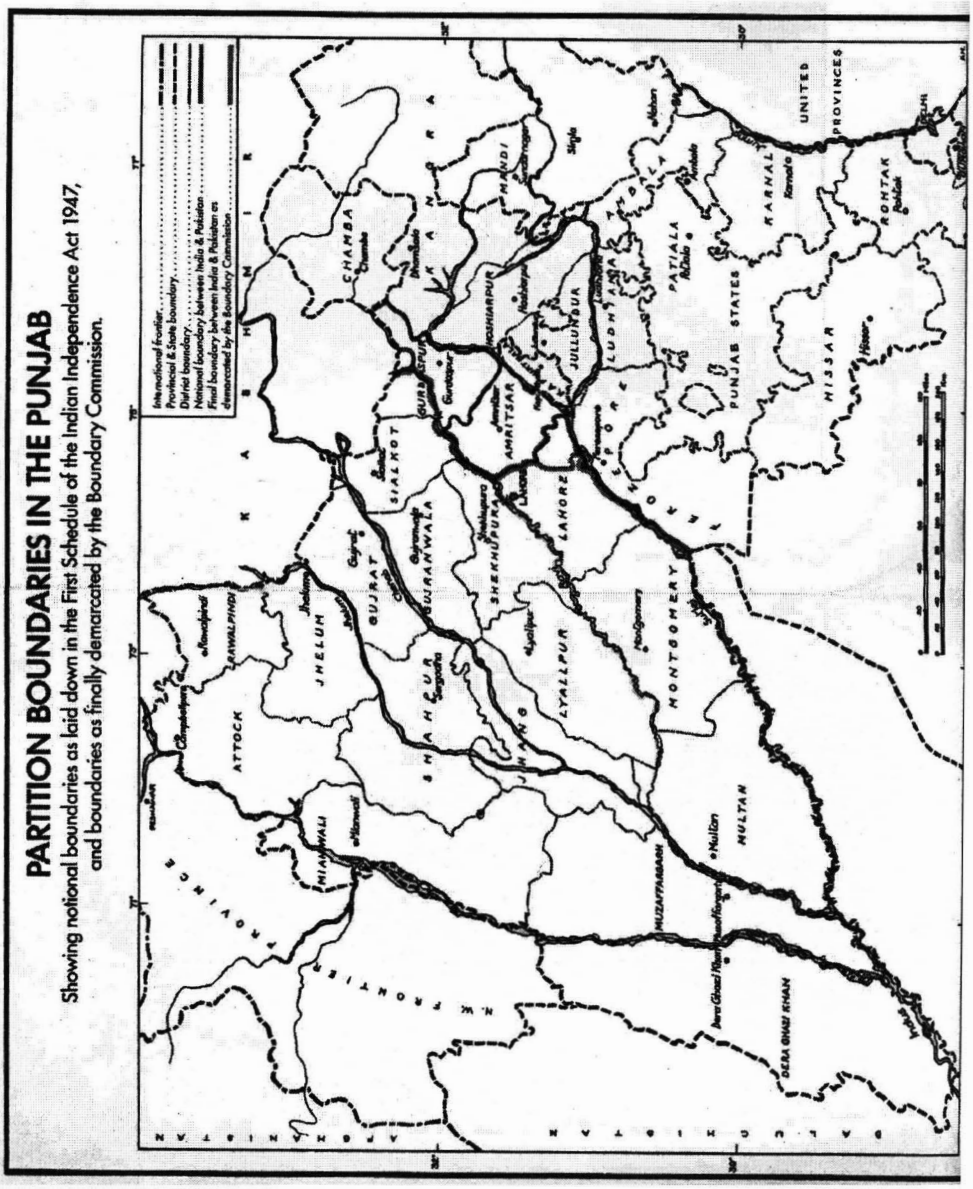


Source: Ishtiaq Ahmed, 'Ethnic Cleansing and Genocidal Massacres 65 years Ago', Asia Portal, 14 September 2012, https://www.asiaportal.info/ethnic-cleansing-and-genocidal-massacres-65-years-ago-by-ishtiaq-ahmed/.

IQBAL FORUM

Map D

The Radcliffe Award for the Punjab



Source: Nicholas Mansergh and Penderel Moon, ed., *The Transfer of Power, 1942–47, Volume XII: The Mountbatten Viceroyalty: Princes, Partition, and Independence, 8 July–15 August 1947* (London: Her Majesty's Stationery Office, 1983).

IQBAL FORUM

I should become a nationalist and cease to be a communalist means nothing except that I should bury the Pakistan demand, disown the Muslim League and appear before him in sack-clothes and ashes, and after that, when we have entirely thrown ourselves at their mercy we can have as many seats in the proposed Executive as we like, as their creatures.'[24] On 14 August, he appealed to Muslims to observe Direct Action in a disciplined manner.[25]

He was now in a patently bellicose mood. First, the Direct-Action call was a sharp movement away from constitutional methods and, now, he upbraided and ridiculed Sardar Patel for reminding him about his nationalist past. Patel, in response, said that it was impossible to form a coalition government with Jinnah. Jinnah's insistence that only the Muslim League could nominate a Muslim to the interim government became a stand from which he was not willing to budge an inch.

Wavell invites Nehru to form the interim government

At this stage, Wavell decided to invite Nehru to form the interim government. It is another controversial decision around which much ink has been spilled. HMG had given him clearance to invite Nehru to submit proposals to form an interim government. The invitation was sent on 4 August.[26] He left it to Nehru to decide if he wanted first to talk to Jinnah, but a coalition government was desirable.[27] British thinking had been that inviting Jinnah to form the government without the Congress would be too much of a provocation because it would mean the major party, with governments in eight provinces, most of them large territorial entities with big populations, would be left unrepresented. The governor of Bombay, Sir J. Colville, wrote to Wavell that the threat from Jinnah must be some calculated move, aiming to embroil the government and Congress in a major row:

> Jinnah probably reckons that . . . if he succeeds in holding up progress long enough there will be widespread outbreak of violence with which we should have to cope. He may then calculate that if we succeed in putting down Congress we will have to give him Pakistan, while if on the other hand, chaotic conditions result for a considerable period, the Muslims in

IQBAL FORUM

> majority areas may be able to help themselves to some sort of de facto Pakistan. I am doubtful if the League has as yet any plans for effective action but I think that Jinnah counts on trouble to break out in order to give him a chance.[28]

On 6 August, Wavell wrote to all governors advising them that trouble may be expected from the Muslim side if news comes out that Nehru had been invited to form the government before the Congress made any gesture to placate the Muslim League. He advised them to share the news with the chief secretary and inspector general of police.[29] He wrote to Gandhi, imploring him to support his proposals for the formation of the interim government. An interlocutor, Sir A. Waugh, wrote to the private secretary of the viceroy, Mr Abell, on 7 August, that he had talked to Liaquat Ali Khan. He informed Waugh that the decision made in Bombay was carefully thought out beforehand. He repeated Jinnah's charges against HMG that it did not have the courage to stand up to the Congress threats. He further told him, 'So long as Marwaris and other Hindu capitalists had a money stranglehold anywhere in India, Muslims could never improve their lot.'[30]

On 8 August, Wavell wrote to Jinnah that in view of the Muslim League resolutions of 29 July, he had decided to invite theCongress to make proposals for the interim government, and that he hoped that if they made a reasonable offer to the League to join the coalition government, Jinnah would support him.[31] On 10 August, Nehru wrote to Wavell that the Congress Working Committee and Gandhi had accepted the invitation sent to him to form the government. He advised Wavell to make a public announcement about the invitation sent to him. He would then invite the Muslim League to join the interim government.[32]

On 12 August, Dr Ambedkar wrote to Prime Minister Attlee that he could not agree to his claim in his letter of 1 August to him that the Scheduled Castes were with the Congress because they had voted for the pro-Congress Scheduled Castes League's candidates and that Mr Jagjivan Ram was their preferred leader. He gave his own example of being elected from Bengal, whereas it was said that his influence was confined to Bombay and Maharashtra. He pointed out that the Bengali Scheduled Caste voters were different from his caste but had

IQBAL FORUM

broken with the Bengal Congress and voted for him. He asserted that 60 million of the Scheduled Caste community deserved more seats than the Sikhs who were far less in numbers; he therefore demanded that two seats in the government be guaranteed through statute to the Scheduled Castes.[33]

The background to Ambedkar's letter needs to be put into perspective. Notwithstanding the Poona Pact to which Ambedkar had agreed and had accepted reserved seats for the Scheduled Castes instead of separate electorates, he had continued to oppose the Congress, fearing that Indian independence would mean intensified slavery of his people under caste Hindus. However, other Scheduled Caste leaders such as Jagjivan Ram had realized that since their community was dispersed all over India and was nowhere in a majority, they could not demand a partition to establish their separate state. Consequently, during the 1946 provincial elections, the candidate of the pro-Congress Scheduled Castes League had been elected with Congress backing. Ambedkar was elected from Bengal, where East Bengal leader Jogendra Nath Mandal stepped aside to let Ambedkar be elected.

Meanwhile, on 13 August, in a confidential note prepared by the Chief of Staff Committee of the British Armed Forces Field Marshal Auchinleck described the situation in India as volatile. He said: (a) disturbances may lead to civil war; and (b) in the event of civil war, the Indian Armed Forces cannot as a whole be relied upon.[34]

He doubted if Jinnah really wanted to create trouble. He opined 'that the left-wing of the Congress was a much more dangerous element in the situation'.[35] By and large, the British military and civil bureaucracies considered the Congress to be the villain of the piece.

Also on 13 August Nehru wrote to Jinnah saying that following the invitation from the government to form an interim government he was anxious to meet Jinnah to discuss how the League could join it so that it was as widely representative as possible. He suggested the two meet in Bombay on 15 August. Jinnah replied on 15 August that he was not aware of what had transpired between him and Wavell but that if Wavell had invited him to form the government then he (Jinnah) could not meet Nehru as the head of a government, but would be willing to meet him as the representative of Congress 'to settle the Hindu–Muslim question and resolve the serious deadlock'.

IQBAL FORUM

More letters were exchanged the same day; they decided to meet in the evening.[36,37] Their meeting on 15 August did not break the impasse.[38] On 16 August, communal violence erupted in Calcutta.

The transformative role of violence

The toxic rivalry between the INC and the AIML and the years of bickering was pivotal to the political impasse which had created an explosive situation, but the full significance and shattering impact of communal riots on mass psychology needs to be put into perspective. It set in motion processes of action–reaction compounded by intended and unintended reactions, which brutalized relations between the Hindus and the Sikhs, on the one hand, and Muslims on the other. The demonization and dehumanization of Hindus, Muslims and Sikhs existed from the 1920s, at least when religious revivals, the *munazaras* (polemics) between religious figures over belief and faith had resulted in a number of communal conflicts. However, it was not until now that it burst out in the form of large-scale communal frenzy. Such processes culminated in the partition of India, Bengal and the Punjab in mid August 1947, which inflicted unprecedented loss of life, home and property. Although the violence included spontaneous revenge attacks, organized and planned attacks on the 'enemy' had already begun in the second half of 1946, and, after the transfer of power in mid August 1947, were carried out with the full involvement of the partisan administrations that came to power on both sides of the divided Punjab. A pall of death lay everywhere. It resulted in the first case of ethnic cleansing in the divided Punjab after World War II.[39] The long shadow of the Partition was to subsequently haunt India–Pakistan relations. We shall examine those consequences later.

The Great Calcutta Killing

The situation in Calcutta had begun to deteriorate from at least the evening of 15 August. There is sufficient evidence to suggest that Bengal Congress and Bengal Muslim League leaders made inflammatory speeches. Premier Huseyn Shaheed Suhrawardy declared 16 August a public holiday when he and other leaders

IQBAL FORUM

were going to address a public gathering at the town centre, while the Congress leader K. Roy had urged Hindus to open their shops. According to Lt General Tuker, head of the Eastern Command, Sikh leaders instigated the large Sikh community in Calcutta, a significant number working as taxi drivers, to give Muslims a thorough thrashing. It was the first occasion when criminal gangs of the underworld, from all the communities, took part in the slaughter.[40] The Hindus resisted initially, but the Muslims, led by well-known goondas, had the upper hand and went on a rampage. Later, the Hindus and the Sikhs retaliated with great ferocity. Calcutta was a Hindu-majority city, with Muslims comprising only 23 per cent of the population. Therefore, in the counter-attacks by the Hindus and the Sikhs, more Muslims died.[41]

Governor Burrows had let 'Direct Action' take place by letting Suhrawardy declare 16 August, a Friday, a holiday. However, in a detailed chronological report dated 23 August, Burrows did not mention his own responsibility but focused on the role of Suhrawardy, Nazimuddin and other Muslim leaders. The riots took place for four days: 16, 17, 18 and 19 August. By 20 August, the authorities had taken control and Burrows toured several parts of the state. Three British battalions had been deployed to establish law and order.

Could the origins of the riots be traced to Jinnah's 29 August Direct Action decision? How Direct Action was to be implemented had been publicized for several days earlier in the Muslim League press. Burrows noted that the Bengal ministry had declared 16 August a holiday. In the morning, Muslims in large numbers began to enter the city, while Hindus barricaded the roads and tried to stop them. Direct Action had demanded that all shops be closed, which some Hindu shopkeepers resisted. Brickbats were thrown at the Muslim demonstrators. A very large crowd gathered at the Ochterlony Monument, from where the Bengal Prime Minister Huseyn Suhrawardy and other Muslim League leaders addressed them. Suhrawardy's speech had been inflammatory. After the meeting, Muslims began to loot Hindu shops and attacked rundown Hindu localities. He further observed that although Direct Action was supposed to be against the British, not a single European or Anglo-Indian had been reported dead nor had their shops been

IQBAL FORUM

vandalized. Burrows noted that Suhrawardy arranged that the military and police did not interfere on the first day, although no formal instructions were issued to that effect.[42]

Burrows included a cutting of the pro-Muslim League *Star of India,* dated 13 August, issued in the name of the secretary of the Calcutta District Muslim League, which showed vividly how the whole operation was set forth in Islamic terminology and phraseology: as a call to holy war or jihad:

> Depute three workers in every mosque on Friday, 16th August to explain the new policy and action plan of the League before JUMA (Friday) prayers . . . Special Munajat (Prayers) should be offered in every mosque . . . for the freedom of Muslim India, the Islamic world and the peoples of India and the East in general . . . I appeal to the Musalmans of Calcutta, Howrah, Hooghly, Matiaburz and 24-Parganas to rise to the occasion and make the rally a unique success . . . We are in the midst of the rainy season and the month of Ramazan fasting. But this is a month of real Jehad of God's graces and blessings, spiritual armament, and the moral and physical purge of the nation . . . Muslims must remember that it was in Ramazan that the Quran was revealed. It was in Ramazan that permission for Jehad was granted by Allah. It was in the Battle of Badr, the first open conflict between Islam and Heathenism was fought and won by 313 Muslims and again it was in Ramazan that 10,000 Muslims under the Holy Prophet (PBUH) conquered Mecca and established the kingdom of Heaven and the commonwealth of Islam in Arabia. The Muslim League is fortunate that it is starting its action in this holy month.[43]

In an interview to the Associated Press of India, on 17 August, Jinnah said:

> I unreservedly condemn the acts of violence and deeply sympathise with those who have suffered . . . Those who are guilty of resorting to indefensible conduct and hooliganism must be dealt with according to law as their actions were (so far as the Muslim League is concerned) contrary to expressed instructions

IQBAL FORUM

> and they have only played into the hands of the enemies of the Muslim League.[44]

Editorials of the *Statesman*, published between 18 and 22 August, demanded that governor's rule under Section 93 of the 1935 Act be imposed.[45] Congress financier G.D. Birla lamented that most people killed were the poor from both communities. He demanded that the Muslim League ministry go, and he, too, supported that governor's rule should be clamped on Bengal.[46]

In a private and secret note, Wavell wrote on 21 August to Pethick-Lawrence, informing him that some 3000 people had been killed and 17,000 injured. He noted that the Bengal Congress was convinced that the Muslim League ministry had deliberately engineered the trouble, but he had not found any satisfactory evidence to that effect. He wrote:

> It is said that the decision to have a public holiday on the 16th August was the cause of the trouble, but I think this is very far-fetched. There was a public holiday in Sind but there was no trouble there. At any rate, whatever were the immediate causes of the outbreak, it is clear that when it started Hindus and Sikhs were every bit as fierce as Muslims. The present estimate is that appreciably more Muslims than Hindus were killed.[47]

It is doubtful that Wavell had not been informed by 21 August that the trouble started first with the attacks of Muslim mobs, because he mentions the counter-attacks on Muslims which started in real strength on 18 August. What is most interesting is that while describing the Muslims as 'unstable elements in the towns and students, many of them incapable of rational thought on political matters',[48] he assesses Jinnah's role in the fomenting of violence in the following words:

> The fact remains that provided he is violent in his language and takes a purely communal line, he will get enthusiastic support. I think that actually Jinnah himself has been pushed further and faster than he wishes to go, since he temperamentally prefers constitutional methods and is no longer a young man.[49]

IQBAL FORUM

Wavell was looking at the role of Jinnah from a set prism in which the Congress and its leaders were the main troublemakers, with Jinnah responding to their actions. His contempt for the Congress was unmitigated indeed.

The contrast between what the *Star of India* reported about the instructions of the secretary of the Calcutta Muslim League and Jinnah's condemnation of violence is stark. At the level of high politics, Jinnah almost invariably maintained characteristic calm and composure, though, this time, as already mentioned above, he had, without mincing words, said in his 29 July statement that the Muslim League was bidding goodbye to constitutional means and had even threatened civil war by famously using the metaphor of holding a pistol in his hand. Therefore, there can be no doubting that the 29 July statement on Direct Action was an ultimatum. As already mentioned, Jinnah had, on 31 July, refused to comment if Direct Action would be violent or not by asserting that he would not like to discuss the ethics of Direct Action.

The interesting thing is that no legal proceedings were initiated against him or Suhrawardy or any other prominent Muslim League leader, whereas Gandhi, Nehru, Azad, Patel, Abdul Ghaffar Khan and others had, on several occasions in the past, been arrested for giving calls of Direct Action and civil disobedience.

Stern action from the British could have nipped the evil in the bud, which spread quickly from Calcutta to other parts of India. One reason could be that British troops were significantly down in numbers after the war and were presumably instructed to intervene only if European lives and properties were threatened. In *Freedom at Midnight*, the authors have given graphic details of the horrors that communal violence unleashed.[50]

Interim government, 2 September–26 October 1946

In the meantime, members of the Constituent Assembly had been elected during July–August. The procedure was that the provincial assemblies, through single transferable vote (proportional representation), elected members of the Constitution-making body; a few were also nominated. For the 296 seats for the British provinces, the INC won 208, the AIML seventy-three and the independents fifteen. The

IQBAL FORUM

princely states had been allotted ninety-three seats, but they decided to stay away until their relationship with the Union became clear.[51] On 24 August, Wavell made a broadcast announcing that the British government remained committed to Indian independence. An interim government with Jawaharlal Nehru in the lead had been agreed upon and the invitation to the League to join it was reiterated. He said that the Muslim League did not have to fear being outvoted on any essential issue. Wavell regretted that the army had to be called in to restore law and order in Calcutta, when it was the duty of the civil administration and particularly the police to do that. He criticized the civil authorities for their incompetence.[52]

On 26 August, again Jinnah issued a statement from Bombay describing the formation of an interim government under the Congress as a 'severe blow to the Muslim League and Muslim India'.[53] He then went over how the League had gone the extra mile to make possible a coalition government, while the Congress had sabotaged the process and the British government had succumbed to Congress blackmail.[54] In subsequent public speeches and statements, he continued to lay such blame and even asserted that it was the Muslims who were the victims of Hindu aggression in Calcutta and Bombay (where rioting had also broken out during those days). In interviews to foreign correspondents, he persisted that the only fair and practical solution to the troubles verging on civil war was to divide India to create Hindustan and Pakistan.[55]

Wavell's 28 August secret report to the secretary of state

Wavell visited Calcutta on 28 August. He wrote a secret note to Pethick-Lawrence in which he continued to assert that there was much dispute about the responsibility for the violence, but he agreed that Suhrawardy had made an intemperate public speech on 16 August: 'Too much latitude seems to have been allowed to rioters and looters on the first day (16 August).'[56] He underlined that the British troops had had a pivotal role in bringing the situation under control. He also deplored that on 24 August Sir Shafaat Ahmed Khan, an academic who had left the Muslim League and joined the interim cabinet, had been stabbed several times in Simla by two assailants.[57] In a telegram dated 28 August to the secretary of state,

IQBAL FORUM

he gave a figure of 4400 dead, 16,000 injured and at least 100,000 rendered homeless.[58]

Wavell's efforts at finding agreement on an interim government

In the meantime, in an interview with Gandhi and Nehru on 27 August, the viceroy tried to convince them that it was necessary that the Congress should make a statement that it would not alter the groupings as announced in the 16 May proposals until new elections were held and a new Constitution adopted. Gandhi's view was that it was for the interim government to decide, while Nehru was angry that giving such a commitment was because of bullying by the League. According to Wavell, Gandhi even said, 'If a blood-bath was necessary, it would come in spite of non-violence.'[59]

The *Hindustan Times* of 27 August reported that Jinnah accused Wavell of bad faith and betraying the Muslims and their representative party.[60] Wavell met Suhrawardy on 25 August who told him that the Muslims could not trust the Hindus and the Congress, and that for Jinnah to accept a nationalist Muslim in the cabinet would mean that the League would break up, to which Jinnah would never agree. However, Wavell learnt from the United Provinces governor, Wylie, that Khaliquzzaman had said that if the viceroy remained firm on the groupings, Jinnah would swallow the inclusion of a nationalist Muslim.[61]

Nehru wrote to Wavell on 28 August saying that the Working Committee agreed that provincial autonomy was a basic provision and each province could decide to form or join a group or not. He further assured the viceroy that the provision about the framing of provincial and group constitutions would be adhered to and on communal issues, and that if both communities did not agree on the interpretation of the dispute, it could be referred to the Federal Court. However, Wavell continued to harbour distrust of a Congress government, alleging that it may not act fairly and wrote saying so to Attlee.[62] Gandhi had earlier written to Wavell:

> The Congress cannot afford to impose its will on warring elements in India through the use of British arms. Nor can the Congress be expected to bend itself and adopt what it considers a

IQBAL FORUM

> wrong course because of the brutal exhibition recently witnessed in Bengal... Unless, therefore, you can wholly trust the Congress Government which you have announced, you should reconsider your decision.[63]

Pethick-Lawrence wrote to Wavell that HMG advised him not to take steps that would alienate the Congress without consulting them. Moreover, he was told that 'we do not share your view [...] that things have come to a head or that Gandhi's letter proves "that Congress always meant to use their position in the Interim Government to break up Muslim League and in the Constituent Assembly to destroy the grouping scheme"'.[64]

Wavell continued to hold the Congress responsible for the troubles in India, while HMG responded with advice that he should not take any drastic action. G.D. Birla wrote to Cripps on 29 August that, having announced the government, the viceroy should not delay it assuming authority. The Chief of Staff Committee on 30 August wrote a note entitled, 'Strategic Importance of India', in which HMG was advised to include the military requirements in any treaty between Britain and India, expressing fears of India remaining outside the Commonwealth. It was emphasized that it should be explained to the Indians that 'a military alliance with the Commonwealth was not just a question of granting certain right in Indian territory, but also held the advantages for the purposes of her security and position'.[65] The C.-in-C. wrote to the War Office on 1 September that British troops in India on 1 January 1947 were estimated to be 17,000. These troops would remain until all British units left India.[66] Foreign policy implications of an interim government were also considered by the relevant ministers of HMG. The presumption was that Britain should continue to control India's foreign relations until power was transferred to the Indians, but it also looked at the implications of the interim government defying HMG.[67] All such preparations were indicative of the immense importance India enjoyed in British strategic thinking.

Amid all these developments, Wavell held on to the conviction that the Congress was the major offender, while Jinnah and the Muslim League were reacting to the obduracy of Gandhi, Nehru and others. What Wavell dared not say was that the solution he

IQBAL FORUM

preferred was Partition and the resolution of the Congress–League imbroglio through the creation of Pakistan. In the Breakdown Plan of 27 December 1945, he had expressed that view, but added that Jinnah could be dissuaded from insisting on Partition if he was told that substantial portions of Bengal and the Punjab would be excluded from Pakistan. However, over time, that seems to have become his idea of a fair solution to the Indian problem. HMG's policy, however, continued to maintain a unitary India linked to Britain economically and militarily through treaty. The United States, too, wanted a united India under the Congress.

In this regard, it is interesting to note Jinnah's statement of 31 August refuting Labour member of Parliament Michael Foot's allegation that he had secretly been corresponding with Churchill for a long time. He asserted that he had written to Prime Minister Attlee on 6 July 1946, apprising him of the Muslim League's position after the departure of the Cabinet Mission and that an identical letter had been sent to the leader of the Opposition, Winston Churchill.[68]

The interim government takes office

Protracted discussions and negotiations privately and in public finally resulted in the interim government taking office on 2 September. It comprised the INC and minorities.

Jawaharlal Nehru	External Affairs and Commonwealth Relations
Baldev Singh	Home, including Information and Broadcasting
John Matthai	Finance
M. Asaf Ali	Communications (War Transport and Railways)
Rajendra Prasad	Food and Agriculture
Jagjivan Ram	Labour
Shafaat Ahmed Khan	Health, Education and Arts
Syed Ali Zaheer	Law, Post and Air
C. Rajagopalachari	Industries and Supplies
Sarat Chandra Bose	Works, Mines and Power
C.H. Bhabha	Commerce

IQBAL FORUM

Only seven members could take the oath of office.[69] For example, Sir Shafaat Ahmed Khan, who had been stabbed, was in hospital. Others were hindered for a variety of reasons. It is noteworthy that after the elections in spring 1946, elected governments were sworn in quickly in the provinces. The Congress had formed governments in Assam, Bihar, Bombay, the Central Provinces, Madras, the NWFP, Orissa and the United Provinces. The Muslim League formed ministries in Bengal and Sind. In the Punjab, a coalition consisting of the Congress, the Unionist Party and the Akalis was formed. Therefore, the sticking point was the interim government. One was now in power, but the Muslim League was not a part of it, and therefore its stability was highly questionable.

Another round of Jinnah–Nehru correspondence

On 16 October, communications between Jinnah and Nehru were released over the League joining the interim government. The material shows amply how both sides stuck to their respective positions about what had been said and agreed and so on. Jinnah wanted that the Congress should not appoint a non-League Muslim to the cabinet and that rotational vice presidents from both parties should be agreed on. Additionally, that the vice president and the leader of the house should not be the same person. Nehru wanted Jinnah not to challenge the right of the Congress to include a nationalist Muslim in the government, but agreed that the vice president and leader of the house should not be the same person. The bottom line of his argument was that the interim government must work together as a team, which meant that the coalition government should not be a question of the two parties behaving as representatives of their respective organizations.[70]

Communal violence spreads to other parts of India

On 5 September, communal rioting broke out in Bombay. It was a Hindu-majority city, but some pockets were predominantly Muslim. The press reported 200 dead. Next was Noakhali district in East Bengal which went through carnage that broke out on 10 October. It was a Muslim-majority district. The culprits were Muslims. Five

IQBAL FORUM

hundred killed—almost all Hindus—was the government estimate, but other reports placed it much higher, some 5000. Rape and forced conversions of Hindu women were also reported.[71] On 24 October, Jinnah issued a statement from Delhi condemning the disturbances in Noakhali. He alleged that the figures of Hindus killed circulating from Hindu sources were greatly exaggerated. He added, 'I most earnestly appeal to both Hindus and Muslims and other communities to stop this orgy and carnage.'[72]

Mahatma Gandhi visited the troubled areas in November. He toured many villages, talking to traumatized people, consoling them and pleading for peace and amity. His visit had been facilitated by Suhrawardy, the man during whose government Calcutta had gone through a bloodbath and in which his culpability was beyond doubt. Gandhi's presence helped bring the situation under control in Noakhali and other places such as Tippera.[73]

Earlier, violence had broken out in Bihar, where the Muslim minority (less than 13 per cent) had been subjected to barbaric revenge attacks from 25 September to 25 October, which had continued into the first week of November. The governor of Bihar, Sir H. Dow, pointed out that the Congress government in Bihar had done little to stop the carnage, which had claimed up to 2000 victims by 9 November.[74] Later, Pethick-Lawrence gave the figure as high as 5000 dead for Bihar.[75] Rajmohan Gandhi gives an estimate of 7000 killed.[76] It was almost entirely Muslims who were killed. The head of the Eastern Command, Lt Gen. Sir Francis Tuker, unabashedly anti-Congress and one of the theorists in the British military who advocated the division of India to create Pakistan, provided harrowing details of the Bihar attacks. He observed:

> Of all the terrible doings of 1946, this fearful carnage was the most shocking. Its most dastardly side was that great mobs of Hindus turned suddenly, but with every preparation for the deed, upon the few Muslims who had lived and whose forefathers had lived in amity and trust all their lives among those very Hindu neighbours. It has never been ascertained who was the organising brain of this well-laid widely-planned plot of extirpation. All that we do know is that it went to a fixed

IQBAL FORUM

> plan and schedule. Had it not been so, such large mobs fully armed with prepared weapons, would never have collected in the time and moved with such obvious, fiendish intent from victim to victim.[77]

Tuker believed that the Hindu Mahasabha had masterminded the slaughter and the Marwari Hindus whose businesses had been attacked in Calcutta had financed it.[78] Nehru, who was the head of the interim government, threatened to bomb Bihar to put a stop to the killing. In early November he visited Bihar. According to Tuker, 'Pandit Nehru's own influence, his ubiquity and the speeches that he made, had a most quietening effect on the large masses of people whom he addressed throughout the disturbed areas.'[79] Regarding the military operations that were ordered, Tuker noted that the men who took part in that operation under Colonel Venning were 'nearly all Hindus and they fought against great odds with great determination against their co-religionists'.[80] A Muslim League delegation visited Bihar. Earlier, some 200 Muslims were slaughtered in Garhmukteshwar in western Uttar Pradesh near the Punjab border on 6 November. The reasons were not directly political but the political atmosphere by now was charged at the national level and it must have played a part in what happened at Garhmukteshwar where Hindu Jats attacked Muslims slaughtering cows at the time of the religious festival of Eid-ul-Zuha, which fell at that time.[81]

Jinnah mentions the exchange of population

Thus far Jinnah and the Muslim League had been justifying Partition and Pakistan on dubious utilitarian grounds that sacrificing one-third of Muslims to liberate two-thirds was imperative because otherwise the whole Muslim nation of India would be enslaved by the Hindu nation. Such an argument had been augmented by the hostage theory that the best guarantee of the safety of the Muslim minority in India would be a strong Pakistan. However, the riots which erupted in Calcutta, and which triggered similar reactions in Bombay, Noakhali and Bihar, brought out in sharp relief the diabolical nature of communalism.

IQBAL FORUM

Liaquat Ali Khan and other League leaders visited Bihar and reported the tragedy to Jinnah. Jinnah neither visited Calcutta nor any other disturbed area, not even Bihar, where a slaughter of Muslims had taken place. On 15 November 1946, the *Dawn* published Jinnah's statement that the only solution to the fast-deteriorating situation was to create two separate states of 'Pakistan and Hindustan'. He said, 'The exchange of population will have to be considered seriously as far as possible, especially after this Bihar tragedy.'[82,83]

The Congress–League coalition interim government, 26 October

Efforts to convince the Muslim League to join the interim government continued. The Jinnah–Nehru correspondence in October has already been reviewed. It had not resolved their fundamental ideological differences. However, in a telegram dated 12 October, Wavell informed the secretary of state that Jinnah might agree to join the interim government if five cabinet members were nominated by the League. His guess was that Jinnah would probably want himself, Liaquat Ali Khan, Abdur Rab Nishtar, Mohammad Ismail Khan and Khawaja Nazimuddin to join the interim government. In his notes of the meeting with Jinnah, Wavell reported that Jinnah wondered if the Congress had the right to nominate a Muslim in their quota, why could he not appoint a Scheduled Caste representative or a member of some other community? The viceroy told him he had that right and later confirmed that in writing. Both men also discussed the distribution of portfolios.[84]

However, on 13 October, Jinnah wrote to the viceroy:

> The Working Committee of the All-India Muslim League . . . do not approve of the basis and scheme of setting up the Interim Government, which has been decided by you, presumably with the authority of His Majesty's Government.
>
> Therefore, the Committee do not, and cannot agree with your decision already taken, nor with the arrangements you have already made.
>
> We consider and maintain that the imposition of this decision is contrary to the Declaration of 8 August 1940,

IQBAL FORUM

> but since, according to your decision we have the right to nominate five members of the Executive Council on behalf of the Muslim League, my Committee have, for various reasons, come to the conclusion that in the interest of the Mussalmans and other communities it will be fatal to leave the entire field of administration of the Central Government in the hands of the Congress . : . we have decided to nominate five on behalf of the Muslim League . . .[85]

On 13 October, Wavell met Jinnah and Liaquat. He hoped the League would not nominate a Scheduled Caste Hindu because it would be a provocation to the Congress, and he wanted the inclusion of the Muslim League in the provisional government to be stable and the cabinet to work as a team. He sensed that if the League were not to nominate a Scheduled Caste Hindu, the Congress might refrain from including a nationalist Muslim.[86]On 14 October, Jinnah responded with five names on behalf of the Muslim League: Liaquat Ali Khan (Central), I.I. Chundrigar (Bombay), Abdur Rab Nishtar (NWFP), Ghazanfar Ali Khan (the Punjab) and Jugandra (Jogendra) Nath Mandal (Scheduled Caste member from Bengal).[87] Jinnah had not paid heed to Wavell's request not to nominate a Scheduled Caste Hindu. Thereafter followed a discussion between Wavell and Pethick-Lawrence and other functionaries on the implications of Jinnah's nominations and how Nehru would react. Wavell wrote to Jinnah to congratulate him for deciding to join the government but regretted that the nominees were below standard. Jinnah explained his reasons for the League's choice of ministers.

On the other hand, Jinnah negotiated with Nehru over the portfolios. He said that the Muslim League must have at least one of the following: external affairs, defence or home. Nehru complained that Liaquat and Ghazanfar Ali Khan had been making highly charged communal speeches in the wake of the communal riots and to have them as colleagues in a cabinet that should work as a team was difficult to achieve. He asserted that the Congress was unable to agree to give any of the three portfolios to the Muslim League. Wavell agreed that external affairs and defence could remain with the Congress, but he wanted to give the home ministry to the League. Nehru wrote back that the Congress would be willing to let the Muslim League have the finance portfolio.[88]

IQBAL FORUM

Jinnah responded on 25 October saying that they did not accept the Congress stand on portfolios, but would nevertheless join the interim government. The Muslim League nominees were:

Liaquat Ali Khan	Finance
I.I. Chundrigar	Commerce
A.R. Nishtar	Post and Air
Ghazanfar Ali Khan	Health
Jogendra Nath Mandal	Legislative

On 26 October 1946, a coalition provisional government was announced:

Pandit Jawaharlal Nehru	External Affairs and Commonwealth Relations
Sardar Baldev Singh	Defence
Sardar Vallabhbhai Patel	Home, including Information and Broadcasting
Liaquat Ali Khan	Finance
Abdur Rab Nishtar	Post and Air
Rajendra Prasad	Food and Agriculture
Jagjivan Ram	Labour
M. Asaf Ali Khan	Transport and Railways
Dr John Matthai	Industries and Supplies
C. Rajagopalachari	Education and Arts
C.H. Bhabha	Works, Mines and Power
I.I. Chundrigar	Commerce
Jogendra Nath Mandal	Law
Ghazanfar Ali Khan	Health[89]

The Cabinet Mission Plan of 16 May remained the framework, although both Congress and the Muslim League had strong reservations on it and the wrangling and bickering over the formation of the interim government dragged on till the end of October. Mutual suspicions, recriminations and animosities were part of the historical baggage since at least 1937 and, over time, nothing had happened to demolish the wall which existed between both sides. Although they

IQBAL FORUM

were members of the same cabinet, Congress and League ministers worked at cross purposes.

In any case, the League had agreed to join the interim government but had not given an assurance that it was also committed to the long-term stipulations of the Cabinet Mission Plan of framing a Constitution for the Indian union by partaking in the functioning of the Constituent Assembly. Wavell pressed the League leaders for a commitment to that aspect of the 16 May plan. Outside the corridors of power, the situation remained volatile and communal violence was being reported from different parts of India. In the meantime, 9 December had been agreed on by Nehru, Wavell and HMG as the date for the Constituent Assembly to meet.

Absolute Pakistan the only solution

Jinnah upped the ante considerably when speaking to foreign correspondents when on 14 November in New Delhi he opined that 'the only solution' to India's communal situation 'is Pakistan and Hindustan'. He underscored that he meant 'absolute Pakistan'. He augmented his statement by reiterating his typical arguments that Hindus and Muslims were two separate nations, and that once the partition took place, the communal tension would give way to peace and mutual acceptance and good relations. The minorities would have their rights guaranteed in Pakistan. He said that the League members of the government were 'sentinels' present to watch Muslim interests in the day-to-day working of the government. The League's boycott of the Constituent Assembly scheduled to open on 9 December remained in force. He further protested that the interim government was forced upon the Muslim League and that the League would continue to 'resist every attempt which would directly or indirectly militate or prejudice our demand of Pakistan'.[90-91] He again mentioned the exchange of population in light of the violence in Bihar. He said Partition referred to the British territories and not the princely states. They would be free to join Pakistan or Hindustan. He dismissed the fact that Nehru had been appointed prime minister, asserting, 'There have been Vice Presidents since 1919 . . . his function is only to preside in case the Viceroy is unable to preside over the Executive Council.'[92-93] On the other hand, Nehru accused the League of endeavouring to become the King's Party and that British sympathies lay with the League.[94]

IQBAL FORUM

Wavell accuses Jinnah and the Muslim League for the outbreak of violence, 22 November

In a private and secret letter to Pethick-Lawrence, notwithstanding his aversion for Congress, for the first time, Wavell blamed the onset of communal violence on Jinnah and the Muslim League. He observed succinctly:

> The Muslims are undoubtedly to blame for their policy of 'direct action', which led to the Calcutta killings in August, where at the end the casualties were perhaps 50:50 and for the Noakhali and Tippera disturbances, which were probably instigated by supporters of the Muslim League, though I am certain that the leaders of the Muslim League had nothing to do with it. But the retaliations in Bihar and the United Provinces have been, on the scale of numbers and degree of brutality, far beyond anything that I think has happened in India since British rule. And they were undoubtedly organised, and organised very thoroughly, by supporters of Congress; again I am sure that the leaders were not involved, though I think some of the Bihar Ministers acted recklessly and irresponsibly or failing to suppress the incitement of revenge for Noakhali.[95]

Wavell informed Pethick-Lawrence that Jinnah had in a statement of 21 November said that the League stood steadfast not to participate in the Constituent Assembly.[96,97] On 25 November, Jinnah repeated from Karachi his demand that an exchange of population should be considered to prevent further attacks on minorities.[98]

V.P. Menon's memorandum to Abell, 28 November

The Congress's alleged mole on the viceroy's staff, Reforms Commissioner V.P. Menon, wrote a memorandum to Abell in which he went over the vicissitudes attendant upon the initiatives taken by Wavell since 1944 when he reopened the constitutional problem. Addressing himself as 'we', which referred to his being part of the British administration when addressing Abell, Menon showed, step by step, the difficulties in making the two major parties settle their

IQBAL FORUM

differences. He suggested that if Jinnah did not agree to join the Constituent Assembly then the government could do the following:

> [W]e must go ahead with the Cabinet Mission's plan and not seek to find a fresh basis. Also, H.M.G. must make it clear that a Constitution devised by such a body will be implemented subject to two conditions already indicated by the Cabinet Delegation and H.E. [viceroy], namely, adequate protection for minorities and the conclusion of a Treaty.[99]

About the reference to the treaty, Menon elaborated:

> If I may say so, the future friendly relations between Great Britain [and India] will to a great extent be made or marred by Congress opinion. If past history is any guide, I cannot view with equanimity Congress non-cooperation at this juncture. We can certainly use our good offices to get as much as reasonable concessions as possible for minorities but in the present conditions of India and from the international point of view we cannot antagonise the Congress with whom are now allied all the minorities except the Muslim League.[100]

From this memorandum prepared by V.P. Menon, one can reasonably assume that he was suggesting a fundamental reorientation in HMG's strategy. Wavell's dislike for Congress was proverbial and he was determined that both the Congress and the Muslim League should be partners in accepting and implementing the Cabinet Mission Plan in letter and spirit—which was dependent on his role as governor-general with his veto power remaining undiminished. But such an obsession, even if conceded by the two parties, could at most bring about a coalition for the interim period. Menon was now thinking out loud on long-term British interests in South Asia. The bottom line in his memorandum was that in the long run the cooperation of the Congress was a prerequisite for a comprehensive treaty between Great Britain and India. Therefore, British effort should be directed at convincing the Congress to agree to such a treaty.

As already noted, the secret reports of the British military had expressed worry about the Congress left wing. That wing

IQBAL FORUM

had to be brought around to accepting membership of the British Commonwealth. That meant the left faction in the Congress around Nehru and Azad. Gandhi was at that time keeping away from mainstream politics, travelling to Bengal and Bihar and trying to make Hindus and Muslims seek forgiveness for their crimes against one another. He went on a hunger strike when he heard about the slaughter of Muslims in Bihar, while his presence in East Bengal had prevented further attacks on the Hindu minority. Within the Congress, the right wing was very strong and had the backing of industrialists such as Birla. Sardar Patel was always a man of law and order, and many others such as Rajendra Prasad were conservative, although all were Indian nationalists. One can reasonably assume that the British military and intelligence services were reviewing the situation in India keenly and Menon must have been in touch with the Congress right wing, which was amenable to continuing cooperation with Britain.

That the British establishment was simultaneously working on the Muslim League should not surprise anyone. The Muslim League had, from the beginning, been encouraged to challenge the Congress's claim to represent Indian nationalism and Jinnah had drawn full capital out of it during World War II. But now the war was over and Wavell's continuing with the old policy was becoming obsolete, redundant and dysfunctional to the long-term ambitions of Britain. Either Jinnah had to fall in line and accept the Cabinet Mission Plan, for which he had received assurances that on the communal question no law would be adopted without the consent of both communities, and the groupings would be retained with provisions for reviewing their relationship with the Union after ten years, or the British would consider Partition. Menon had stopped short of saying that, but surely such a suggestion was implicit in the memorandum. Since the Cripps Mission of 1942, the idea of Pakistan was already an option available to the British. Wavell's December 1945 Breakdown Plan followed by his Demarcation Plan of February 1946 had drawn the contours of a future Pakistan. Jinnah had to accept a smaller Pakistan and remain in the British Commonwealth if he could not agree to accepting the Cabinet Mission Plan for a loosely federated unitary India. These lines of action were inherent in Menon's memorandum to the British establishment. He had written to Wavell's private secretary and one would imagine the viceroy was privy to such communications.

IQBAL FORUM

London's parleys with Indian leaders

The future of India and Britain's relationship with it seemed to elicit little or no interest in the British Parliament. Serious food shortages, the wholesale destruction of industry and production, shops and dwellings because of Nazi bombings, all naturally demanded more attention. However, the British establishment, especially old India hands, were keen to retain a grip on India through the dominion framework based on economic and military cooperation. Churchill was thoroughly exasperated when he heard that Britain was in debt not only to the Americans but also to India. The United States was insisting that power be transferred to an independent and united India, while the Congress and the League were continuing to play zero-sum games, which frustrated the Cabinet Mission Plan. The governors, chief secretaries and intelligence services warned that unless the future of India was decided quickly, the subcontinent would go up in flames and the responsibility for it would be with the British.

A last attempt to convince warring Indian leaders that the Cabinet Mission Plan suited the best interests of all and sundry in India and Britain began with concerted efforts to persuade the chief Indian protagonists to come to London for negotiations. Initially, they resisted the invitation but finally agreed, and Nehru, Jinnah, Liaquat Ali Khan and Baldev Singh arrived in London on 2 December.

Wavell's musings of 2 December 1946

Wavell too had come to London. In a top-secret note dated 2 December for discussion with the prime minister and the cabinet, he gave his views on the strategy the government should adopt.

Short-term issue

In this section Wavell began with his views on the Indian parties and leaders. He remarked that the Congress left wing had no constructive programme but could cause considerable destruction and instability. The right wing used the left wing but could not control it any more. Nehru was the link between the right and the left. He then observed:

IQBAL FORUM

> The sensible and moderate ones realise that they cannot get a united India without Muslim goodwill . . . The Congress will not seriously negotiate with the Muslim League so long as they feel they can get what they want by pressure on H.M.G. . . . The Muslims are thoroughly alarmed and many of their leaders are getting desperate. They trusted the British to give them a fair deal and feel that owing to the weakness and duplicity of H.M.G. they are not getting it.[101]

He continued along such lines but while he criticized leaders from both sides, his wrath was unsurprisingly reserved for Gandhi:

> Gandhi feels that his life work of driving the British from India is almost accomplished; and he knows that his political weapon of 'non-violence'—was always really a weapon more than a gospel; and now that the strong have become weak, more direct weapons will be used, which he cannot control.
>
> Gandhi will remain in the background, will continue to deplore violence, but will do nothing to check it, since he knows he cannot.[102]

His remarks on the Muslim League are significant:

> The Muslim League leaders raised the cries of Pakistan, and Islam in danger originally to enhance their prestige and power and thus their bargaining value as a political party. They have now inflamed their ignorant and impressionable followers with the idea of Pakistan, as new Prophet's (PBUH) Paradise on earth and as their only means of protection against Hindu domination, that it will be very difficult to satisfy them with anything else.[103]

About the Sikhs he wrote:

> The Sikhs as a whole will back the party which they feel to be the strongest party and give them most. This used to be the British, they now believe it to be the Congress.[104]

For the short term, Wavell recommended that HMG must persuade the League to enter the Constituent Assembly on the original basis as

IQBAL FORUM

laid down in the Cabinet Mission Plan: that drawing up group and provincial constitutions as part of the overall Constitution for the Union still holds. On the other hand, the Congress would be furious, but the viceroy believed they were not ready yet for an open breach with HMG.[105]

Long-term plan:

Unless the Congress and the League accepted the original Cabinet Mission in toto, the British could do the following:

a) Re-establish British authority and rule India for a further period. This, however, had been ruled out.
b) To negotiate some sort of partition, which would require the British remaining for some time in India to implement it.
c) To surrender to the Congress. This, the viceroy considered dishonourable policy.
d) To announce that Britain will withdraw with its own methods and in its own time, while handing over power to the provinces.

In conclusion, Wavell asserted that HMG should make full use of the present discussions to 'try to restore the Mission plan to its original basis *as intended by the Mission*'.[106] If that failed, Partition should be considered and he had already in December 1945 formulated it.

It is to be remembered that HMG had, from time to time, been discussing his Breakdown and Demarcation plans. The viceroy's views were not surprising. He held on to his convictions with unflinching tenacity. If Gandhi, Jinnah and Nehru were unwilling to let go of their core ideological stands, Wavell was equally firm in his views about the Indian leaders and how the Indian question should be dealt with.

Statement of HMG on the London talks, 6 December

Hectic negotiations went on for several days between HMG, their interlocutors, individually, in groups and as a whole, with Nehru, Jinnah, Liaquat and Baldev Singh, but no breakthrough with the Cabinet Mission Plan as the basis of a settlement was agreed on. The government issued a statement on the afternoon of 6 December:

IQBAL FORUM

> The conversations held by His Majesty's Government with Pandit Nehru, Mr. Jinnah, Mr. Liaquat Ali Khan and Sardar Baldev Singh came to an end this evening, as Pandit Nehru and Sardar Baldev Singh are returning to India tomorrow afternoon.[107]

It was stated that both parties had to accept the Cabinet Mission Plan of 16 May, which required the provinces to frame their constitutions and constitutions for their groups, if they so decide. Once those constitutions were framed, they could opt out of them. The Muslim League was willing to accept that, but the Congress insisted that the provinces had the right to decide both, with regard to the groupings and their constitutions. HMG had sought legal advice and been told that the British government's interpretation was correct. On the other hand, other aspects of the Cabinet Mission Plan could be open to several interpretations and the Congress had agreed to refer such matters to the Federal Court.[108]

It concluded:

> There has never been any prospect of success for the Constituent Assembly, except upon the basis of an agreed procedure. Should a Constitution come to be framed by a Constituent Assembly in which large section of the Indian population had not been represented, His Majesty's Government could not of course contemplate—as the Congress have stated they would not contemplate—forcing such a Constitution upon any unwilling parts of the country.[109]

On 11 December, Wavell met the British cabinet. He opposed the government publicly agreeing to Pakistan but held that HMG must announce a definite date for pulling out of India. Some ministers considered such a statement a sign of British surrender in the face of growing opposition, which would not only mean that no agreement had been obtained on the rights and status of minorities but would also jeopardize British strategic and economic interests in the region. Others, however, argued that an announcement to leave India would greatly help in leaving with dignity.[110] On 13 December, Pethick-Lawrence met Jinnah and Liaquat who were still in London. He failed to persuade Jinnah that the Muslim League should join the Constituent Assembly.[111]

IQBAL FORUM

Jinnah's message from London to the American people, 13 December

British efforts were in vain while trying to transfer power in accordance with the Cabinet Mission Plan of 16 May. It had been quite obvious for a long time that the two major political adversaries were not going to agree to their terms. Jinnah made that very clear while in London in his radio broadcast via the American Broadcasting Corporation. The argument was a familiar one, but the US was the leader of the Western world now, and speaking to the American people was essential because the US government was opposed to the creation of Pakistan. He said that Muslims were a nation by any standards. In the north-west and north-east of the vast subcontinent, 70 million of them were located and constituted a 70 per cent majority in those two regions. He arrived at this figure by counting only the caste Hindus and excluding the Scheduled Castes and Sikhs.[112] He then said:

> We want the division of India into Hindustan and Pakistan because that is the only practical solution which will secure freedom for both Hindus and Muslims and the achievement of stable and enduring governments of Hindustan and Pakistan, which I am confident will settle down as friends and neighbours like Canada and the United States.[113]

The evidence from the Calcutta communal slaughter and what followed elsewhere did not augur that the division of India would take place peacefully; but this was Jinnah's typical way of taking a stand and sticking to it. His leadership stood out against that of Gandhi and Nehru who, on the other hand, were diehard Indian nationalists who considered the division of India the vivisection of the motherland.

Discussion on the future policy among the British

Discussions among British officials continued. Several drafts on future British policy were discussed. Also, the future of Bengal, the Punjab and Assam and the issue of paramountcy were also discussed and the prospect of civil war breaking out considered. While Wavell was in Britain, Colville acted as viceroy. He wrote to Pethick-

IQBAL FORUM

Lawrence that on 22 December the Congress Working Committee reiterated that it would work towards a Constitution for a united and independent India. It regretted that the Muslim League had decided to boycott the assembly. Meanwhile, Wavell wrote to Liaquat Ali Khan that the Congress wanted to appoint Abul Kalam Azad to the government because Asaf Ali was being sent as the Indian ambassador to Washington. Liaquat did not directly oppose Azad joining the government, but deplored that the League had been given a bad deal and demanded two more ministries so that a 7:7 balance could be established in the government. Wavell disagreed that great injustice had been done to the League.[114] The attitude of Wavell and of the cabinet was described as pessimistic and defeatist by Ernest Bevin, the secretary for foreign affairs, in a confidential letter to Attlee. He considered Wavell stuck in a military mindset and advised, 'I would very strongly recommend that he be recalled and that you find somebody with courage who, even if he were the last man left there, would come out with dignity and uphold the British Empire.'[115]

Constituent Assembly meets, 9 December

Great hype had been created by news reports and there were rumours that on the opening day of the Constituent Assembly savage outbreaks of communal violence would take place. But the day passed peacefully. Colville's view was that the Muslim League felt its position had been vindicated in the London talks. He reported that the first meeting was marked by dignity and decorum. Goodwill messages had been received from the US, Australia and China, but Patel was disappointed that nothing of the sort had been sent by HMG. Colville also reported that native officers and personnel were sending partisan reports of the communal violence that had taken place.[116]

Jawaharlal Nehru moves the Objectives Resolution, 13 December 1946

Meanwhile, the Constituent Assembly continued with its task of framing a Constitution. An Objectives Resolution delineated the contours of the Constitution of India. It declared:

IQBAL FORUM

1. This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic and to draw up for her future governance a Constitution;
2. WHEREIN the territories that now comprise British India, the territories that now form the Indian States, and such other parts of India as are outside British India and the States as well as such other territories as are willing to be constituted into the Independent Sovereign India, shall be a Union of them all; and
3. WHEREIN the said territories, whether with their present boundaries or with such others as may be determined by the Constituent Assembly and thereafter according to the law of the Constitution, shall possess and retain the status of autonomous Units, together with residuary powers and exercise all powers and functions of government and administration, save and except such powers and functions as are vested in or assigned to the Union, or as are inherent or implied in the Union or resulting therefrom; and
4. WHEREIN all power and authority of the Sovereign Independent India, its constituent parts and organs of government, are derived from the people; and
5. WHEREIN shall be guaranteed and secured to all the people of India justice, social economic and political: equality of status, of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality; and
6. WHEREIN adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and
7. WHEREBY shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea, and air according to justice and the law of civilized nations; and
8. This ancient land attains its rightful and honoured placed in the world and make its full and willing contribution to the promotion of world peace and the welfare of mankind.[117]

IQBAL FORUM

The resolution was adopted unanimously by the Indian Constituent Assembly on 22 January 1947.

1946 ended with the Congress succeeding in making a declaration on the Indian Constitution, which was for an Indian federation with an effective Centre. The Muslim League wanted Pakistan. The British had to make their decision and do it quickly because the governors and other civil and military administrators were warning against prevarication and indecision.

Notes

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 14

The British Decision to Partition India



With the war over, Churchill defeated and a Labour government in power since July 1945, Jinnah's halcyon days of making demands and the British supporting him were over. He had rendered invaluable service in thwarting the Congress threat to the British Empire and won gratitude among British officialdom, including arch Conservatives such as Churchill. However, now that phase was over and the Labour government was looking for an opportunity to withdraw quickly and make it appear a triumph of British policy to transfer power in a negotiated manner, while ensuring that their strategic interests were properly safeguarded. On that issue, the Conservatives, the Liberals and Labour members shared a consensus. A united India in the framework of the Cabinet Mission Plan of 16 May 1946 was still the preferred option to the future of India. However, if British interests were served better by Partition, then that had to be considered and the distribution of territories between India and Pakistan worked out carefully.

Auchinleck's memorandum against Pakistan, 11 May 1946

We need to step back in time to put into perspective the sea change which occurred in the thinking of the British military regarding Pakistan. We have briefly mentioned that on 11 May 1946 Commander-in-Chief Sir Claude Auchinleck had penned down a top-secret memorandum on 'The Strategic Implications of the Inclusion of "Pakistan" in the British Commonwealth' either as one unit in the

IQBAL FORUM

north-west of the subcontinent, or as two with the second part in the north-east zone. He concluded that it would not serve British interests in the Indian Ocean because it would be a weak state in military and economic terms, whereas a stronger India, estranged from Britain, could move closer to the Soviet Union.[1] In the end of his report he summed up his position:

> If we desire to maintain our power to move freely by sea and air in the Indian Ocean area, which I consider essential to the continued existence of the British Commonwealth, we can do so only by keeping in [it] being a United India which will be a willing member of that Commonwealth, ready to share its defence to the limit of her resources.[2]

The commander-in-chief's view was not shared by all his peers, however. For example, General Sir Ashton Mayne, who had served in India and was in 1946 the principal staff officer at the India Office in London, wrote 'I do not' in the margin of the memorandum where Auchinleck had concluded that Pakistan should not be created.[3] Thus, already, in May 1946, his peers were not agreeable to Auchinleck's negative stand on Pakistan. Another dissenting voice was that of the General Officer Commanding-in-Chief of the Eastern Command, Lieutenant General Sir Francis Tuker. He was convinced that Hinduism was a superstitious creed and that the caste system prevented the establishment of national solidarity among the Hindus. Therefore, unless a buffer state was created, the oppressed Indian masses would find communist ideology's strong emphasis on equality and social emancipation an allurement they would not be able to withstand.[4] Proceeding from such a pessimistic view of Hindu India, Tuker opined:

> There was much therefore to be said for the introduction of a new Muslim power supported by the science of Britain. If such a power could be produced and if we could orient the Muslim strip from North Africa through Islamia Desertia, Persia, Afghanistan to the Himalayas, upon a Muslim power in Northern India, then it had some chance of halting the filtration of Russia towards the Persian Gulf. These Islamic countries, even including Turkey, were not a very great strength in themselves. But with a northern

IQBAL FORUM

> Indian Islamic state of several millions it would be reasonable to expect that Russia would not care to provoke them too far.[5]

Auchinleck himself had started having doubts over his May 1946 memorandum and, later in July 1946, had cast doubts about India remaining a dependable ally. That support for Pakistan existed among the British establishment from much earlier, as we noted in a previous chapter. Alex von Tunzelmann wrote that it was rumoured that a secret pact between Churchill and Jinnah already existed from 1940, when the former pledged to reward Jinnah with Pakistan in return for his support to the war effort. Such an understanding, she asserts, had been arrived at in complete secrecy because if it had become public it would jeopardize Jinnah's claims to be fighting for the rights of the Muslims; rather, it would show that Jinnah was a British agent. Equally, since it was not official British policy to leave or divide India, Churchill could have been charged with treason. As noted earlier, both Tunzelmann and Panigrahi, however, refer to 1943 as the year when definite documentary proof that Churchill was convinced that Pakistan should be established existed. Both further inform us that from 1946 onwards, documentary evidence of Jinnah and Churchill writing to each other exists in their papers. Wavell has entered in his diary that on 29 March 1944, when he met Churchill, '[T]he P.M. launched a long jeremiad about India which lasted for about 40 minutes. He seems to favour partition into Pakistan, Hindustan, Princestan etc.'[6] British historian Martin Curtis sums up that Churchill's message to Wavell in 1944 was 'Keep a bit of India'.[7]

Diminishing ability to control India

The outbreak of communal rioting in Calcutta and its spread elsewhere made the British realize their power was waning rapidly and their writ over India was fast depleting. In December 1946 communal violence reached the Hazara district of the NWFP. Hazara was on the border of northern Punjab. Several hundred Hindus and Sikhs were murdered by Muslims, among whom they lived as a small minority. They were involved in trade, running shops and moneylending. Many thousands sought refuge in Rawalpindi city on the border of the Punjab.[8] Here the Sikhs were the most prosperous community,

IQBAL FORUM

owning almost entirely the wholesale and retail trade sectors, as well as business and commercial enterprises. They were also moneylenders to whom the Muslims were heavily in debt. In fact, Muslim Punjabis were in debt to moneylenders all over the Punjab.[9,10]

A coalition government was in power in the Punjab consisting of the Punjab Unionist Party, the Congress and the Sikhs under Sir Khizr Hayat Khan Tiwana. Direct Action, which Jinnah had threatened for the whole of India, had initially resulted in communal rioting in Calcutta in August 1946. The Muslim League's Direct Action had not been put into effect in the Punjab at that time. Finally, it broke out in the Punjab on 24 January 1947, when Khizr, in a pre-emptive bid to prevent communal violence spreading to the Punjab from Hazara, banned the militant wing of the Muslim League, the Muslim League National Guard, as well as the RSS. The Punjab governors had been warning, since 1945, of private armies being raised by the different communities. A raid on the head office of the Muslim League in Lahore was resisted by its leaders, who were arrested and sent to prison. It triggered mass protests in many parts of the Punjab. Besides leaders and the cadres, thousands of other Muslims courted arrest.[11] Jinnah issued a strong condemnation of Khizr's action which had resulted in the arrest of the Punjab Muslim League leaders. He refuted charges that the Muslim League National Guard was a militant organization. He added:

> The repercussion of this one more mad and inimical action against the Muslim League on the part of the Punjab Government will be terrific all over Muslim India and I appeal to the Viceroy immediately to intervene and save the situation which otherwise may take a very serious turn for which the responsibility will rest with the Viceroy and H.M.G.[12]

On 2 February he issued another statement advising the premier and governor not to violate the civil liberties of the people. He instructed Punjabi Muslims to remain peaceful and avoid communal clashes.[13]

Clement Attlee's statement of 20 February 1947

In London, after considerable prevarication and deliberations, the British government prepared itself to declare its intention to transfer

IQBAL FORUM

power to Indians. Attlee announced on 20 February that Britain would withdraw from India by June 1948. He said, among other things:

> His Majesty's Government wish to make it clear that it is their definite intention to take the necessary steps to effect the transfer of power into responsible Indian hands by a date not later than June 1948 [. . .] His Majesty's Government will have to consider to whom the powers of the Central Government in British India should be handed over, on the due date, whether as a whole to some form of central Government for British India or in some areas to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interest of the Indian people [. . .] In regard to the Indian States, as was explicitly stated by the Cabinet Mission, His Majesty's Government do not intend to hand over their powers and obligations under paramountcy to any Government of British India [. . .] His Majesty's Government believe that British commercial and industrial interests in India can look forward to a fair field for their enterprise under the new conditions.[14]

Jinnah received the news with calm and said he would study the statement carefully. Although the Muslim League kept the ongoing Direct Action peaceful, as the days passed the movement began to acquire increasingly intimidating characteristics. Hindus and Sikhs were harassed. On 24 February 1947, an off-duty Sikh constable was clubbed to death by a mob of League supporters in Amritsar. When that happened, the Sikh leader Master Tara Singh said that the agitation was no longer political: it had become communal.[15] On 26 February, a deal was brokered between the Punjab ministry and the Muslim League. The League called off the agitation, while the government released all detainees. Although the government was led by a unionist Muslim premier, most Muslim functionaries serving in the Punjab were sympathetic to the Muslim League.

Finance minister Liaquat Ali Khan's 'socialist' budget

The interim government continued to meet and make policies amid the rapidly deteriorating communal situation. However, the ministers

IQBAL FORUM

worked at cross purposes. In my book on the Punjab partition, *The Punjab Bloodied, Partitioned and Cleansed*, to which I refer presently in detail, I have given details of how the ministers were taking openly partisan positions, but Wavell was determined to maintain the facade of an interim government. The Congress decision to go for Partition was expedited finally when the finance minister, Liaquat Ali Khan, in March 1947 proposed a 'socialist budget' which imposed 25 per cent tax on business profits over Rs 100,000 doubled corporate tax, imposed capital gains tax and doubled the export duty on tea. The budget also proposed a commission to unearth tax evaders.[16,17] The Muslim League by that time was the citadel of the powerful landowning class of the Punjab and Sind, with some support in the NWFP. The budget proposals therefore did not affect their interests.

Left-wing Congress ministers including Nehru were not against it, although they understood that Liaquat had deliberately prepared a slanted budget. On the other hand, the Congress right wing, with Sardar Patel as their spokesperson, who was well connected to industrialists financing the Congress such as Birla, Bajaj, Dalmia and others, were outraged.[18,19]

A bloody March 1947 in the Punjab

On 2 March Khizr resigned. It surprised his coalition partners, but Khizr had realized that the time was up for British loyalists—he and many others around him were convinced that British rule had been beneficial to India in providing stability and good government and that it should continue for the near future. Therefore, now, as a staunch loyalist, he was completely demoralized by the announcement in London. Attlee's statement and Governor Sir Evan Jenkins's confirmation that the British really meant to pull out of India made Khizr realize that the future of India would be decided between the Congress, the Muslim League and the British. Jinnah issued a statement on 3 March, saying, 'I am glad to learn the news this morning that Malik Sir Khizr Hayat has submitted the resignation of his cabinet. He has taken a wise decision and I hope that his example will soon be followed by Dr. Khan Sahib [the chief minister of NWFP].'[20] Jinnah had by now assumed a tone in which his warnings were also a threat to his opponents.

IQBAL FORUM

Khizr's resignation caused an acute political and constitutional crisis; the Muslim League had the majority of seats in the Punjab Assembly—seventy-five (seventy-three plus two others who joined the party) in a house of 175—but failed to find coalition partners in both the Congress and the Sikh parties. The Punjab Muslim League president, Nawab Mamdot, tried to win over Scheduled Castes and Christian votes, but failed to secure enough to form a majority. On 3 March, Master Tara Singh and other Sikh members of the Punjab Assembly came out and started shouting anti-Pakistan slogans. That evening, Hindu and Sikh leaders met in a large public meeting where they made provocative speeches and vowed that they would never allow the Muslim League to form the government or let India be partitioned.[21]

The following day clashes between Hindus and Sikhs on the one hand and Muslims on the other took place in many parts of Lahore. By late afternoon, similar clashes broke out in Amritsar, only 30 miles away from Lahore. While in Lahore city and district the Muslims constituted more than 60 per cent of the population, most trade, business and commerce were in the hands of the Hindus and the Sikhs. Amritsar had a 53 per cent Hindu–Sikh majority in the city and district. However, while the Hindus and Sikhs were the most prosperous communities and dominated trade and commerce, Muslim traders, especially Kashmiri settlers who had done well in the shawl trade, were to be found in a sizeable number. In these two cities communal violence was equally balanced, though in Lahore the Muslims had the upper hand from the beginning, while in Amritsar the Hindus and Sikhs had an advantage as they received support from Sikh princely states whose soldiers took part in the fight. In both places, the criminal underworld mafias took a leading role on behalf of their co-religionists. On 5 March, Sir Evan Jenkins imposed governor's rule under Section 93 of the 1935 Act. The Punjab remained under governor's rule until British rule ended on 14 August 1947.[22]

On 5 March, Multan in southern Punjab was engulfed by communal violence. Multan city had a Muslim majority of 57 per cent; the Hindus formed a big minority of 39 per cent, while the Sikhs were a tiny community of less than 2 per cent. In Multan district the Muslims constituted a solid 78 per cent majority. Hindus and Sikhs were the most prosperous group but Muslim traders were

IQBAL FORUM

also important. The rioting was one-sided, and most casualties were suffered by the non-Muslims.[23]

Rawalpindi city and its cantonment area had a Hindu–Sikh majority although the Muslims were in an overwhelming majority in the district. Communal clashes took place on 5 March. Initially, it was an even-handed confrontation in which firearms were used by both sides, but on the evening of 6 March Muslims in the thousands turned towards the rural areas, where several hundred Sikh-majority villages were located.[24] Northern Punjab was the area from which a very large number of Muslims were recruited in the Indian Army. Thousands had returned to their villages after the war.

Jinnah visits Bihari refugees on the outskirts of Karachi on 23 February

Meanwhile, in the wake of the Bihar massacre of Muslims in 1946, many had sought refuge in the Muslim-majority provinces and many were in refugee camps in Karachi. Jinnah visited them and said:

> The Muslim League will not yield an inch in their demand for Pakistan [. . .] Our demand is just and is the only way to liberate 100,000,000 Muslims of India. The sufferings that the Muslims had undergone in Bihar and elsewhere only show more clearly that we should have a separate State of Pakistan [. . .] Nations are built through sacrifices, and I am really proud of the Bihari Muslims who have suffered so much.[25]

The statement was rather ironic because, while the Bihari Muslims had indeed suffered the worst atrocities, Jinnah had not even paid a formal visit to Bihar, nor had he ever suffered any hardship like a prison sentence; but as already noted earlier in the book he had no qualms of conscience when he said in Kanpur on 30 March 1941 to the Muslims of the minority provinces that 'in order to liberate 7 crores of Muslims where they were in a majority he was willing to perform the last ceremony of martyrdom if necessary and let two crores of Muslims be smashed'.[26] Such rhetoric served the purpose at that time to morally blackmail those Muslims to accept such a fate; but when that happened on an infinitely smaller scale and the slaughter

IQBAL FORUM

of some thousands of Bihari Muslims in 1946 took place, Jinnah had issued a statement that a transfer of populations would have to be considered. The mention this time of all 100 million Muslims to be liberated from India seemed to suggest he was thinking in terms of a total exchange of population. Or the figure was just demagogy. One can only wonder. As this inquiry amply demonstrates, Jinnah was a master rhetorician and could always change his position.

The Congress announces support for the Sikh demand for partition of the Punjab, 8 March 1947

Thus far the Congress had been struggling adamantly to keep India united under an effective central government. It had steadfastly opposed Jinnah's demand for Partition and Pakistan as well as spurned British overtures to maintain a united India with a loose federation and the future of princely states left ambiguous. However, after the 20 February declaration of the British government, it seemed to have accepted Partition as a distinct possibility. Therefore, on 8 March, the Congress Working Committee issued a statement from Delhi declaring that it supported the Sikh demand for the partition of the Punjab. Referring to Direct Action launched by the Muslim League in the Punjab, it noted:

> An agitation, supported by some people in high authority, to coerce and break up a popular Ministry which could not be attacked by constitutional methods [...] has resulted in increased and widespread violence [. . .]
>
> These tragic events have demonstrated that there can be no settlement of the problem in the Punjab by violence and coercion [. . .] Therefore, it is necessary to find a way out which involves the least amount of compulsion. This would necessitate division of the Punjab into two Provinces, so that the predominantly Muslim part may be separated from the predominantly non-Muslim part.[27,28]

With the Congress endorsing the Sikh demand for the partition of the Punjab, it tacitly agreed in principle to the partition of India. It took some tit for tat but Jinnah appeared to remain convinced that he

IQBAL FORUM

would be able to have the partition effected on his terms, or at least wanted to maintain such a facade. The worst rioting was yet to come in the Punjab, but the Congress had already taken a stand in favour of partitioning the province and thereby India, and by implication Bengal.

The massacre of Sikhs in Rawalpindi's rural areas

It is difficult to say what impact the 20 February announcement from London and that of the Congress on 8 March had on the ongoing communal violence in the Punjab, but if they played any role on the ground, it most certainly did not create a congenial atmosphere for the restoration of law and order or peace. It is to be noted that on the evening of 6 March, Muslim mobs abandoned the ding-dong battle with Hindus and Sikhs in Rawalpindi city and, in their thousands, began to raid Sikh–Hindu villages in rural areas including those of the adjacent villages of Campbellpur (Attock) and Jhelum districts. The Sikhs and Hindus put up some resistance, but the Muslim mobs were too big and a massacre of Sikhs took place in many places. Government reports of fatalities counted some 3000 dead, overwhelmingly Sikhs, while Sikh accounts mention 10,000 dead.[29]

My extensive fieldwork and research on the Punjab partition suggests that while government figures were always low with regard to casualties, the affected people tended to exaggerate numbers. Assuming that the truth usually lies in the middle, it is my conclusion that anywhere between 5000–7000 Sikhs could have died in those horrendous attacks. The killing spree continued for a week from 6–13 March. The villages were only an hour or so away from Rawalpindi city, but no police or military troops were sent to restore order.

Clear evidence of military-like planning in the raids on the villages was reported by General Messervy (later the first commander-in-chief of the Pakistan Army, whom Jinnah had selected) and Evan Jenkins in their detailed reports on what transpired in the Punjab, especially in Rawalpindi's rural areas and in the adjoining villages in Campbellpur and Jhelum districts. Several people whom I interviewed suspected that the authorities deliberately let the clashes take place. My own understanding is that Evan Jenkins and many of his officers were not involved, but the interviews I conducted during my study of the

IQBAL FORUM

Punjab partition with people who were witness to those times pointed to British officials involved in fomenting violent clashes between Muslims and Hindu–Sikhs in Lahore, Multan and Rawalpindi.[30] The Muslim component of the Indian Army was recruited from northern Punjab, where these villages were located. Thousands of demobilized soldiers had returned home and some of them were involved in the slaughter of Sikhs and Hindus. Needless to say, the Muslims of the Punjab were heavily in debt to Hindu and Sikh moneylenders, and therefore killing them or expelling them from their midst must have been a major incentive for them to resort to violence. It is likely that some high-ups somewhere must have goaded them to attack the Hindus and Sikhs.

Thousands of Sikhs, including those from Hazara and Rawalpindi, sought refuge eastwards; many settled in the Sikh princely states in eastern Punjab. There the nucleus of a Sikh movement to arm themselves for a future showdown with Muslims was laid. After the transfer of power, the Muslims of East Punjab had to pay a heavy price in the form of loss of life, hearth and home, just as it had happened in western Punjab to Hindus and Sikhs.[31]

The last viceroy, Louis Mountbatten

As already noted, the foreign minister, Bevin, had strongly advised Attlee to remove Wavell and appoint someone else who could transfer power to Indians on conditions as favourable as possible for Great Britain. Wavell had become controversial because of a series of contradictory decisions. His antipathy to Gandhi and the Congress was an open secret and, by that token, he and other British officialdom were sympathetic to Jinnah. While Congress leaders had been arrested on many occasions for launching civil disobedience movements, Jinnah had not even earned a verbal condemnation for his speech ordering Direct Action, saying that he was holding a pistol in one hand.

Yet, when Cripps had advised Wavell to ask Jinnah to form the government—assuring him that Gandhi would use his influence to make Congress accept that government—Wavell rejected that advice because he wanted to exercise veto powers as governor-general and obviate any chance of an Indian nationalist government gaining

IQBAL FORUM

effective powers even under Jinnah. Later, he asked Nehru to form the interim government (on instructions from HMG, of course) and greatly antagonized Jinnah. A new man was needed to help the British transfer power, albeit in a formula congruent with British interests. It is not exactly clear why Attlee offered that position to Lord Louis Mountbatten, a cousin of the king, but probably he was considered charismatic and prestigious enough to extract the type of agreement from the feuding Indian politicians, which Wavell had failed to achieve.[32]

Mountbatten was familiar with India. He had visited India with the Prince of Wales in 1921–22, and during World War II, and when his naval headquarters were in Ceylon (now Sri Lanka), he had frequently been in India. Mountbatten accepted Attlee's offer. He called on Churchill before leaving for India. Churchill had playedan important role in securing Mountbatten's promotions in the navy. However, he was not pleased with Mountbatten getting the coveted job to transfer power to Indians because of his and his wife's leftist and pro-Congress leanings.

On 24 March, Mountbatten assumed office as the last viceroy of India amid much pomp and show. He found Gandhi charming, struck a very friendly chord with Nehru, while Lady Mountbatten allegedly entered into an amorous relationship with him. On the other hand, from the start, the relationship between him and Jinnah was one of mutual antipathy. He described Jinnah as cold, haughty and impenetrable; he even described him as a dictator and a psychopath. Jinnah doubted his neutrality because Mountbatten tried his utmost to dissuade him from insisting on Partition because it would inevitably result in the partition of Bengal and the Punjab and render Pakistan a vulnerable state in terms of economic viability and defence.[33] Such warnings had already been issued to Jinnah by Wavell and the Cabinet Delegation. They had even warned him that Gurdaspur and Calcutta might not be given to Pakistan.

According to a writer who has written a scathing critique of Mountbatten's role as naval commander during World War II, the description of Jinnah as a psychopath was a mirror image of Mountbatten himself. His role as commander during World War II was disastrous. Because of his rash and irresponsible nature, the Royal Navy and Commonwealth forces on several occasions suffered loss of

IQBAL FORUM

life.[34] While all that is interesting and relevant, the more important question is: To what extent could Mountbatten's close relationship with Nehru translate into a deal which would favour Nehru and the Congress? Could Mountbatten overrule overall British interests and the powerful anti-Congress lobby which virtually constituted the entire British establishment, of which Churchill was the chief spokesman? We shall seek answers to these questions in this chapter. The Labour Party had been sympathetic to the Congress demand for self-government, but as member of the War Cabinet, the vice prime minister, Clement Attlee, had steadfastly opposed the Congress's demand for independence while the war was going on. Mountbatten had been given an overt brief to bring about the transfer of power from British to Indian hands by June 1948 and covertly to ensure that India, united or divided, remained a member of the British Commonwealth.[35] By the time he assumed office, the March rioting in the Punjab had subsided, but Governor Jenkins had been warning of continuing incidents of stabbings and arson. Mountbatten forthwith began deliberations with his staff and extended discussions with Indian leaders. In an uncirculated report on a meeting of the viceroy's staff held on 12 April, Mountbatten disclosed that he was thinking on two main lines about the transfer of power. Plan 'Union' was purported to keep India united within a modified version of the Cabinet Mission Plan, while Plan 'Balkan' would leave each province with the choice of its own future, with a truncated Pakistan coming into being. It would, however, require a Centre (in Delhi) untilJune 1948 to deal with defence and the armed forces.[36]

Meanwhile, in April, the recrudescence of stabbings, crude bomb explosions and arson in Amritsar took place, with immediate repercussions in neighbouring Lahore. Mountbatten exerted his influence to persuade Gandhi and Jinnah to issue a joint statement in favour of the renunciation of violence, in the hope that tension would be reduced. Issued on 15 April 1947, the statement read as follows:

> We deeply deplore the recent lawlessness and violence that have brought the utmost disgrace on the fair name of India and the greatest misery to innocent people, irrespective of who were the aggressors and who were the victims. We denounce for all time the use of force to achieve political ends, and we call upon all the

IQBAL FORUM

> communities of India, to whatever persuasion they may belong, not only to refrain from all acts of violence and disorder, but also to avoid, both in speech and writing, any incitement to such acts.[37]

The appeal had no effect on the situation on the ground and the Punjab continued to experience outbursts of violence, mainly in Lahore and Amritsar.

On 30 April, Sikh leaders Kartar Singh, Harnam Singh and Ujjal Singh met Lord Ismay, the chief of the viceroy's staff. Ismay summed up their position:

> The main burden of their representation was the question of the Lahore Division, and particularly Lahore City. They admitted that the Muslims were in a majority, but that it was a matter of life and death for the Sikhs that the Division should not be handed over to them, even as an interim arrangement. They would far sooner all die fighting.[38]

A united or divided Bengal?

At the other end of the country in Bengal, the 20 February declaration created panic in the Hindu Mahasabha. It launched a campaign demanding the establishment of a West Bengal Province, with Calcutta included in it as part of the Indian union. It was countered by the Bengal premier, Huseyn Shaheed Suhrawardy, who started campaigning for a 'united Bengal' dominion outside India and Pakistan and demanded membership in the British Commonwealth. It was a variation of his earlier idea of a separate Eastern Pakistan. Some Bengal Congress leaders were also against the partition of Bengal. Among them was Sarat Bose, elder brother of Subhas Chandra Bose of the Forward Bloc.[39,40] In a letter dated 16 May 1947 to the Bengal governor, Sir F. Burrows, Mountbatten wrote that Suhrawardy met him on 14 May and informed him that he had talked to Bengal Congress president, Kiran Shankar Roy, and Sarat Bose to discuss an agreement on keeping Bengal united. WhileBose wanted it to be an independent socialist republic, Suhrawardy was against the idea and preferred a pro-Western independent Bengal.

IQBAL FORUM

The governor noted that Roy's position was weak and his influence limited.[41]

On the other hand, Congress president, Acharya Kripalani, in a press interview given on 11 March demanded that the principle of partition should also apply to Bengal. Hindu Bengali and non-Bengali industrial and commercial interests also came out in support of the partition of Bengal. Therefore, under instruction from Kripalani, the Bengal Provincial Congress Committee passed a resolution on 4 April 1947:

> If his Majesty's Government resolved handing over power to the existing Government of Bengal, which is determined to the formation of Bengal into a separate sovereign state and which by its composition is a communal party, such portions of Bengal as are desirous of remaining within the Union of India should be allowed to remain so . . .[42]

Gandhi took a different line. He wrote to Mountbatten on 10 May:

> There shall be no division of India until after British have left . . . The partition of Punjab and Bengal is, in my opinion, wrong. Apart from being no solution of trouble it would constitute a needless irritant to Moslem League. The intransmissibility of paramountcy [is a] vicious doctrine if it means that the States become sovereign and a menace to India. British power automatically descends to their successor. Therefore, the States, are as much part of India as the people or what is to-day called British India. Princes are puppets. The unchecked power used by them must go.[43]

Gandhi was holding on to his belief that after the British had left, the principal Indian parties would be able to sort out their differences and a united India would continue. In this statement he was opposed to the partition of Bengal and the Punjab, though in 1944 he himself had suggested that; but even then, his stand was that all this could be settled amicably after the British had left. One can debate how realistic this stand was: Did the British ever intend to leave India without first settling the future of India with the conflicting parties?

IQBAL FORUM

Governor Burrows was against the partition of Bengal just as the Punjab governors Glancy and Jenkins were against the partition of the Punjab. Bengal had gone through communal rioting and Burrows was afraid of it being repeated. In a long letter dated 28 May to Mountbatten he went over the confusion and apprehension both in the Congress and the Muslim League over the future of Bengal. The strongest opposition to a united Bengal came from the Hindu Mahasabha leader Dr Mookerjee. Burrows asserted that keeping Bengal united was the best option, but an independent Bengal would be greatly handicapped and virtually defenceless during war.[44]

Suhrawardy talked to Mountbatten and Jinnah before making a statement in Delhi on 27 April pleading emphatically for an independent Bengal. He attacked the Hindu Mahasabha and Congress and underlined Bengal's 'economic integrity, mutual reliance and the necessity of creating a strong workable state'.[45] Like Jinnah, he, too, argued that the partition of India was not comparable to the partition of Bengal, though he failed to provide a cogent or coherent argument. Suhrawardy admitted that Bengali Hindus were not adequately represented in the Bengal ministry and promised to rectify that situation. He even spoke of a 'Greater Bengal', which would include portions of Bihar and the whole Assam province.[46]

Mountbatten informed Jinnah on 26 April about Suhrawardy's idea of an independent Bengal. Jinnah supported it saying, 'I shall be delighted. What is the use of Bengal without Calcutta [?]; they had much better remain united and independent; I am sure that they would be on friendly terms with us.'[47]

It is interesting to see that not everyone was in favour of an independent Bengal within the Bengal All-India Muslim League. Khawaja Nazimuddin and his faction wanted East Bengal to be an integral part of Pakistan. They feared that a united Bengal would mean the domination of Hindu capitalists of Calcutta and the Hindu landowners who were to be found all over Bengal.[48] Within the Congress high command, Nehru, Patel, Kripalani and others were dead set against an independent Bengal. On 27 May Nehru said: 'The independence of Bengal really means in present circumstances the dominance of the Muslim League in Bengal. It means practically the whole of Bengal going into the Pakistan area, although those who are interested may not say so.'[49] This was also reported by the acting

IQBAL FORUM

viceroy, Sir E. Mieville, in a telegram dated 28 May 1947. He wrote, 'I had a talk with Nehru last night, I asked him how he viewed the discussions now going on about an independent Bengal. He reacted strongly and said there is no chance of the Hindus agreeing to put themselves under permanent Muslim domination, which was what the proposed agreement really amounted to. He did not, however, rule out the possibility of the whole of Bengal joining up with Hindustan.'[50]

Nehru was now talking of the permanent Muslim domination of Bengal—something that Jinnah had been alleging would happen in the other direction: a permanent Hindu domination if India were not divided. Nehru and the Congress leadership had always maintained that it was an open, secular party and that ensured that no religious community alone would rule India; the government would include Hindus, Muslims and others, which Jinnah had categorically rejected.

Punjab as the third dominion

Meanwhile, the PUP leader and former premier Sir Khizr Tiwana had met the viceroy on 3 May. The viceroy sounded out Khizr about his idea of a referendum to be held in the Punjab. Khizr suggested that four options be offered to the voters:

1. A free Punjab, with an agreement or agreements with Hindustan and Pakistan about defence;
2. Punjab to join Pakistan;
3. Punjab to join Hindustan;
4. Punjab to be divided.

Khizr stressed his own strongly held conviction that a decision to split the Punjab would mean civil war.[51] Obliquely, thus, Khizr alluded to the Punjab as a third dominion. Mountbatten subsequently sought Jenkins's views on a referendum; the latter declared it unhelpful. His contention was that while the Muslims would vote for the inclusion of the whole province in Pakistan, the Hindus and Sikhs would oppose it tooth and nail; they would vote for its partition on a religious basis. Under the circumstances, he argued, the referendum would not result in an agreed solution.[52]

IQBAL FORUM

Jinnah's stand on Bengal and the Punjab

On the other hand, on 1 May, the *Dawn* issued Jinnah's statement condemning the demand for partition of Bengal and the Punjab as a sinister move actuated by the spite and bitterness of the Congress. He remarked:

> I do hope that neither the Viceroy nor His Majesty's Government will fall into this trap and commit a grave error [. . .] I find from Press reports that the Congress has now started emphasising that, in the event of Pakistan and Hindustan being established, the Punjab will be partitioned, while the Hindu Mahasabha has started a vigorous propaganda that Bengal should be partitioned [. . .] The question of the division of India, as proposed by the Muslim League, is based on the fundamental fact that there are two nations, Hindus and Muslims, and the underlying principle is that we want a national State in our homelands, which are predominantly Muslim and comprise of the single units of the Punjab, the Frontier Province, Sind, Baluchistan, Bengal and Assam [. . .] Now the question of partitioning Bengal and the Punjab is raised [. . .] This clamour is not based on any sound principle except that the Hindu minorities in the Punjab and Bengal wish to cut up these Provinces and *cut up their own people into two* [emphasis added] in these Provinces [. . .] It is obvious that if the Hindu minorities in Pakistan wish to emigrate and go to their homelands of Hindustan, they will be at liberty to do so, and vice versa . . . and sooner or later an exchange of population with have to take place [. . .] The Congress propaganda is intended to disrupt and put obstacles, obstructions and difficulties in the way of an amicable solution. It is quite obvious that they have put up the Hindu Mahasabha in Bengal and the Sikhs in the Punjab and the Congress Press to incite the Sikhs and misleading [sic] them [. . .] The transfer of power to the Pakistan and Hindustan Governments must mean a division of the Defences as a *sine quo non* of such a transfer and the Defence Forces should be completely divided and, in my opinion, can be divided before June 1948. The States of Pakistan and Hindustan should be made absolutely free, independent and sovereign.[53]

IQBAL FORUM

Jinnah was now in a predicament. Politically astute and rhetorically impressive, he could sense that his tall claim of 1937, that politics was a gamble in which moves had to be made astutely, did not mean one could do that always successfully. His increasing sense of vulnerability was further accentuated when Mountbatten told him to be ready if HMG refused Pakistan's application to join the British Commonwealth. That shook up Jinnah and he protested:

> All the Muslims have been loyal to British from the beginning. We supplied a high proportion of the Army which fought in both wars. None of our leaders has ever had to go to prison for disloyalty. Not one member of the Muslim League was present in the Constituent Assembly when the resolution for an Independent Sovereign Republic was passed [on 22 January 1947]. Not one of us had done anything to deserve expulsion from the Commonwealth. Will the other Dominions agree to us being thrown out against our will? Is there anything in the Statute of Westminster which allows you to kick out parts of the Commonwealth because a neighbouring State which used to be a member wants to leave? Mr Churchill has assured me that the British people would never stand for our being expelled.[54]

Mountbatten replied to Jinnah that although he agreed with him, the point was if only one of the two nations remained in the Commonwealth, and on that basis retained British officers and received British help, it would create an odd situation. Such a situation would become impossible if it went to war with the other part that opted out of the Commonwealth. He warned Jinnah to be prepared for Pakistan to be refused membership if India did not join the Commonwealth. Jinnah retorted that he would rely on the power of appeal to the rest of the Commonwealth and the British people over the heads of His Majesty's Government; Jinnah was also confident that he would receive support from the British people.[55]

Churchill's assurance to Jinnah confirmed their cordial relations but now Labour was in power and Mountbatten represented British authority in India. Mountbatten writes that he had never talked to Congress leaders about India remaining in the Commonwealth, but he had been informed that resistance in the Congress to remaining in

IQBAL FORUM

the Commonwealth had whittled down. He noted, 'Violent discussion is going on to this effect . . . as they now realise Jinnah's game and are beginning to be very frightened by its consequences on the rest of India.'[56] The main worry for Congress about refusing to join the Commonwealth was that if Pakistan were admitted to the Commonwealth while India remained out of it, it meant Pakistan would get support from the British government in case of a war between India and Pakistan. Therefore, the viceroy believed that to convince the Congress leaders to remain in the Commonwealth, it was necessary to emphasize that Pakistan wanted to remain in it, and to remain outside would not be beneficial for India.[57] He noted, 'One further complication is that Suhrawardy has told me that if he achieved his great idea of independence of Bengal, they would also claim the right of remaining in the Commonwealth and expect to be allowed to raise their own armed forces.'[58] In the minutes of the twenty-seventh viceroy's staff meeting dated 7 May, it was stated that Sardar Patel had been won over to the idea (of joining the Commonwealth) and Nehru too would agree.'[59] Therefore, Mountbatten felt he had achieved the second mission given to him: to keep both India and Pakistan within the British Commonwealth.

In an undated report from May of the minutes of the viceroy's twenty-ninth staff meeting, it is recorded that he considered it most desirable that—if dominion status was to be granted to India before June 1948—it should take place during 1947 and 'it would be desirable for all British forces to leave the country as soon as possible'.[60] Mountbatten seemed to have calculated that if the Congress Party also agreed to India's remaining in the Commonwealth, it was in the British interest to transfer power quickly as a fait accompli and leave. Among the practical advantages of an early granting of dominion status would be the enabling of all British troops to leave the country as soon as possible; some, however, would be needed for the interim period.[61] Continuing along such lines the report notes:

(i) An early transfer of power would gain Britain tremendous credit.
(ii) Such a transfer would involve the termination of the present responsibilities.
(iii) A request by India to remain in the Commonwealth would enhance British prestige enormously in the eyes of the world. This factor alone was of overriding importance.

IQBAL FORUM

(iv) Such a request would be of the greatest advantage to the prestige of the present British government in the eyes of the country.
(v) An India within the Commonwealth would mean that the world strategy of defending the British Empire would be completed; on the other hand, a neutral India would leave a gap which would complicate the problem enormously; a hostile India would mean that Australia and New Zealand were virtually cut off.[62]

Thus, with both India and Pakistan agreeing to remain in the Commonwealth, British interests would be optimally secured. A top-secret document of a meeting of the viceroy with some of his staff in Simla, dated 10 May, but where Nehru was also present, recorded that the reforms commissioner, V.P. Menon, had been working on an earlier transfer of power long before Mountbatten had arrived in India. Indeed, Menon worked as reforms commissioner under Wavell, and the Breakdown and Demarcation plans were prepared by him under the direction of the penultimate viceroy. More interesting to note is that V.P. Menon had apparently explained the scheme to Nehru a day earlier and four months earlier to Patel.[63]

The British military's memorandum on partition

If we recall, in Auchinleck's memorandum of 11 May 1946 he concluded that Britain's best interests were served if India remained united—but General Wayne had written a dissenting note saying that he did not agree. One year and one day later, on 12 May 1947, a sea change occurred in the opinion of the British establishment. The chiefs of staff of the three branches of the armed forces, with the Marshal of the RAF, Lord Tedder, in the chair, and in the presence of Field Marshal Montgomery and Lord Ismay, discussed the final proposals for the partition of India. Partition was now assumed to be the basis of the political settlement. It was expected that Pakistan would comprise Sind, Baluchistan, the North-West Frontier Province, the western Punjab and Assam, with possibly a part of Bengal. It was also expected that Jinnah would present:

> [A] Moslem application to remain within the Commonwealth. A number of Princes might do the same thing. On the other hand,

IQBAL FORUM

> Hindustan might well stick to the declared intention of Congress to be a free Sovereign State, although there were signs that some Congress leaders had doubts of their ability to continue without some British advisers and administration [. . .] it would be a tremendous asset if Pakistan, particularly North West, remained within the Commonwealth.[64]

They agreed that:

> From the strategic point of view there were overwhelming arguments in favour of Western Pakistan remaining within the Commonwealth, namely, that we should obtain important strategic facilities, the port of Karachi, air bases and the support of the Moslem manpower in the future [. . .] Our presence in Pakistan might have a stabilising effect on India as a whole. There was therefore everything to gain by admitting Western Pakistan into the Commonwealth. A refusal of an application to this end would amount to ejecting loyal people from the British Commonwealth and would probably lose us all chances of ever getting strategic facilities anywhere in India, and at the same time shatter our reputation in the rest of the Moslem world. From a military point of view, such a result would be catastrophic.[65]

And further that: 'In a greater or lesser degree, the same arguments applied to admitting Bengal or Travancore into the Commonwealth.'[66] In short, the prevailing view favoured the Balkanization of India.

The lobby in favour of this Balkanization was quite strong. Among others, Sir Conrad Corfield of the Political Department favoured it. Others included the Nawab of Bhopal and C.P. Ramaswami Aiyer, diwan of the southern state of Mysore.[67] However, Mountbatten and the Labour government favoured the INC's stand against Balkanization, taking cognition of the American preference for a strong India, decided not to support the Balkanization lobby. Such conflicting moves ultimately culminated in a resolution combining both positions: the British Indian empire, including the two Muslim-majority provinces of Bengal and the Punjab, was partitioned but only into two dominions: India and Pakistan.

IQBAL FORUM

Mountbatten arranges talks between Jinnah and Sikh leaders

It appears that Mountbatten finally concluded at the end of May that if India was to be partitioned, then Bengal and the Punjab should be allowed to decide whether they would be partitioned on a religious basis or not. He arranged a meeting between Jinnah and the Sikhs to find out if Muslims and Sikhs could agree to keep their province united. Although a minuscule minority in the total population of India, the Sikhs formed 13–14 per cent of the Punjab's population. They were not a majority in any one of the twenty-nine districts of the Punjab or in the princely states in eastern Punjab ruled by Sikhs; they were, however, significantly represented in the Indian Army. The meetings were held in Delhi during 14–16 May. The Maharaja of Patiala reported in the *Tribune* of 19 July 1959 that in his meeting with Jinnah, Mountbatten was also present, as were Liaquat Ali Khan and his wife. Some of the extracts are given below:

> We had a drink and went in to dine. The talks started and offers were made by Mr Jinnah for practically everything under the sun if I would agree to his plan. There were two aspects. One was based on the idea of a Rajasthan and the other one for a separate Sikh State—Punjab minus one or two districts in the south. I had prolonged talks with Master Tara Singh, Giani Kartar Singh and other Sikh leaders, and all the negotiations on behalf of the Sikhs were within my knowledge. Indeed, in some ways I had quite a deal to do with them. I told Mr Jinnah that I could not accept either of his two proposals, and told him a lot of what was on my mind. Liaquat Ali and Begum Liaquat Ali were most charming to me, and went out of their way to offer, on behalf of the Muslim League, everything conceivable. I was to be Head of this new Sikh State, the same as in Patiala. The Sikhs were to have their own army and so on.
>
> All these things sounded most attractive, but I could not accept them as being practical, and neither could I in the mood I was in, change my convictions. The talks lasted till past midnight. Lord Mountbatten was a patient listener, occasionally taking part. He eventually said that perhaps Mr Jinnah and I could meet again at some convenient date.[68]

IQBAL FORUM

They met again and went over the same points, but no breakthrough was achieved. Hardit Singh Malik, who was in the Sikh delegation, was interviewed by Prof. Kirpal Singh:

> **Question:** 'You accompanied the Sikh leaders for negotiations with Mr Jinnah and Liaquat Ali Khan. Could you throw some light on it [?] Why did it fail?'
>
> **Answer:** 'You see at that time Pakistan's formation had not been conceded. Jinnah was very anxious to win over the Sikhs and he sent a message to the Maharaja of Patiala asking him for a meeting. The Maharaja consulted me and I said, "By all means have a meeting, but let him come to see you. Why should we go to see [sic] him? He has something to ask from you. He should come to see you."
>
> 'So we sent that message to Jinnah and the reply came that Mr Jinnah could not do that but we could meet at some neutral place. We agreed and finally met at my brother's house, 4 Bhagwandas Road, at New Delhi. Present at the meeting were Jinnah himself, the Maharaja of Patiala, myself, Master Tara Singh and Giani Kartar Singh. I was the spokesperson for the Sikhs.
>
> 'Jinnah started by saying that he was very anxious to have the Sikhs agree to Pakistan and he was prepared to give them everything that they wanted, if they could accept Pakistan. I said to him, "Mr Jinnah you are being very generous, but we would like to know exactly what our position will be. You will have a Government, you will have a Parliament and you will have Defence forces, what part will the Sikhs have in all [sic] these." His reply was, "Mr Malik, [sic] Are you familiar with what happened in Egypt? I will deal with the Sikhs as Zaghlul Pasha dealt with the Copts [the Christian minority] when Egypt became independent." He then went on to tell us the story. According to Jinnah, the Copts when they first met Zaghlul Pasha put forward some demands. After listening to them, he advised them to go back, think the whole thing over and come to see him again with a paper incorporating all their demands. They did this. Zaghlul Pasha took the paper from them and without reading it wrote

IQBAL FORUM

on it "I agree." Mr Jinnah added, "That is what I will do with the Sikhs."

'This put us in an awkward position. We were determined not to accept Pakistan under any circumstances and here was the Muslim leader offering us everything. What to do?

'Then I had an inspiration and I said, "Mr Jinnah, you are being very generous. But, supposing, God forbid, you are no longer there when the time comes to implement your promises?" 'His reply was astounding . . . He said, "My friend, my word in Pakistan will be like the word of God. No one will go back on it."

'There was nothing to be said after this and the meeting ended . . .'[69]

In *Notes on the Sikh Plan*, published by the Criminal Investigation Department, it was claimed that:

> The ultimate goal which the Sikhs had set before them seems to have been the establishment of Sikh rule in the Punjab. Their preparations to this end were aimed directly and exclusively against the Muslims. Whether the Hindus who formed the bigger minority in the Punjab, would ultimately have acquiesced in the fulfilment of Sikh ambitions at their expense, is doubtful; but for the time being they made common cause with the Sikhs. The activities and preparations of the two, therefore, run parallel to each other and even where active conspiracy between them is not evident, the fact that they regarded the Muslims as their common enemy created mutual disposition towards collaboration which virtually amounted to a conspiracy and led to concerted effort.[70]

Ian Copland[71] has shown that a Sikh Plan existed from at least 1945, which held that if India was partitioned, they would go first and foremost for a large Sikh state which would include not only the princely states but also major parts of central Punjab. To achieve the same they would expel Muslims by force from central Punjab and settle Sikhs from western and northern Punjab and thus create a compact Sikh majority. Their second recourse was to try for

IQBAL FORUM

that option within India, and in Copland's view the Punjabi Suba movement of the 1950s and 1960s and later the Khalistan movement of the 1970s and 1980s was the result of that grand plan. They were fully aware of the fact that the partition of the Punjab would inevitably divide their community evenly between India and Pakistan, but they were determined to consolidate Sikhs in the Indian Punjab by expelling Muslims. I have given ample evidence of how it happened in my book on the Punjab partition.[72]

Interview to Reuters correspondent Doon Campbell on 21 May 1947

Jinnah gave a long interview to Reuters correspondent Doon Campbell in which, while insisting that the partition of India was imperative to establish peace in the subcontinent, Jinnah told him that he envisaged friendly relations with Hindustan:

> *Jinnah*: All the armed forces should be divided completely but I do envisage an alliance, pact or treaty between Pakistan and Hindustan . . . in the mutual interest of both and against any aggressive outsider [. . .] Partition of Punjab and Bengal if effected, will no doubt weaken Pakistan to a certain extent. Weak Pakistan and a strong Hindustan will be a temptation for the strong Hindustan to try to dictate . . . I am therefore deadly against the partition of Bengal and the Punjab and we shall fight every inch against it.[73]
>
> *Doon Campbell*: Will you demand a corridor through Hindustan connecting the Eastern and Western Pakistan States?
>
> *Jinnah*: Yes.[74]

He rejected the suspicion that Pakistan would try to become a pan-Islamic state stretching from the Middle East to the Far East after the establishment of Pakistan.[75] Regarding the future Constitution of Pakistan, he said that it will be decided by the Pakistan Constituent Assembly, adding, 'But the Government of Pakistan can only be a popular representative and democratic form of Government. Its

IQBAL FORUM

Parliament and Cabinet will both be finally responsible to the electorate and the people in general without any distinction of caste, creed or sect.'[76]

Regarding the princely states, Jinnah remarked:

> I wish to make it clear that the states are at liberty to form a confederation as one solid group, or confederate into more than one group, or stand as one solid group. It is a matter entirely for them to decide. And it is clear, as I understand, that paramountcy is going to terminate and, therefore they are completely independent and free.[77]

Jinnah went on to tell Campbell that Pakistan would seek membership in the United Nations and work for peace. About the major powers to which Pakistan would align he said that it would be decided based on what was best for Pakistan. He assured him that 'minorities in Pakistan will be citizens of Pakistan and enjoy all the rights, privileges and obligations of citizenship without any distinction'.[78]

Jinnah underscored strongly that the Pakistan demand was rational and fair and that Pakistan would be a modern, parliamentary democracy and religious minorities would be treated as equals. Quite simply, Jinnah was claiming the exclusive right to define what was just and fair. The demand for a corridor between West and East Pakistan running through India for more than a thousand miles captured the enormity of Jinnah's expectations.

Campbell asked him if Pakistan was going to be a pan-Islamic superstate—that idea had existed for a long time, and the Aga Khan had proposed it in 1918; it is also possible that Campbell was familiar with Choudhary Rahmat Ali's vision of such a superstate. What is noteworthy is that the correspondent did not ask him specifically about the relationship between Islam and Pakistan inconstitutional and legal terms. The interview was tailor-made to attract American support. Jinnah was fully aware of the American antipathy towards Pakistan. American policy remained steadfast in the view that a united, democratic and secular India was the best bet to prevent the spread of communism in Asia. Pakistan was viewed as a medieval idea and Jinnah a power-hungry politician.[79,80,81]

IQBAL FORUM

The Americans had been informed about the Partition Plan before its announcement

Anwar Iqbal, the Washington-based correspondent for *Dawn*, Karachi, published on 18 December 2018 a report according to which new declassified documents of the State Department showed that on 2 June 1947, the US ambassador in the United Kingdom, Lewis Williams Douglas, had sent urgent and top-secret documents to the secretary of state, George Marshall, stating that the same afternoon Mr Attlee had called him to his office and shared with him 'advance information' about the Partition Plan.

Mr Attlee told Ambassador Douglas that elected representatives from the Punjab and Bengal would decide which of the two major dominions these provinces would join. If they failed to do so, those two provinces would be partitioned between India and Pakistan. Mr Attlee said he thought 'a division of Punjab is likely' but added that there was a distinct possibility Bengal might decide against Partition and against joining either Hindustan or Pakistan.

Anwar Iqbal writes:

> The envoy noted that Attlee was 'in sober mood, at times tinged with sorrow' while discussing the Partition Plan with him. 'In his own words he has been working on the Indian problem for 21 years' and that the viceroy would 'make one last attempt to secure acceptance of the Cabinet Mission's plan'.
>
> Failing such acceptance, 'which Mr Attlee believed most unlikely', the viceroy would lay before Indian leaders a procedure for 'the partition of India into a Hindustan dominion and a Pakistan dominion'.[82]

Thus, ostensibly, even till 2 June 1947, Attlee favoured a settlement based on the Cabinet Mission Plan. What is most likely is that Attlee wanted to soften the impact that the Partition Plan which was to be announced the following day would have on the Americans by suggesting that the preferred scheme was still the Cabinet Mission Plan. However, most noteworthy is that on 20 June 1947,

IQBAL FORUM

Secretary Marshall sent a telegram to the US embassy in New Delhi, showing that the United States was sceptical about Pakistan.[83]

The Partition Plan, 3 June 1947

The endgame was now picking up pace. Mountbatten was in the United Kingdom from 19 May onwards for consultations with the British cabinet and the India Office and returned to India on 30 May. In a telegram dated 31 May to all the provincial governors he informed them of what he had told the cabinet:

> It was clear to me that if we waited till constitutions for both Hindustan and Pakistan had been framed and all the negotiations about partition settled, we shall have to wait a very long time, and things would get more difficult instead of easier. There would be likely to be chaos in June 1948 [...] I therefore pressed that HMG should legislate at once and set up two dominion Governments, if the people voted in favour of partition, each having a constitution based on the Government of India Act 1935, but with the right to frame a new constitution any time.[84]

He met the Indian leaders on 2 June. They were handed copies of this latest statement the following day at 10 a.m., with the request that they provide their replies and comments by midnight, but that the statement was final. Much of the text had in fact been shared with the Indian leaders in various revised forms, but the earlier date for transfer of power had not been mentioned. In a document entitled 'The Administrative Consequences of Partition', Mountbatten finally revealed his plan for a very early withdrawal from India, if Partition was agreed upon. He wrote: 'It is my intention that the Act should be brought into operation at the earliest possible date after enactment, in any case not later than 15th August 1947.'[85] Among other items included were the final demarcation of boundaries; the division of the formations, units and personnel of the Indian Armed Forces; and the division of staff, organizations and records of the central civil departments and the assets and liabilities of the Government of India.[86] A comprehensive plan to implement the partition was also set forth.

IQBAL FORUM

Mountbatten announces 3 June 1947 Partition Plan on All-India Radio

For more than a hundred years, 400 million of you have lived together and this country has been administered as a single entity. This has resulted in unified communications, defence, postal services and currency; an absence of tariffs and customs barriers, and the basis for an integrated political economy. My great hope was that communal differences would not destroy all this.

My first course, in all my discussions, was therefore to urge the political leaders to accept unreservedly the Cabinet Mission Plan of 16th May 1946. In my opinion, that plan provides the best arrangement that can be devised to meet the interests of all the communities of India. To my great regret it has been impossible to obtain agreement either on the Cabinet Mission Plan, or to any other plan that would preserve the unity of India. But there can be no question of coercing any large areas in which one community has a majority to live against their will under a Government in which another community has a majority and the only alternative to coercion is partition.

But when the Muslim League demanded the partition of India, the Congress used the same arguments for demanding in that event, the partition of certain Provinces. To my mind this argument is unassailable. In fact, neither side proved willing to leave a substantial area in which their community have a majority under the Government of the other. I am, of course, opposed to the partition of the Provinces as I am to the partition of India herself and for the same basic reasons. For just as I felt there is an Indian consciousness which should transcend communal differences so I feel there is a Punjabi and Bengali consciousness which has evoked a loyalty to their province. And so I felt it was essential that the people of India themselves should decide this question of partition [. . .]

It was necessary in order to ascertain the will of the people of the Punjab, Bengal and part of Assam to lay down boundaries between the Muslim majority areas and the remaining areas, but I want to make it clear that the ultimate boundaries will be settled

IQBAL FORUM

> by a Boundary Commission and will almost certainly not be identical with those which have been provisionally adopted [...]
>
> We have given careful consideration to the position of the Sikhs. This valiant community forms about an eighth of the population of the Punjab, but they are so distributed that any partition of this Province will inevitably divide them. All of us who have the good of the Sikh community at heart are very sorry to think that the partition of the Punjab, which they themselves desire, cannot avoid splitting them to a greater or lesser extent. The exact degree of the split will be left to the Boundary Commission on which they will of course be represented [...]
>
> I have made no mention of the Indian States, since the new decisions of His Majesty's Government are concerned with the transfer of power in British India.[87]

The British government announced the Partition Plan in the British Parliament the same day. It expressed HMG's efforts to transfer power under the Cabinet Mission Plan, but notwithstanding the indefatigable efforts of Viceroy Mountbatten, those efforts had not succeeded. Further, it was stated:

> The majority of the representatives of the Provinces of Madras, Bombay, the United Provinces, Bihar, Central Provinces and Berar, Assam, Orissa and the North-West Frontier Province, and the representatives of Delhi, Ajmer-Merwara and Coorg have already made progress in the task of evolving a new Constitution. On the other hand, the Muslim League Party, including its majority of the representatives of Bengal, the Punjab and Sind, also the representative of British Baluchistan, has decided not to participate in the Constituent Assembly [...] [I]t is clear that any Constitution framed by this Assembly [that was of the provinces which were mentioned as involved in framing the constitution] cannot apply to those parts of the country which are unwilling to accept it.[88]

In light of that objective situation, the main points presented included:

a. The provincial legislative assemblies of Bengal and the Punjab (excluding European members) would each be asked to meet in

IQBAL FORUM

two parts, one representing the Muslim-majority districts and the other the rest of the province. For the purpose of determining the population of districts, the 1941 census figures would be taken as authoritative.

b. The members of the two parts of each legislative assembly sitting separately would be empowered to vote, whether or not the province were partitioned. If a simple majority of either part decides in favour of Partition, division will take place and arrangements would be made accordingly.

c. For the immediate purpose of deciding on the issue of Partition, the members of the legislative assemblies of Bengal and the Punjab would sit in two parts according to the Muslim-majority districts (as laid down in the appendix to the announcement; the appendix was based on district-wise majorities as recorded in the 1941 census) and the non-Muslim-majority districts. This is only a preliminary step of a purely temporary nature as it is evident that for the purposes of a final partition of these provinces, a detailed investigation of the boundary question would be needed and, as soon as a decision involving Partition was taken for either province, a Boundary Commission would be set up by the governor-general, the membership and terms of reference of which would be settled in consultation with those concerned. It would be instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. It would also be instructed to take into account other factors. Similar instructions would be given to the Bengal Boundary Commission. Until the report of a Boundary Commission had been put into effect, the provisional boundaries indicated in the appendix were mandated to be used.[89]

d. The Sind Assembly was to vote on whether it wanted to join Pakistan or not; Baluchistan's status was to be decided later after consultations; the NWFP was to decide through a referendum whether it wanted to join India or Pakistan; and since Assam was a Hindu-majority province with a Muslim majority in the Sylhet district adjacent to the Muslim-majority eastern Bengal, it was to vote in a referendum to decide if it wanted to separate from Assam. One member had been elected from Baluchistan to the Constituent Assembly. A formula was to be devised to ascertain

IQBAL FORUM

> the will of the people of Baluchistan. Regarding membership in the Constituent Assembly, for which elections had been held before the provincial elections, it was laid down that depending on whether the different units voted for or against the partition, new elections would be held if a province decided in favour of partition. The main question was whether a province was for or against partition and its implications for becoming a part of India or Pakistan. It was made clear that the Partition Plan applied only to British India and not to the princely states.[90]

After Mountbatten, Nehru, Jinnah and Baldev Singh made speeches on All-India Radio accepting the Partition Plan. Nehru expressed regrets that he could not obtain a decision which would keep India united as a free nation but accepted the outcome nevertheless. Jinnah expressed thanks to Mountbatten for it and paid tributes to him for being impartial. He especially took up the referendum to be held in the NWFP, underlining that the given choice was to join either India or Pakistan. Baldev Singh accepted the plan but expressed disappointment that thousands of lives had been lost and untold losses—financial, cultural and spiritual—had been inflicted in wide areas (on the Sikhs).[91] The Partition Plan shocked the Indian leaders when they were informed about it, especially the fact that the transfer of power was being brought forward created visible despair. Mountbatten records, 'The severe shock that this gave to everyone present would have been amusing if it was not rather tragic.'[92]

The plan was fundamentally flawed from the outset. It was premised on the assumption that the transfer of power would be peaceful and the people would stay put. However, government servants could opt for either India or Pakistan. Mountbatten had managed to build his complacency on the basis of dubious pledges from the Congress, the Muslim League and Sikh leaders that they would cooperate in ensuring that peace would be maintained. The situation was already greatly aggravated by June, and local leaders, the criminal underworld, partisan officialdoms and intelligence services were involved in the spread of violence. Governor Jenkins kept warning that a bloodbath was inevitable in the Punjab unless enough British troops were provided to him to supervise the transfer of power. He was not given any.[93]

IQBAL FORUM

Several administrative committees were set up to put into effect the partition after the Bengal and the Punjab assemblies had voted on partitioning their provinces. Auchinleck had insisted that he needed at least ten years to divide the Indian Armed Forces. This was partly because of the huge administrative challenge it posed but also because dividing the Indian Army was emotionally repugnant for Auchinleck and many other British officers. It was their prize creation, which had served the British Empire in India and abroad very faithfully, and in it they saw the best guarantee of a fighting force which could be available to meet a Soviet threat in the future. However, such a school of thinking was losing out to those who believed that a smaller and more vulnerable Pakistan would serve that purpose better. This is clearly seen in the evidence provided above, from the memorandum prepared by the three heads of the British Armed Forces, Field Marshal Montgomery, Lord Ismay and other top officials. That Churchill was the original supporter of such an idea can safely be assumed to be true. Jinnah's insistence on the armed forces being divided as well before the transfer of power meant it had to be undertaken before the transfer of power. Mountbatten told Auchinleck that he must divide the armed forces, including the armament and other paraphernalia, before the transfer of power.[94]

Voting on partition in the Muslim-majority provinces

The Hindu-majority districts of western Bengal voted on 20 June and the Hindu–Sikh-majority districts of eastern Punjab voted on 23 June to partition their provinces and join India. Sind, which had 70 per cent Muslim majority, voted on 26 June 1947 in favour of joining Pakistan.[95] The Shahi Jirga of British Baluchistan, consisting mainly of tribal chiefs, voted to join Pakistan on 30 June.[96] A referendum was held in the Muslim-majority Sylhet district from 5–7 July. On 12 July, Mountbatten informed the secretary of state, the Earl of Listowel, that it voted to join Pakistan.[97] In the NWFP, the Frontier Congress government headed by Dr Khan Sahib demanded a third option: to become an independent Pakhtunistan state, which the British overruled. It therefore decided to boycott the referendum. Voting began on 6 July and continued for several days. On 25 July, the result was announced. Out of a total electorate of 572,798, only 292,118

IQBAL FORUM

cast their vote for Pakistan and only 2874 for India. This meant that 50.49 per cent voted for Pakistan.[98]

Jinnah decides to become the governor-general of Pakistan

Meanwhile, on 3 July, Jinnah shocked Mountbatten by announcing that he himself would be the governor-general of Pakistan. Further, he stated that he wanted to retain the British governors in all the Pakistani provinces except Sind, as well as the British heads of the defence forces. The general understanding was that Mountbatten would be the first governor-general for both India and Pakistan. Mountbatten tried unsuccessfully to persuade Jinnah to appreciate the advantages of having one governor-general for both dominions in the Commonwealth. Among the advantages mentioned was a strictly fair partition.[99] Mountbatten's anger is vividly captured in the following remark about Jinnah:

> He is suffering from megalomania in its worst form for when I pointed out to him that if he went as a Constitutional Governor-General, his powers will be restricted but as Prime Minister he really could run Pakistan, he made no bones about the fact that his Prime Minister would do what he said. 'In my position it is I who will give the advice, and others will act on it.'[100]

In exasperation, Mountbatten said to him, 'Do you realize what this will cost you?' Jinnah replied, 'It may cost me several crores [10 million is 1 crore] in rupees in assets.' Mountbatten retorted, 'It may well cost you the whole of your assets and the future of Pakistan.'[101]

According to Mountbatten, even Jinnah's immediate lieutenants such as Liaquat Ali Khan were flabbergasted. Liaquat urged Mountbatten to remain as overall governor-general for both states. However, Jinnah was determined to be Pakistan's governor-general. Liaquat implored Mountbatten to remain at least the governor-general of India. Jinnah, according to Mountbatten, also told him that the Muslim League would be happy if he remained governor-general of India.[102] Congress leaders were also surprised by Jinnah's decision. Nehru invited Mountbatten to remain governor-general of India. He also expressed the desire to retain a British commander-in-

IQBAL FORUM

chief and some senior civil and military officers. The new situation resulted in consultations and discussions in London. It was realized that if Mountbatten became governor-general only of India, he could not be expected to remain impartial; he would be expected to represent the interests of India. It was also understood, however, that for Britain's prestige it was important that the Congress, which had opposed the British, themselves, in the end, requested him and other high officers to serve in India. The Congress demanded that the interim government—which had continued to exist, though as a house divided irreparably and working at cross purposes—be dissolved.[103]

Meanwhile, Sir Cyril Radcliffe had been chosen as chairman of the Boundary Commission. He arrived in Delhi on 8 July. He had never been to India before. He left Delhi on 10 July to visit Calcutta and Lahore. In an interview dated 11 July with Sikh leaders, the Punjab governor, Jenkins, noted that they wanted a transfer of population.[104] They feared that the Hindus would try to eliminate their influence in the Punjab. Therefore, they were planning to go all out in a big way to eliminate Muslims from East Punjab and, in their place, bring in Sikhs, with a view to creating a compact Sikh concentration in the eastern regions of the Punjab that could be used to thwart Congress and Hindu machinations against them.[105]

Indian Independence Act, 18 July 1947

Mountbatten had been conducting parleys on the Independencebill with Indians of both national and provincial stature and had received letters and written statements from them. The British Parliament also deliberated on several drafts. The leader of the Opposition, Winston Churchill, asserted in Parliament on 1 July that he had agreed to support the transfer of power to Indian hands on the condition that two dominions, rather than independent states, would come into being. Therefore, in his view, the appropriate title for the bill would be the 'Indian Dominions Bill, 1947' or the 'India Self-Government Bill'.[106] The Labour government, however, decided to call it the Indian Independence Act, 1947, but described India and Pakistan as dominions. The bill was adopted on 18 July. It stated: 'As from the fifteenth day of August, nineteen hundred and forty-seven, two independent Dominions shall be set up in India, to be known respectively as India and Pakistan.'[107] West Punjab, East

IQBAL FORUM

Bengal, Sind and the Chief Commissioner's Province of Baluchistan were to be included in Pakistan. The boundaries of East Bengal, West Punjab and Assam provinces were to be decided by the Boundary Commission. Paramountcy over princely states was to cease with the transfer of power to the two dominions. They could in principle remain independent or join either of the two dominions.[108]

Proceedings of the Bengal and the Punjab Boundary Commission, 21–29 July 1947

One of the most crucial episodes in the Partition tragedy was the proceedings of the Bengal and the Punjab boundary commissions. In the terms of reference, two factors had been included to help demarcate the international border between India and Pakistan: one, contiguous areas—ascertaining Muslim- and non-Muslim-contiguous areas; two, other factors were to be taken into account as well and not just the contiguity of religious majorities. The reason was that the development and transformation of Bengal and the Punjab under the British had taken place on the assumption that both would remain one consolidated province. Radcliffe was the chairman of both commissions. He did not attend their proceedings, which took place in the second half of July 1947 for ten days. The record of the proceedings was dispatched to him in Delhi every day. Besides the INC and the AIML, other parties and organizations representing minorities and depressed castes presented their cases before the two commissions through their representatives. The members of the two commissions were serving judges nominated by the major parties. Maps based on the 1941 census of the Muslim and non-Muslim-majority districts of Bengal and the Punjab and the two Radcliffe awards are given in maps in the middle of the book.

The main strategy adopted by the principal parties was to make maximal claims. However, the claims and counterclaims were compounded by the inclusion of other factors. These included waterworks, barrages, railway facilities, port facilities and other related infrastructure. For example, in Bengal, the Muslim League used other factors liberally to include Calcutta in East Pakistan on the grounds that without proper port facilities, Pakistan would be paralysed and that outside Calcutta Muslims were concentrated in large numbers. On the other hand, the Congress and the Sikhs

IQBAL FORUM

claimed several Muslim-majority towns in central Punjab and in western Punjab, where Sikhs particularly owned rich agricultural land in the canal colonies. Their argument was that the Hindu–Sikh contribution to the economy and the overall development of those places was far greater than that of the Muslims. They asserted that Hindus and Sikhs owned more than 75 per cent of the businesses and paid 80 per cent of the land revenue. The Sikhs also claimed Nankana Sahib, the birthplace of the founder of the Sikh faith, Guru Nanak, but it too was in the predominantly Muslim district of Sheikhupura. Not surprisingly, the nominated members of the two boundary commissions supported the claims of the parties that had nominated them.[109,110] It meant that Radcliffe now had the prerogative to give an award because the parties to the conflicting claims had failed to agree on how to partition their provinces and fix the international boundaries between India and Pakistan.

Mountbatten helps Jinnah

As we have noted, Jinnah had profoundly upset Mountbatten by telling him that he himself would be Pakistan's first governor-general. One reason was that Mountbatten was known to be pro-Congress. However, until 15 August, Mountbatten oversaw the whole subcontinent. Sir George Cunningham had retired as governor of the NWFP in 1946. He was known for his pro–Muslim League sympathies. Jinnah wanted him to return to Pakistan to once again take up charge as NWFP governor, which Mountbatten endorsed strongly. The India Office, too, urged him to return. Cunningham obliged.[111]

The NWFP had always been a major concern of the British, and now with Partition taking place and a smaller Pakistan emerging on the border with Afghanistan, the vulnerability of the new state was felt by the British establishment. Mountbatten advised Jinnah to declare the Durand Line as the international border with Afghanistan. The Faqir of Ippi was an opponent of the British and the Pakistan demand; it was feared he and others could create trouble for Pakistan. Mountbatten also insisted that Pakistan should get more fighter aircraft than India was willing to agree to, so that the volatile tribal areas along Afghanistan could be patrolled better. On the other hand, India could get more naval ships because of its much longer coastline.

IQBAL FORUM

Such adjustments were to be made within the overall formula of a 70:30 division of military assets of the colonial state between the two independent dominions.[112]

The Radcliffe Award on Bengal and the Punjab

Radcliffe took an independent line. In Bengal, he deviated significantly from Wavell's Demarcation Plan of 7 February 1946. He gave the Muslim-majority Murshidabad district to India, while most of the Hindu-majority Khulna district was given to Pakistan. Some portions of the Hindu-majority Darjeeling and Jalpaiguri districts were given to Pakistan. Overall, Radcliffe accepted the Congress claims to Bengal.[113] This was reversed when it came to the Punjab. Here, he rejected the Congress–Sikh claims based on ownership of property, businesses and payment of revenue upon which they had claimed the Muslim-majority Gujranwala, Lahore, Lyallpur, Montgomery and Sheikhupura districts. Gurdaspur district, which had a slight Muslim majority of 85,000, was split so that its Batala, Gurdaspur and Pathankot tehsils, which were on the eastern bank of the Ravi River, were given to India, while one tehsil, Shakargarh, on the western bank, was given to Pakistan, with both India and Pakistan having footholds on the other side. Wavell had justified this splitting of Gurdaspur on geographical grounds, by which he meant providing the Hindu–Sikh-majority district of Amritsar a buffer against being surrounded on three sides by Pakistan. In the case of the Punjab, the award was a 99.9 per cent copy of Wavell's Demarcation Plan. Some Sikh villages, however, from the Kasur tehsil in the Lahore district had been given to India.[114]

Although the Radcliffe Award was ready on 13 August, it was revealed to the political leaders on 16 August and made public on 17 August—two days after India and Pakistan had celebrated their independence! Great controversy has surrounded the Radcliffe Award. The reason often given for its announcement after both India and Pakistan had become independent is that Mountbatten expected fierce reactions from the various parties involved—the Muslim League, the Congress and the Sikhs—in the conflict over the international boundary. But since Mountbatten had to participate in the Independence Day celebrations of both countries, he deemed it proper that the award should be made public after the official ceremonies were over.[115]

IQBAL FORUM

The Punjab Boundary Force

The province which was going to face the threat of a bloodbath was the Punjab. Sir Evan Jenkins's appeals for thousands of neutral troops had been rejected by Delhi. Instead, hurriedly, on 17 July, the Punjab Boundary Force (PBF) was set up by the Partition Council. Major General Rees, commander of the 4th Division, was to be the officer responsible for the PBF and his troops were to be operational in the disturbed districts of the Punjab by about 7 or 8 August. Initially, the districts considered disturbed were Sialkot, Gujranwala, Sheikhupura, Lyallpur, Montgomery, Lahore, Amritsar, Gurdaspur, Hoshiarpur, Jullundur and Ferozepur. Later, Ludhiana was also added to the disturbed list. General Rees was to be advised by Brigadier Digamber Singh Brar (India) and Colonel Ayub Khan (Pakistan). British officers were to be present with practically each unit of the PBF.[116] The area of the disturbed districts was greater than the area of Scotland and Wales combined. Jenkins wrote to Mountbatten on 8 August that the PBF had only five brigade groups with an average of 1500 effective rifles.

Thus, in addition to the police, it had some 7500 men; and another 1500 could be raised by using training centres and static troops—altogether about 9000 poorly armed men and other auxiliary forces such as police. He requested more troops. Although General Rees is generally seen to have acted impartially, the mixed Hindu, Muslim and Sikh troops of the PBF under his command were infected with communalism. Several scholars and my own research show that in the Muslim-majority district of Sheikhupura, men of the Baluch regiment took part in a massacre of Hindus and Sikhs, while in Jullundur and Ludhiana, Hindu and Sikh soldiers preyed upon Muslims. The PBF was disbanded on 1 September; instead, the Indian and Pakistani armies agreed to form joint patrols to escort refugees.[117]

The Punjab disintegrates

From early July onwards, the situation in the Punjab deteriorated rapidly. Until then most violence had taken place in the Muslim-majority districts but from July onwards mobile Sikhs on horseback began to attack Muslims. In a memorandum to Mountbatten dated 4 August, Jenkins presented the total casualties up to 2 August 1947 as

IQBAL FORUM

follows: killed: 4632; seriously injured: 2573. He conceded that the figures were incomplete and that 5000–5200 people had been killed. Of these, 879 Muslims and 4632 Hindus and Sikhs were killed. The group that suffered the most fatalities were the Sikhs of northern rural Punjab.[118] In a telegram dated 12 August Jenkins reported the first mass movement of Muslims of the non-Muslim-majority districts towards Lahore. In his last secret fortnightly report dated 13 August he admitted:

> I have submitted daily reports on the situation. They are almost certainly incomplete because raids and murders are now so frequent that it is difficult to keep track of them all, and the regrouping of the services as a preliminary to the transfer of power has not improved our organization or the collection and analysis of reports.[119]

He reiterated his earlier stand that the PBF needed at least 20,000 effective fighting men and not the 7500 it had at its disposal (which could go up to 9000). He shared some general reflections as well:

> It is impossible to say anything definite about the future. The Sikhs probably have two objectives in mind—they wish to take revenge for the Rawalpindi massacre, and they wish to assert themselves on the boundary question. It is impossible to defend their conduct in any way, but the Muslims have failed to understand the horror caused by the Rawalpindi affair and seem to think that by reprisals they can bring the Sikhs to a less violent frame of mind. I very much doubt this—I believe that reprisals in Lahore will lead only to further outrage by the Sikhs, and so on.[120]

The last day in office for Sir Evan Jenkins was 14 August. He witnessed the Punjab descending into total anarchy and chaos. In the last telegrams sent on 14 August, the final one at 10.40 p.m., he deplored the situation which was totally out of control.[121] More than 500,000 Hindus and Sikhs out of a total of 4.5 million in the western and central districts of the Punjab had already crossed from the western districts to the Hindu–Sikh-majority eastern districts and princely states and many even beyond into Delhi and other places. However, the overwhelming

IQBAL FORUM

number of the 6 million Muslims of the Hindu–Sikh-majority districts and princely states in the eastern parts of the old Punjab were still on the wrong side. Governor Jenkins reported the first large-scale movement of Muslims towards Lahore as late as 12 August 1947.[122]

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 15

Jinnah as the All-Powerful Head of a Muslim State



Mohammad Ali Jinnah became Pakistan's first governor-general. Unlike India, where work on the Constitution had already started in December 1946, Pakistan had made no such preparations. All of Jinnah's energies had been expended in obtaining Pakistan by all means available. Now it had been achieved. This time his energies were expended on ensuring that Pakistan survived real and perceived existentialist threats. In order to realize that, he acquired sui generis power, authority and prerogatives

Jinnah was nevertheless the head of a state of a Muslim nation which was heir to a long tradition of statism and law. His own pronouncements on the state in the last seven years after the Lahore Resolution of 1940 were replete with references to Islam and sharia, which he had said would confer on Pakistan a distinctive national identity. His successors were even more bound by the ideology upon which Pakistan had been demanded and won. However, at the last minute, considerable confusion had been generated by Jinnah on 11 August 1947, making a speech, which was, in terms of its wording and rhetoric, a dramatic departure from the legacy of an Islamic state and instead seemed to propose Pakistan to be a secular state based on territorial nationalism—a concept he had rejected vehemently and vociferously in the past as a Congress trap. Two-thirds of the Muslim community had escaped that trap when Pakistan came into being. Was Jinnah now seriously and conclusively proposing secularism,

IQBAL FORUM

and even if he did, would such an about-turn have credibility and be accepted by the Pakistani Muslims? That remained to be seen.

Islam and Pakistan

Informed writers on Islam and Pakistan have noted that Muslim history, theology and law, combined with the communalism and separatism openly professed by Jinnah and the Muslim League, were antecedents which predisposed Pakistan towards a confessional national identity.[1,2] In my book, *The Concept of an Islamic State: An Analysis of the Ideological Controversy in Pakistan*, which was actually my doctoral dissertation, I demonstrated that since Pakistan had been won in the name of Islam, the discussion on the ideological foundations of Pakistan ranged essentially from extreme right-wing interpretations of the Islamic state to a quasi-democratic modern state, although a marginal position was also advanced arguing that Jinnah wanted a secular Pakistan.

We examine in some detail the state of Medina and other core concepts and ideas constituting the historical memory of Indian Muslims.

The state of Medina and the *Misaq-e-Medina*, or the Charter of Medina

Muhammad, Peace be Upon Him (PBUH) (born in Mecca in 570 ce) at the age of forty claimed to be the Messenger of God who received direct messages from God in the form of revelations, which his followers wrote down. After his death the revelations in the form of verses were collected in book form, called the Quran. The Quran is not organized chronologically but scholars have worked out quite a reliable timing of the verses, which are mainly classified as those revealed in Mecca and those at Medina. In 622, the Prophet (PBUH) emigrated to Medina, where, instead of the proverbial persecuted Prophet (PBUH), he was elevated to the unique position of the ideal ruler who was the lawgiver, law implementer and law adjudicator as well as the chief commander of the Muslim armed forces. He epitomized Plato's philosopher king, but in his case his perfect knowledge was a privilege granted to him by God through inerrant revelations about the world. The Prophet (PBUH) reached an agreement with the sizeable Jewish minority of Medina to defend the city from external attacks, in return for which

IQBAL FORUM

they were guaranteed religious and economic rights. It was formalized in the famous *Misaq-e-Medina*. Under its terms, the Muslims and Jews formed an umma, a concept which can be considered as equivalent of a proto-nation. The agreement recognized the existence of Jews and other tribes and clans and their right to manage their internal affairs according to established customary rules.[3] However, the agreement with the Jews did not last long because the Prophet (PBUH) alleged they had conspired with the enemies of Muslims and Islam.[4]

Thereafter, military expeditions were dispatched against Jewish tribes as well as Arab tribes and clans in Arabia which were resisting the growing influence and power of the nascent political community led by the Prophet (PBUH). Military action proved successful against these groups. The crowning glory of the Prophet's (PBUH) success was when he entered his home town of Mecca without any significant resistance. Except for some individuals, a general amnesty was announced for the residents, even when they had been his main opponents after he declared himself the Messenger of God. He ordered that the Kaaba, which the pagan Arabs considered their holiest shrine, be cleansed of their idols representing the various Arab tribes; hence, the strong emphasis on monotheism in pristine Islam. The Kaaba was Islamized and thus became the holiest shrine of Islam devoted exclusively to the worship of the one true God called Allah.[5]

Muslims a proto-nation?

In the Quran and in the sayings of the Prophet (PBUH) great emphasis is laid on the Muslims being a close-knit brotherhood. In his Farewell Sermon delivered in 631 (different versions of it have been chronicled, we quote from the mainstream Sunni account of it), he is reported to have said, among other things:

> All mankind is from Adam and Eve; an Arab has no superiority over a non-Arab nor a non-Arab has any superiority over an Arab; also a white has no superiority over black nor a black has any superiority over white except by piety [*taqwa*] and good action. Learn that every Muslim is a brother to every Muslim and that the Muslims constitute one brotherhood. Nothing shall be legitimate to a Muslim which belongs to a fellow Muslim

IQBAL FORUM

unless it was given freely and willingly. Do not, therefore, do injustice to yourselves.

Remember, one day you will appear before Allah and answer your deeds. So beware, do not stray from the path of righteousness after I am gone.

O people, no prophet or apostle will come after me and no new faith will be born.

Reason well, therefore, O people, and understand words which I convey to you.

I leave behind me two things, the Qu'ran and my example, the Sunnah and if you follow these you will never go astray.[6]

About the Prophet(PBUH) being the last Messenger of God, the Quranic verse 33:40 is invoked, upon which the Sunnis and Shias argue that Muhammad, Peace be Upon Him was the last and final Prophet (PBUH) sent by God: 'Muhammad, Peace be Upon Him is not the father of any of your men, but (he is) the Apostle of God, and the Seal of the Prophets: and God has full knowledge of all things.'[7] (I have referred to the English translation of the Quran by Abdullah Yusuf Ali. Sunnah/Sunna means the practices and examples associated with the Prophet (PBUH).)

Among Muslims, a widely held belief is that the Prophet's (PBUH) last sermon was the precursor to the idea of modern human rights. At any rate, it was an amazing statement which recognized all humanity as one body but simultaneously drew a clear line between Muslims and non-Muslims.

The state, caliphate and imamate

Notwithstanding such ideas of equality and brotherhood of Muslims, as soon as Muhammad, Peace be Upon Him died, conflicting claims to succeed him were put forward by different factions of Muslims. It split the Muslim community and subsequently hostile sectarian groups were established. The majority of Sunnis considered the period of twenty-nine years after Muhammad's (PBUH), death—when his four successors, Abu Bakr (RA), Umar (RA), Uthman (RA) and Ali (RA), also known as the legendary pious caliphs (632 to 661 ce), were in power—as a continuation of the ideal government established by the Prophet (PBUH). These four successors came to be known as the Rightly Guided Caliphs. They were chosen in different ways, but popular allegiance was sought to validate their assumption of office as khalifa (deputy of the

IQBAL FORUM

Prophet (PBUH) to temporal affairs of Muslims). The four caliphs were close relatives of Muhammad (PBUH) and belonged to his Quraish tribe.[8,9]

According to Sunni narrative, the pious caliphs were just and fair and accessible to both the high and low and lived simple, frugal lives. They established a welfare system in which war booty was distributed fairly and the poor were helped with food and other provisions. Three of the four pious caliphs were assassinated, however. Umar (RA) by a disgruntled slave; Uthman (RA) by an opponent blaming him for nepotism towards his clan and relatives from Banu Umayya; and Ali (RA) by a group of zealots called the Khawarij (meaning 'those who left') for having allegedly forsaken absolute faith in divine wisdom and instead submitting to arbitration with his opponents led by Amir Muawiya (RA), a cousin of Uthman (RA), over the dispute over succession and the caliphate.[10]

After the era of the pious caliphs ended, hereditary caliphates were founded. The first was the Umayyad caliphate (661–750 ce). During this period, Ali's (RA) younger son, Hussain (RA), and his seventy-two followers, including most of his immediate male relatives and family, were killed in Karbala in 680 at the hands of a bigger army sent by the Umayyad ruler Yazid. The Umayyads in turn were displaced violently by the opposition led by Banu Hashim, the clan of the Prophet (PBUH). The descendants of Muhammad's (PBUH) uncle Abbas (RA) succeeded in capturing the leadership and established the Abbasid caliphate (750–1258 ce). A caliphate was established in Spain by a surviving Umayyad chief, while in Cairo another caliphate was founded by Ismaili Shias.[11]

The Shia minority developed a counter narrative of woes and sufferings, which included the denial of Ali (RA) as the first successor of Muhammad (PBUH), his assassination and especially that of his son Hussain (RA) and his followers.[12] Cursing the first three caliphs, tabarra, became part of Shia lamentation. It was initially a reaction to the practice started by the supporters of Uthman (RA) against Ali for failing to arrest the assassins of Uthman (RA), but since Shias became a persecuted minority, tabarra afterwards became part of Shia expression, of their sense of deprivation and the alleged injustice done to Ali (RA). Shias restricted the period of the ideal Islamic state after Muhammad (PBUH) only to Ali's (RA) period as ruler during 656–661 ce. They considered him the only legitimate successor of the Prophet (PBUH) and the first three caliphs as usurpers. Their position was that the leader, the Imam, had to be a male from the bloodline of Muhammad (PBUH), and since Ali (RA) was his cousin and married

IQBAL FORUM

to his (PBUH) daughter Fatima (RA), with whom male children were born, the Household of the Prophet (PBUH) continued (even when two sons born to the Prophet (PBUH) had died in infancy). Shia theory claimed that the Imam was infallible and had to be obeyed without questioning.[13,14] This contrasted with Sunni theory which considered the pious caliphs as learned and wise individuals, but not infallible. According to Sunni belief, only Muhammad (PBUH) was infallible, and he received direct revelation from Allah. The Shias split into different antagonistic sub-sects—the Ithna Ashari (or Twelvers), the Zaydis, the Ismailis, who, in turn split into the Agha Khanis and the Bohras and so on, with different putative descendants of Ali (RA) claiming to be the rightful Imam.[15,16] However, many descendants of Ali (RA) remained faithful to Sunni Islam.

The Khawarijites, who emerged as militant Muslims against Ali's (RA) willingness to resolve the conflict with Muawiya (RA), rejected both tribal identity and bloodline as the basis of the leadership of Muslims. For them, the best Muslim could qualify to be the leader of all Muslims. They even accepted women as equally competent to be the Imam of Muslims if they had the qualities and qualifications.[17]

Sufism emerged as a complement to the highly demonstrative nature of both Sunni and Shia Islam. The main Sufi orders, while adhering to Sunni doctrines, usually had Ali (RA) as the first Sufi master. Forms of Sufism closely related to Shia esotericism also came into being; Sufis emphasized mysticism and inward piety and chastity.[18] The Sufi orders were later to become active in proselytising activities in lands conquered by expanding Muslim armies.

The sharia and fiqh

After the Prophet (PBUH), the pristine Islamic state claimed legitimacy by upholding Islamic law, the sharia, as a comprehensive code covering individual and collective life including rights and duties. The origins of the sharia were presumed to be divine revelation, but for all practical purposes it was a product of human agency because it was elaborated by jurists and experts of theology. The sources recognized by the scholars of Islam for determining sharia were primarily the Quran (based on revelations from God to the Prophet (PBUH)) and his Sunnah: the corpus of the deeds and sayings of Muhammad (PBUH) preserved in several authoritative collections known as books of the Hadith. The sharia

IQBAL FORUM

was more than a legal code. It consisted of ethical principles and norms and covered all sectors of individual and social life. It regulated relations between Muslims and non-Muslims within the Islamic state and in relation to external powers.[19,20] The general assumption was that wherever Muslims were in power, sharia would be the supreme law of the land. The jurists divided the world into Dar al-Islam (the abode of peace), where Muslims were in power and sharia was the supreme law, and Dar al-Harb (the abode of strife), where non-Muslims were in power. Theoretically, a state of war existed between Dar al-Islam and Dar al-Harb but peace could be established by treaty.[21]

Non-Muslims, women and slaves living in the Islamic polity

It is important to note that it was not the *Misaq-e-Medina,* as is often argued, but the Quranic verse 02:62, which, by default, became the standard norm for religious pluralism in the Islamic state. As already explained, the charter was repudiated after being in operation for a brief period of time. However, the Quranic verse upon which the *dhimmi* system was established and consolidated was the following:

> Those who believe (in the Qur'an) and those who follow the Jewish (Scriptures) and the Christians and the Sabians and who believe in Allah and the last day and work righteousness shall have their reward with their Lord; on them shall be no fear nor shall they grieve.[22]

However, other verses revealed later modified relations between the Muslims, Christians and Jews. Verse 9:29 of the Quran says:

> Fight those who believe not in Allah nor the Last Day nor hold that forbidden which hath been forbidden by Allah and His apostle nor acknowledge the religion of truth (even if they are) of the People of the Book until they pay the Jizya with willing submission and feel themselves subdued.[23]

And verse 05.51 of the Quran states:

> O ye who believe! Take not the Jews and the Christians for your friends and protectors: They are but friends and protectors

IQBAL FORUM

> to each other. And he amongst you that turns to them (for friendship) is of them. Verily Allah guideth not a people unjust.[24]

Among Muslim scholars, down the centuries, the discussion has been going on as to whether all verses are categorical and binding or whether context is crucial to determine their applicability in law. In any case, the three verses in conjunction led to the legal position that non-Muslims were entitled to live among Muslims by paying jizya but were not to be associated with the making of state policy and key decisions. Shi'ism accepted the Zoroastrians also as People of the Book. The dhimmi system became the standard policy of succeeding Muslim states in the Middle East and was known as the millet system of Ottoman Turkey.[25] It fluctuated between tolerant and intolerant interpretations.

Regarding women, the standard practice in all Muslim societies was to segregate men and women. Slavery was practised, and detailed codes were devised to define the status of slaves. Slaves who converted to Islam were often freed by their masters. Freeing slaves was considered meritorious by the Quran. Dynasties founded by former slaves came to power in different parts of the world. However, legally, slaves were chattels of their owners.[26]

Pluralism and intellectual debates among Muslims

The ideal state of Medina was superseded by Arab dynasties which continued to claim to be caliphates. The Abbasid, Spanish and Egyptian caliphates were, at their zenith, tolerant, pluralist societies. Christians and Jews flourished under Muslim rule, with some in high offices as well. The intellectual ferment was impressive. Controversies between different schools of Muslim thought took place over philosophical and theological matters. The controversy was between followers of free thought and those subscribing to a literalist interpretation of Islam. The Spanish-Arab philosopher Ibn Rushd (1126–98 ce) emphasized the pre-eminence of human intelligence and philosophical reflection over the apparent meaning of Quranic verses. In case of a contradiction between the truth discovered by philosophy and what the Quran appeared to indicate, Ibn Rushd wanted the Quranic verses to be considered only metaphorically and not literally.[27,28] However, Imam Ghazali (1058–111 ce) argued that revelation was superior to reason because God cannot be in error. Therefore, whenever a conflict

IQBAL FORUM

between the message given by revelation conflicts with the arguments set forth by reason, revelation must prevail. Some have felt that such reasoning impeded critical thinking and instead dogmatism and scholasticism became the reigning mode of thinking among Muslims.[29] At some point in time, Sunni orthodoxy concluded that all the important issues in law had been elaborated on by jurisconsults and therefore there was no need for further *ijtihad*, or freethinking. The Shias continued to exercise ijtihad but mostly to challenge Sunni rulings rather than generate innovative reforms.[30] State power remained largely with the Sunni majority though Shia rule was established in North Africa and Egypt but the Kurd Salahuddin (Saladin) Ayyubi firmly re-established Sunni ascendency in 1171. Shias faced persecution. After the sacking of Baghdad at the hands of the Mongols in 1258, Arab caliphates and dynasties ended. In 1299, Ottoman Turks emerged as the main power in the Middle East. They subscribed to Sunni orthodoxy. In the early sixteenth century, the Safavids captured power in Persia (now Iran) and established Shia Ithna Ashari rule. Until then it was a Sunni-majority country. The Safavids forced the Sunnis to convert to Shi'ism or flee the country. The Ottomans and Safavids were to fight bitter wars in the seventeenth century, driven by sectarian and nationalist passions.[31] On both sides, the idea of the Islamic state and Islamic law remained wedded to a medieval world view. As discussed earlier in the book, Islam in India and Muslim rule reflected the medieval world view, too, before colonial intervention disrupted that social and political order.

The medieval order was based on oriental despotism, sometimes benevolent, at other times tyrannical, but mostly perpetuating the medieval status quo. As long as the ruler did not question the supremacy of the sharia he could privately lead a life of pleasure and indulgence. This was as true of India as it was for the Middle East.

The rise of European powers

The eighteenth and nineteenth centuries saw European colonial powers extending direct or indirect control over Muslim societies in Asia and Africa. The Europeans introduced their own ideas of government and new forms of trade and commerce. The all-embracing sharia was restricted mainly to personal affairs, while civil and penal codes were based on the legal systems and the reforms introduced by the colonial

IQBAL FORUM

powers. The last blow was the defeat of the Ottoman Empire in World War I. Its territories in the Arab Middle East were taken away and placed under British and French mandates. The Treaty of Sevres (1919) imposed by the victorious Western powers reduced Ottoman Turkey to a rump state, with Istanbul and a narrow strip of towns connecting it to Anatolia. The rest were given away to the victorious powers. Legendary military general Ghazi Mustafa Kemal Pasha Atatürk refused to accept the treaty signed by the sultan and led a war of independence in which the Western powers supported Greece, which mainly engaged the Turks, while the Soviet Union supported Atatürk. It culminated in the Treaty of Lausanne of 1923. Turkey won back its mainland territories in Asia Minor but had to give up Mosul and Kirkuk, where oil had been found, and the British were determined not to let go of them.

Atatürk introduced radical reforms which, during 1923–38, progressively transformed Turkey into a secular, nationalist state: abolishing the caliphate, supplanting the Persian script with the Latin script and introducing the French and Swiss civil codes instead of the sharia as the law of the land. The Turkish clergy was brought directly under state control as a branch of the department of religious affairs. Clerics were instructed to limit their role strictly to leading prayers and taking care of burial rites in accordance with Sunni-Hanafi practice. Atatürk's greatest endeavour was declaring Turkish women equal to men under the law in all matters.[32,33] In 1935, women were granted the right to vote—in France, where the French Revolution in 1789 had set in motion processes which irreversibly ended feudal practices and created equal citizens, women were given the voting right only in 1945. Because of Atatürk's profound impact on world politics, Muslim leaders in different parts of Asia and Africa were to undertake progressive reforms when their societies won independence from colonial rule.

Ideologues of the Islamic state in the Indian subcontinent

Conventionally, the death of Emperor Aurangzeb is considered the beginning of the decline of Muslim power in the Indian subcontinent. Shah Waliullah, his sons, Shah Abdul Aziz and Shah Ismail, and Syed Ahmed Shaheed Barelvi represented puritanical Islamic revival with clear political overtones. Wahhabi ideas from the Arabian Peninsula radicalized some Muslims although they formally remained wedded

IQBAL FORUM

to Sunni-Hanafi Islam. Syed Ahmed Barelvi led an armed jihad against the Sikhs of the Punjab, while Titu Mir and Haji Shariatullah led peasant uprisings against Hindu and British indigo farm owners in Bengal. The 1857 uprising against the English East India Company was described as jihad by radical ulema.[34]

After India was annexed formally by Britain and became a Crown colony in 1858, radical Islam subsided. At Deoband in the western UP a puritanical school of Sunni Islam was established in 1867 which sought to purify Muslim society and mores of elaborate rites and rituals and instead consolidate a more authentic Islam based on the simplicity of early Islam. However, such reform was attempted within the Hanafi framework. On the other hand, the more traditional ulema, the Barelvis, continued with traditional Islam, which was a mix of orthodox Sunni beliefs and local traditions. Sufi ideas and the excessive veneration of saints became the hallmark of the Barelvi school, the largest among Sunnis. Maulana Ahmed Raza Khan Barelvi became their chief theologue and consolidator of that sub-sect of Sunni Islam. The Barelvis, who were patronized by Muslim landowners all over India, eschewed politics and thus tacitly acquiesced in the continuation of British rule. The Shias continued with their quietism; they too had powerful landowners as patrons, especially in north India.[35]

Among upper-class Muslims and, later, those middle-class Muslims who received a modern education, the Muslim past was remembered and imagined more in terms of a grand civilization, keeping in mind the achievements of Spanish Islam and the early periods of intellectual ferment in Baghdad and Cairo. Instead of an emphasis on Islam as law epitomized by the sharia, which occupied centre stage for the ulema of all varieties, the modernists looked upon Islam as a grand civilization that was rational, dynamic and progressive enough to incorporate Western modernity within an overall Islamic framework. The pioneer of that movement was Jamaluddin Afghani (who was a Persian, born a Shia, but travelled around in the Sunni world posing as a Sunni Afghan), who was active mostly in the Muslim Middle East but also visited India. In India, Sir Syed was the founder of the Nechari (Naturalist) school of thinking, which was premised on the assumption that science and Islam were two faces of the same truth. Syed Ameer Ali (1849–1928), a Shia, wrote *The Spirit of Islam*, which

IQBAL FORUM

took a non-sectarian approach. It was meant primarily to explain to Western audiences that Islam was a progressive, modern religion and civilization.

The Aligarh movement, started by Sir Syed, was the citadel of Muslim modernism as well as Muslim separatism of the Muslim Ashraf, or Ashrafia (the elite) of north India. The All-India Muslim League derived many of its top- and middle-range leaders from Aligarh College and later university.[36] Until the focus of Muslim separatism shifted to the Punjab in March 1940, the stronghold of the Muslim League was north India, and it was the Muslims of the UP and other Urdu-speaking areas who dominated it. They were a minority but one which had been closely associated with the Mughal Empire and the sultanates of Delhi earlier. Khalid bin Sayeed has summed up their predicament in the following words:

> It is well known that Islam stresses the religious uniqueness and cohesiveness of the Muslim community. This theme is also constantly preached in the sermons that are delivered in mosques every Friday. Muslim masses enthusiastically embraced the two-nation theory of the Muslim League, not because it was a revolutionary doctrine but because it confirmed the basic theme in the Qur'an and the sermons they had heard in the mosques. In addition, memories of Muslim rule in India not only remained alive, particularly among the upper-class Muslims, but were constantly used by them to impress upon the Muslim masses that having ruled India, Muslims should not allow themselves to be ruled by the Hindu majority. It was separatist tendencies and memories of former Muslim rule in India that there was little deep-seated love for India as their motherland on the part of the Muslim elite.[37]

As already noted in the major study by Venkat Dhulipala (2015) the idea of an Islamic state was debated intensely among traditional Muslim intellectuals and scholars of north India in the late 1930s, but also within the Muslim League the idea of an Islamic state was expressed by one of the biggest landlords and financier of the League of Lucknow, ironically, a Shia, the Raja Sahib of Mahmudabad. Later, in Pakistan, both the Shias and Ahmadis faced persecution. In 1939, Mahmudabad wrote a letter to the historian Mohibul Hassan:

IQBAL FORUM

> When we speak of democracy in Islam it is not democracy in the government but in the cultural and social aspects of life. Islam is totalitarian—there is no denying about it. It is the Koran that we should turn to. It is the dictatorship of the Koranic laws that we want—and that we will have—but not through non-violence and Gandhian truth.[38]

Mahmudabad was severely reprimanded by Jinnah, who could not allow his demand for Pakistan to be assailed by the Indian National Congress as reactionary or rouse the suspicions of the British government, which had been wary of the pan-Islamic implications of such an idea. Iqbal, in 1931, had to explain that he merely wanted autonomy of such a Muslim entity within the British Empire and asserted that it would be in the front line to thwart any Muslim invasion from West Asia. However, Iqbal believed in the special destiny of the Muslims of north-western India, but Jinnah was a centrist who aspired for the leadership of all Muslims. Those differences were sorted out in the mid-1930s and Jinnah and Iqbal moved closer to each other.

Colonel Amjad Hussain Sayed (who died in 2016) in an interview given to the author on 4 February 2014 narrated that he and famous journalist Hameed Nizami visited Iqbal in the early 1930s in his home in Lahore to seek his guidance on the future of Indian Muslims, who were without a leader of the calibre of Gandhi and Nehru. Iqbal told them that Jinnah was that man of destiny who would match that level of leadership and that they should follow him blindly. In 1936, when Jinnah visited Lahore, they met him in his hotel, the famous Faletti's. They were simply spellbound by his personality. He exuded charisma and an aura of light seemed to surround him, according to Col. Sayed who was then a student at Islamia College, Railway Road, Lahore.

Iqbal's letters to Jinnah

In any event, during 1936–38, Iqbal wrote thirteen letters to Jinnah, imploring him to take up the mantle of Muslim leadership and lead them forward. Among them the following letter is of special interest. I quote the most relevant portion:

IQBAL FORUM

MAY 28, 1937

Our political institutions have never thought of improving the lot of Muslims generally. The problem of bread is becoming more acute. The Muslim has begun to feel that he has been going down and down during the last 200 years. Ordinarily he believes that his poverty is due to Hindu money-lending or capitalism. The perception that it is equally due to foreign rule has not yet fully come to him. But it is bound to come. The atheistic socialism of Jawaharlal [Nehru] is not likely to receive much response from the Muslims. The question therefore is: how is it possible to solve the problem of Muslim poverty? And the whole future of the League depends on the League's activity to solve this question. If the League can give no such promises I am sure that Muslim masses will remain indifferent to it as before.

After a long and careful study of Islamic Law, I have come to the conclusion that if this System of Law is properly understood and applied, at least the right to subsistence is secured to everybody. But the enforcement and development of the shariat of Islam is impossible in this country without a free Muslim State or States. This has been my honest conviction for many years and I still believe this to be the only way to solve the problem of bread for Muslims as well as to secure a peaceful India. If such a thing is impossible in India, the only other alternative is a civil war which as a matter of fact has been going on for some time in the shape of Hindu Muslim riots.

It is clear to my mind that if Hinduism accepts social democracy, it must cease to be Hinduism. For Islam the acceptance of social democracy in some suitable form and consistent with the legal principles of Islam is not a revolution but a return to the original purity of Islam. The modern problems therefore are more easy to solve for the Muslims than for the Hindus. But in order to make it possible for Muslim India to solve the problem, it is necessary to redistribute the country and to provide one or more Muslim States with absolute majorities. Don't you think that the time for such a demand has already arrived? Perhaps this is the best reply you can give to the atheistic socialism of Jawaharlal Nehru.[39]

IQBAL FORUM

Did Jinnah reply to Iqbal's letters? No record is available. However, after Iqbal's death in 1938, Jinnah always issued a statement on Iqbal Day, held in Lahore annually to mark his demise. In those statements Jinnah acknowledged Iqbal's status as his mentor, the leading Muslim thinker of his time and the pre-eminent authority on Islam.[40]

In this regard, one must remember that Iqbal was rabidly opposed to territorial nationalism. For him, Muslims were a nation exclusively on the basis of their faith in Islam. This became famously manifest in Iqbal's scathing condemnation of territorial nationalism in his polemics with Hussain Ahmed Madani, who had, on the basis of *wataniyat*, or shared homeland, argued that Hindus and Muslims could be equal partners in a freedom struggle to liberate India from British rule. For Iqbal, such an idea was anathema. Therefore, he believed territorial nationalism was subversive and equated it to the belief of the Qadianis (Ahmadis) that Mirza Ghulam Ahmad was a prophet. Separately, in an exchange of letters with Jawaharlal Nehru, Iqbal vehemently rejected that Ahmadis could be included in the Muslim umma, insisting that it would subvert the organic unity of Muslims based on the unquestioning belief in Khatam-e-Nabuwat.[41] He wrote a verse on that theme:

> God set the seal of Holy Law on us,
> As on our prophet all apostleship
> Is sealed. The concourse of ending days
> Is radiant in our lustre: he was seal to all prophets
> To all Apostles, to all people we.[42]

In 1935, Iqbal expressed disappointment that the Punjab governor, Sir Herbert Emerson, favoured the Ahmadis, alleging that they were a cardinal threat to Islam and the Muslim community. Such a negative view about Ahmadiyyat developed during the Kashmir agitation of the early 1930s, which Punjabi Muslims had launched to protest the policies of the maharaja that they felt were hostile to his Muslim subjects. Iqbal was made a member of the All-India Kashmir Committee (AIKC), while Mirza Bashiruddin Mahmud Ahmad, khalifa of the Rabwah branch of Ahmadis, was made president. Bashiruddin was accused of using that opportunity to spread Ahmadiyyat in Kashmir. Attempts to restrict his authority by non-Ahmadi members of the committee were opposed by the Ahmadis

IQBAL FORUM

and eventually Bashiruddin Mahmud resigned. Iqbal was then elected the president of the AIKC. However, when a draft constitution of the AIKC was presented, the Ahmadi members opposed it. The Ahmadis set up instead a different committee and offered its presidentship to Iqbal but he rejected it on the grounds that the Ahmadis, under the garb of non-sectarianism, promoted Ahmadiyyat. He would later develop open hostility towards the Ahmadis.[43]

In any event, Iqbal developed a very special love and veneration for Prophet Muhammad (PBUH). His poetry is replete with homage to Muhammad (PBUH). In 1926, a pamphlet titled *Rangeela Rasul* (The Colourful Prophet), considered scurrilous by Muslims to the Prophet, was published in Lahore by an Arya Samajist (Mahashai) Rajpal. It was part of the perverse kind of religious and doctrinal polemics, or munazaras, which had been going on in the Punjab since the late nineteenth century. From the Muslim side, the Hindu religion and gods were described in disparaging language; Mirza Ghulam Ahmad had taken part in those controversies and Hindu reactions had followed. The pamphlet cast the Prophet in bad light. It incensed the Muslims of Lahore and a serious law-and-order situation ensued. Rajpal was killed by an assassin. Ilam Din, a Muslim youth, was arrested on the spot, charged with the murder and found guilty. Ilam Din denied he was the culprit and pleaded his innocence. Jinnah was hired by the Muslims of Lahore to plead his case for mercy, but the decision went against Ilam Din and he was hanged in 1929. Iqbal famously praised Ilam Din as a martyr, saying that the son of a poor carpenter had been able to do what people like him (Iqbal) had failed to achieve: kill the defamer of the Prophet (PBUH).[44]

Syed Abul Ala Maududi

Ideas of an Islamic state based on the state of Medina were advanced by Abul Ala Maududi in the 1920s. Born in Aurangabad in the southern state of Hyderabad, Maududi built a reputation over many years as a prolific journalist and essayist who wrote both against the Indian National Congress and the Muslim League. The historian Ali Usman Qasmi has explained that Maududi objectified faith as the sole criterion of loyalty to the state, and on such a basis reached the alarming conclusion that a Muslim could only serve faithfully in an Islamic state and not any other. On such a basis, he ruled out loyalty

IQBAL FORUM

to a secular state based on territorial nationalism. However, Maududi considered the Muslim League the lesser evil. His objections to the Muslim League and its leaders were that they were only nominal Muslims, not pious and practising Muslims, and that the Pakistan idea they stood for was not about the establishment of the supremacy of God in the state but of Muslims—who could be tepid and secular. Since communists had joined the Muslim League, he considered such membership subversive to the Islamic state.[45] Maududi went to the extent of damning Pakistan as Napak-istan; 'pak' in Persian means 'pure'. The acronym Rahmat Ali had invented, Pakistan, connoted the state of pure Islam or pure Muslims. 'Napak' is just the opposite of it. It means unclean and impure. However, after Pakistan did come into being, Maududi migrated to Pakistan and, like politicians, typically changed course and set in motion the movement for making Pakistan a fundamentalist Islamic state.[46]

Maududi had in 1941 set up home at Pathankot, a remote tehsil of Gurdaspur district in the Punjab, according to him on the instruction of Iqbal to counter the Ahmadi menace. Under his leadership Deobandi, Barelvi and even Shia clerics began to clamour for an Islamic state based on the sovereignty of God. He unabashedly described his idea of state as totalitarian premised on the all-embracing sharia as the supreme law of the land. It was to be a 'theo-democracy', which meant primarily the supremacy of sharia in all matters; where it was silent, Muslims could legislate laws, which, however, had to conform to the spirit of the sharia.[47] The position Jinnah had taken—and to which ulema of all sects and sub-sects of Islam could subscribe to in principle—was that Islam did not prescribe a theocracy. While technically Jinnah's position was correct, it needs to be put in perspective.

Considered in the light of the Muslim heritage of the Islamic state upholding the sharia as supreme law, which was disrupted on the one hand when the Kemalist revolution abolished the caliphate and established a national, secular Turkey, and, on the other, the colonial intervention in India which effectively dislodged the sharia with its own constitutional and legal precepts, it is worthwhile examining the concept of the secular state as the counterpoint to the Islamic state based on the supremacy of sharia.

In its most essential meaning secularism denotes the principle of separation of the state from religious institutions. A secular state is,

IQBAL FORUM

therefore, officially neutral in matters of religion. It claims to treat all citizens equally regardless of religion. It does not practise preferential treatment for a citizen from a particular religion, sect or non-religion over other citizens nor does it impose a religious dogma on citizens. It means not only freedom of religion but also freedom from religion.[48] In concrete terms, however, states do adopt different approaches to realize secularism. Democratic secular states such as the United States constitutionally separate state and religion or, as in the case of India, the secular state combines neutrality over religion with a policy of equal respect for all religions while simultaneously retaining the right to reform outmoded religious practices.[49]

Some secular states can subordinate religion to state control while permitting citizens private freedom regarding worship and other spiritual matters. France and Turkey, based on laicism, are such kind of secular states. Secular states can also be hostile to religion and suppress it, as was the case in some states in Eastern Europe during the communist era. The common characteristic shared by all secular states is that they do not uphold religious dogma as the authoritative source for deriving laws pertaining to the status and rights of citizens.[50]

Theocracy, theo-democracy, theonomy or nomocracy

Not only Jinnah but even fundamentalist Muslims agree that Islam did not ordain a theocracy, meaning, a closed class of people, the clergy, exclusively authorized to exercise sacerdotal authority. The *Oxford English Dictionary* defines theocracy as 'a system of government in which priests rule in the name of God or a god'. However, originally, the term *theocracy* was coined by the Jewish-Roman writer Flavius Josephus to describe the distinctive government of Moses and other Hebrew prophets.[51] One can argue that the state of Medina, ruled directly by Prophet Muhammad (PBUH), was an example of another pure theocracy. In both medieval Christian and Muslim contexts, however, state power was exercised by temporal rulers, with the priests claiming to represent the will of God. Moreover, historically, in Western societies, the secular–legal systems represented by Roman law, German law, the British common law, and so on, were passed down the centuries, while the church applied canon law to regulate religious and church affairs. After the Enlightenment, the term

IQBAL FORUM

theocracy acquired negative connotations as a form of government in which priests ruled in the name of God, compared to a government based on the will of the people. That negative connotation has continued to characterize theocracy.

As I argued above, the government under Prophet Muhammad (PBUH) was a theocracy in the original sense of a Prophet-in-Authority. It ended in that form with his death. His first four pious successors upheld the Quranic rules and laws and the examples set by the Prophet (PBUH) as the two main sources of sharia. The supremacy of the sharia thus became the hallmark of government among Muslims. The Shia minority included the six-year rule of the fourth caliph, Ali (RA), whom they considered the first Imam protected from error, also a theocracy. However, since then both Sunnis and Shias recognize the sharia as supreme law.

No specific term or concept for such a form of government has been devised by Muslim scholars, but the state bound by sharia has been the norm historically. Muslim modernists have argued that since Islam is a rational and progressive religion, the Islamic state can be a modern type of Muslim national polity. However, advocates for the complete severance of sharia from the state have always been a tiny minority. The Turkish example has been an exception to the rule.

A term that very nearly captures the idea of the supremacy of divine law rather than the rule of priests is 'theonomy': *theos* (God) and *nomos* (law). Theonomy rejects secular law as inimical to the will of God. The term is of recent origin and has been advanced by American evangelical Christians who are die-hard believers in the second coming of Christ. They have been engaged in a grand project called 'Christian Reconstructionism' which aims to replace the secular US Constitution with the laws of the Jewish Old Testament.[52] Most Christians believe that the laws of the Old Testament were superseded by the teachings of the New Testament, although the New Testament did not prescribe a code of law. The Reconstructionists argue that Jesus did not repeal the laws of the Old Testament; they remained valid and applicable, but salvation could be achieved only by believing in Jesus as the true saviour of all humanity. For them, secularism, reason and scientific evidence are not neutral and objective values; they are arbitrary attempts to impose imperfect human will on society.

However, Maududi borrowed from the founder of Mormonism in the United States, Joseph Smith, the term theo-democracy to describe

IQBAL FORUM

a distinctive Islamic form of government. Smith had proposed that term as a fusion of theocracy and republican democratic principles which should replace secularism in the United States. Maududi set forth the theory of unoccupied areas, arguing that on matters where God had spoken explicitly through revelation and laid down a law, His will must be enforced without qualifications; but the areas in which God was silent were open for Muslims to make laws, but in the light of the overall thrust of the sharia; hence, the hyphenated compound term *theo-democracy*.[53]

Another term that can be used to describe the idea of the supremacy of law is nomocracy, which derives from *nomos* (law) and *kratos* (power or rule). A nomocracy is based on the supremacy of the law. It began to be named in the nineteenth century in the West but has not received serious, in-depth reflection in the West. One reason could be that constitutionalism—a process whereby the power of the rulers progressively was limited while that of citizens expanded—made popular the notion of 'the rule of law'. The rule of law presupposed the supremacy of the law, albeit a law which changes and adapts with the march of time, whereas nomocracy probably conveyed conservative connotations.

In an Islamic context, the supremacy of the law is axiomatic to the idea of a righteous state upholding justice. That law understandably is the sharia: revealed and binding. On the other hand, whereas a theonomy represents supremacy of divine law in an absolute sense and theo-democracy a balance between divine law and human law, a nomocracy as supremacy of the law comes closest to the type of government that Muslims of all varieties, except the secularists, subscribe to culturally and intellectually. The scope for the interpretation of sharia has significantly increased as fundamentalist Muslims, also known as Islamists, and Muslim modernists debate and dispute the interpretation of sharia and its codification into formal law. The Iranian scholar Seyyed Hossein Nasr has in his book *The Heart of Islam* discussed this idea and concluded: 'The Islamic ideal is that of a nomocracy, that is, the rule of Divine Law.'[54] The idea of nomocracy is especially more appropriate, where, among Sunni Muslims the ulema have never been able to achieve the same degree of authority or status, unlike the Shia tradition, where the ulema enjoy very high status and maintain established hierarchy.

IQBAL FORUM

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IQBAL FORUM

Chapter 16

Jinnah's 11 August 1947 Speech



In Pakistani discourses on the ideology of Pakistan, no other speech has been debated and controverted more than what its founder, Mohammad Ali Jinnah, said on 11 August 1947, three days before Pakistan celebrated its independence, when he addressed the members of the Pakistan Constituent Assembly. It was a departure, a radical one indeed, from his adumbrations since 1940 of Pakistan as a Muslim democracy, with allusions to sharia (in Urdu called shariat), the Prophet (PBUH) and the Islamic state being mixed freely to appeal to broad sections of Muslim society as well as to forestall attacks from the Congress and the British. Doing so was logical, because if the Muslims were a nation by virtue of their religion and thus entitled to a separate state, Jinnah had to project such a Pakistan in democratic and progressive imagery and parlance, even when he had given the ulema and other conservatives a free hand to indulge their aspirations to resuscitate the ideal of the Medina state. On this occasion, when the formal opening of the Pakistan Constituent Assembly was to take place and he would be elected its first president, the word Islam and other related vocabulary were altogether conspicuous by their absence—hence, all the speculation it has unleashed over the years and the concomitant controversies.

The Pakistan Constituent Assembly comprised members elected in 1946 to the Constituent Assembly envisaged for a united India. However, following the partition of India, Bengal and the Punjab, those members who had been elected from areas which were given to

IQBAL FORUM

Pakistan became members of the Pakistan Constituent Assembly, and these included members from the Muslim League, the Congress and some independent members.

Before Jinnah spoke, generous compliments were showered on his personality and leadership. Prime minister designate Nawabzada Liaquat Ali Khan led the refrain. He said, 'Sir, you have been rightly described as the architect of Pakistan, and what greater fortune could we have than to have you as the President of the sovereign body, to build the state we have got through your devotion, untiring zeal, selfless service and unshakeable determination.'[1] Begum Jahan Ara Shahnawaz remarked, 'Our nation is lucky to have you as the one who is guiding our destinies, the likes of which I have not seen anywhere in the world.'[2] Abdul Kasem from East Bengal was no less lyrical when he observed, 'You have condescended today to accept the office of the President of this Assembly, though it is no honour to you. You have shown us, the members of the House, a great honour by accepting the office.'[3]

In most books, including those by his official biographer, Hector Bolitho, and Jinnah's more celebrated hagiographer, Stanley Wolpert, and understandably in the Pakistani narrative, the laudatory remarks made on behalf of the Congress Party by Kiran Shankar Roy are not mentioned. Roy had for a while flirted with Suhrawardy and Sarat Bose on the issue of Bengal becoming an independent state, but later toed the Congress line. Roy was no less generous in acknowledging Jinnah as a great leader whose brilliant career was second to none. However, as a member of a party that had opposed the demand for Pakistan, but was now represented in the Pakistan Constituent Assembly, he made an interesting plea:

> Sir, if Pakistan which you have in mind means a secular democratic State, a State which will make no difference between a citizen and a citizen, which will deal fairly with all, irrespective of caste, creed and community, I assure you that you shall have our utmost co-operation [...] Sir, you have been a great leader of the Muslims. Time is now come for you to take up the leadership of the State which includes not only Muslims but Hindus and other communities. We invite you to that leadership and we will not fail to support you.[4]

IQBAL FORUM

Mr Jogendra Nath Mandal, the Dalit leader from Bengal, for whom Jinnah broke all the rules and regulations of the AIML and nominated to the interim government as a League minister, wholeheartedly congratulated Jinnah on behalf of the 8 million Scheduled Castes who were now going to be in Jinnah's Pakistan.[5]

Jinnah rose to the occasion and delivered an address, the likes of which his devotees had never heard before. We quote the complete text:

> Mr. President, Ladies and Gentlemen!
>
> I cordially thank you, with the utmost sincerity, for the honour you have conferred upon me—the greatest honour that is possible to confer—by electing me as your first President. I also thank those leaders who have spoken in appreciation of my services and their personal references to me. I sincerely hope that with your support and your co-operation we shall make this Constituent Assembly an example to the world. The Constituent Assembly has got two main functions to perform. The first is the very onerous and responsible task of framing the future constitution of Pakistan and the second of functioning as a full and complete sovereign body as the Federal Legislature of Pakistan. We have to do the best we can in adopting a provisional constitution for the Federal Legislature of Pakistan. You know really that not only we ourselves are wondering but, I think, the whole world is wondering at this unprecedented cyclonic revolution which has brought about the plan of creating and establishing two independent sovereign Dominions in this sub-continent. As it is, it has been unprecedented; there is no parallel in the history of the world. This mighty sub-continent with all kinds of inhabitants has been brought under a plan which is titanic, unknown, unparalleled. And what is very important with regards to it is that we have achieved it peacefully and by means of an evolution of the greatest possible character.
>
> Dealing with our first function in this Assembly, I cannot make any well-considered pronouncement at this moment, but I shall say a few things as they occur to me. The first and the foremost thing that I would like to emphasize is this: remember

IQBAL FORUM

that you are now a sovereign legislative body and you have got all the powers. It, therefore, places on you the gravest responsibility as to how you should take your decisions. The first observation that I would like to make is this: You will no doubt agree with me that the first duty of a government is to maintain law and order, so that the life, property and religious beliefs of its subjects are fully protected by the State.

The second thing that occurs to me is this: One of the biggest curses from which India is suffering—I do not say that other countries are free from it, but, I think our condition is much worse—is bribery and corruption. That really is a poison. We must put that down with an iron hand and I hope that you will take adequate measures as soon as it is possible for this Assembly to do so.

Black-marketing is another curse. Well, I know that black-marketeers are frequently caught and punished. Judicial sentences are passed or sometimes fines only are imposed. Now you have to tackle this monster, which today is a colossal crime against society, in our distressed conditions, when we constantly face shortage of food and other essential commodities of life. A citizen who does black-marketing commits, I think, a greater crime than the biggest and most grievous of crimes. These black-marketeers are really knowing, intelligent and ordinarily responsible people, and when they indulge in black-marketing, I think they ought to be very severely punished, because the entire system of control and regulation of foodstuffs and essential commodities, and cause wholesale starvation and want and even death.

The next thing that strikes me is this: Here again it is a legacy which has been passed on to us. Along with many other things, good and bad, has arrived this great evil, the evil of nepotism and jobbery. I want to make it quite clear that I shall never tolerate any kind of jobbery, nepotism or any influence directly or indirectly brought to bear upon me. Whenever I will find that such a practice is in vogue or is continuing anywhere, low or high, I shall certainly not countenance it.

I know there are people who do not quite agree with the division of India and the partition of the Punjab and Bengal. Much has been said against it, but now that it has been accepted,

IQBAL FORUM

it is the duty of every one of us to loyally abide by it and honourably act according to the agreement which is now final and binding on all. But you must remember, as I have said, that this mighty revolution that has taken place is unprecedented. One can quite understand the feeling that exists between the two communities wherever one community is in majority and the other is in minority. But the question is, whether it was possible or practicable to act otherwise than what has been done. A division had to take place. On both sides, in Hindustan and Pakistan, there are sections of people who may not agree with it, who may not like it, but in my judgement there was no other solution and I am sure future history will record its verdict in favour of it. And what is more, it will be proved by actual experience as we go on that was the only solution of India's constitutional problem. Any idea of a united India could never have worked and in my judgement it would have led us to terrific disaster. Maybe that view is correct; maybe it is not; that remains to be seen. All the same, in this division it was impossible to avoid the question of minorities being in one Dominion or the other. Now that was unavoidable. There is no other solution. Now what shall we do? Now, if we want to make this great State of Pakistan happy and prosperous, we should wholly and solely concentrate on the well-being of the people, and especially of the masses and the poor. If you will work in co-operation, forgetting the past, burying the hatchet, you are bound to succeed. If you change your past and work together in a spirit that every one of you, no matter to what community he belongs, no matter what relations he had with you in the past, no matter what is his colour, caste or creed, is first, second and last a citizen of this State with equal rights, privileges, and obligations, there will be no end to the progress you will make.

I cannot emphasize it too much. We should begin to work in that spirit and in course of time all these angularities of the majority and minority communities, the Hindu community and the Muslim community, because even as regards Muslims you have Pathans, Punjabis, Shias, Sunnis and so on, and among the Hindus you have Brahmins, Vashnavas, Khatris, also Bengalis, Madrasis and so on, will vanish. Indeed, if you ask me, this

IQBAL FORUM

has been the biggest hindrance in the way of India to attain the freedom and independence and but for this we would have been free people long, long ago. No power can hold another nation, and specially a nation of 400 million souls in subjection; nobody could have conquered you, and even if it had happened, nobody could have continued its hold on you for any length of time, but for this. Therefore, we must learn a lesson from this. You are free; 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. As you know, history shows that in England, conditions, some time ago, were much worse than those prevailing in India today. The Roman Catholics and the Protestants persecuted each other. Even now there are some States in existence where there are discriminations made and bars imposed against a particular class. Thank God, we are not starting in those days. We are starting in the days where there is no discrimination, no distinction between one community and another, no discrimination between one caste or creed and another. We are starting with this fundamental principle that we are all citizens and equal citizens of one State. The people of England in course of time had to face the realities of the situation and had to discharge the responsibilities and burdens placed upon them by the government of their country and they went through that fire step by step. Today, you might say with justice that Roman Catholics and Protestants do not exist; what exists now is that every man is a citizen, an equal citizen of Great Britain and they are all members of the Nation.

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 as citizens of the State.

Well, gentlemen, I do not wish to take up any more of your time and thank you again for the honour you have done to me. I shall always be guided by the principles of justice and fair play without any, as is put in the political language, prejudice or ill-will, in other words, partiality or favouritism. My guiding

IQBAL FORUM

principle will be justice and complete impartiality, and I am sure that with your support and co-operation, I can look forward to Pakistan becoming one of the greatest nations of the world.

I have received a message from the United States of America addressed to me. It reads:

> *I have the honour to communicate to you, in Your Excellency's capacity as President of the Constituent Assembly of Pakistan, the following message which I have just received from the Secretary of State of the United States:*
>
> *On the occasion of the first meeting of the Constituent Assembly for Pakistan, I extend to you and to the members of the Assembly, the best wishes of the Government and the people of the United States for the successful conclusion of the great work you are about to undertake.*[6,7]

Controversy over the 11 August 1947 speech

No other speech has generated greater debate, controversy and confusion than the one he delivered in a moment of supreme triumphalism, three days before Pakistan celebrated its establishment as an independent dominion. The reason is that the word Islam is conspicuous by its absence in that speech. The two-nation theory and Muslim nationalism were premised on Islam being a way of life, which, if not granted a separate state, would mean the annihilation of Islam and the obliteration of Muslims. Pakistan had been achieved and two-thirds of the 90–100 million Muslims now had their separate state. What were the implications of the omission of Islam in the speech for state and nation-building in Pakistan? The discussion on it makes for very interesting reading.

Hector Bolitho asserts that the speech was inspired by the *Misaq-e-Medina*, which declared Muslims and Jews equal citizens.[8] He makes the following observation:

> The Quaid's argument was neither comprehended, nor needed: the throngs of refugees—Hindus, Muslims and Sikhs—still met in

IQBAL FORUM

> terrible clashes of cruelty that neither the Government of India, nor of Pakistan, could subdue. In Delhi, Lord Ismay saw Pandit Nehru go out among the killers, with bare hands, trying to quell them.[9]

It is not clear why Bolitho said the speech was not needed because Pakistan faced the prospect of a massive deluge if India were to expel the 35 million Muslims whom the Partition Plan presumed would stay in India. It was therefore badly needed to ensure the Indian government that minorities would be treated fairly in Pakistan. On the other hand, the speech was surely incomprehensible to those who had been told for years that Hindus and Muslims were two irreconcilable nations who were best kept apart.

Stanley Wolpert notes that as Jinnah spoke, 'perplexed mullahs, pirs, nawabs, rajas, shahs, and khans [were] trying to fathom and follow his every word'.[10] Wolpert wondered whether Jinnah had forgotten the reasons and arguments he had given previously as to why Hindus and Muslims could never be members of the same nation. Was he now returning to his pristine liberal constitutional roots which had inducted him to politics from the platform of the Congress?[11]

The context in which the speech was made needs to be brought into the picture. As noted already in the Muslim-majority districts of the Punjab, attacks on Hindus and Sikhs had started earlier in March 1947 and from May onwards continued to escalate. On the other hand, until the beginning of July 1947, the Muslims of the Hindu-majority districts and princely states of that province were not attacked. From July onwards, however, gangs of Hindus and Sikhs began to menace Muslims in the eastern districts and on 9 August the Pakistan Special Train bringing Muslim government servants and officers to Lahore was attacked by Sikh jathas (men on horseback). Jinnah and other Muslim Leaguers were now facing the prospect of reprisals on Muslims, not only in eastern Punjab but beyond. If the Sikh leaders of eastern Punjab and the Congress government in Delhi were to let the 35–40 million Muslims from all over India be driven to Pakistan, it would collapse before it stabilized and consolidated as a state. The speech most certainly was made to ensure that the Indian government took notice of his intentions to protect the minorities—hence, the 11 August speech's very strong emphasis on the equal rights of all citizens irrespective of their caste, creed or colour.

IQBAL FORUM

In Pakistani debates on the speech, a section of liberals and leftists argue that this was Jinnah's covenant for a secular and democratic Pakistan. They allege that a grand conspiracy was hatched by Prime Minister Liaquat Ali Khan and his close associate and head of bureaucracy Chaudhri Muhammad Ali because they wanted Pakistan to be a Muslim state as envisioned in the two-nation theory. A scrutiny of the facts tells a different story. Jinnah was, till the late spring of 1948, very much in command as the all-powerful head of state; he was the virtual head of government as well, as we shall discuss presently. In such circumstances, to believe his speech was suppressed against his will is preposterous—unless Jinnah himself was party to such treatment of his speech. More probable was that Jinnah and his advisers decided not to publicize it because it was meant primarily for the Indian government and leaders.

Interestingly, Chaudhri Muhammad Ali, who is supposed to have ordered the suppression of Jinnah's fabled speech, has quoted the passage on equal rights and the privatization of religion from that speech in his book *The Emergence of Pakistan*. His take on it is that it was consistent with what Jinnah had been saying ever since he started making a demand for Pakistan. He opines:

> What is overlooked is that Pakistan came into existence not by conquest but as the result of a negotiated agreement between the representatives of the Hindu and Muslim communities. An explicit and integral part of the agreement was that minorities in both states would have equal rights and equal protection of law.[12]

Therefore, asserts Chaudhri Muhammad Ali, Jinnah did not abandon the two-nation theory when he said that Muslims and non-Muslims will have equal rights. He explains:

> These practical tasks of statesmanship can be fulfilled only by giving equal rights and equal responsibilities to all citizens. But this can neither negate the fact that the vast majority of the citizens of Pakistan are Muslims nor take away the responsibility for leadership from the Muslim community. *The principles*

IQBAL FORUM

> *of governing the country will inevitably be based on Islam* (emphasis added), if the leadership is sincere in its professions and if its perspective is truly Islamic.[13]

What is more likely is that Jinnah and his government took stock the following day when the euphoria of inaugurating the Pakistan Constituent Assembly was over and done with. In the presence of foreign dignitaries Jinnah was bound to project Pakistan in the most liberal terms. If omitting the words *Islam*, *Quran* or *sharia* and instead projecting *Pakistan* in a secular light were worthwhile to please and assuage foreign powers, then Jinnah was possibly willing to do it. Pakistan was Jinnah and Jinnah was Pakistan. He could exercise prerogatives which none other could.

One immediate reason why Jinnah may have, on the spur of the moment, decided not to mention any link between Islam and Pakistan was because the Congress leader Shankar Roy had implored him to become a leader of all Pakistanis and not just Muslims. The reason could be that he wanted to be seen by foreign dignitaries as a leader of all Pakistanis and not just Muslims. However, just as he omitted Islam in his speech, so he omitted secularism. He could have said Pakistan will be a secular state like Turkey, but nothing of the sort occurred in his speech. On the other hand, he referred to British constitutionalism as the way forward to make Pakistan a modern Muslim state.

The former Chief Justice of Pakistan, Muhammad Munir, who was one of the two judges of the Lahore High Court nominated by the Muslim League to the Punjab Boundary Commission, asserts that Jinnah demanded Pakistan on rational grounds, not religious grounds: that Hinduism and Islam were mutually exclusive world views and the Hindus nurtured a deep resentment that the Muslims had been ruling for centuries, and that they would not have been fair to Muslims had India remained united. He gives examples of Hindu bias in the Congress governments by referring to the Congress ministries during 1937–39: no Muslim could get into the ministry if he did not join the Congress Party.[14] Interestingly, he refers to a statement of Sir Syed, which, he claims, is identical to Jinnah's understanding of why Hindus and Muslims could not be one nation. He quotes Sir Syed:

IQBAL FORUM

> Now suppose all the Englishmen were to leave India, then who would be rulers of India? Is it possible that under these circumstances two nations—Muhammadans and Hindus—could sit on the same throne and remain equal in power. Most certainly not. It will be necessary that one of them should conquer the other and thrust it down.[15]

Jinnah expressed the same fear, says Munir, and quotes him:

> We are opposed to a united Indian Constitution with a Central Government, Federal or otherwise. We are opposed to this because it will mean our transfer from the British Raj to the Hindu Raj. United India means a Hindu social and cultural majority dominating the Muslims whose civilization, culture and social structure of life was totally different.[16]

The Marxist writer Hamza Alavi in his famous article 'Social Forces and Ideology in the Making of Pakistan' describes the movement for Pakistan as a movement of Muslims and not of Islam, alleging that all the ulema and fundamentalist (also called Islamist) forces opposed the demand for Pakistan, while it was the secular-minded Muslims, especially the salariat (the intelligentsia seeking jobs) who were greatly disadvantaged because of their economic and educational underdevelopment who wanted to establish a separate state for Muslims.[17] It is true that without a material basis for mobilizing Muslims Jinnah's charisma would not have sufficed. However, Alavi's usage of the term 'salariat', which is not a class but an economic category in classic Marxist theory, is flawed. Without the powerful landlords of north India, as Gowher Rizvi has demonstrated, and from 1937 onwards, those of the Punjab decamping form the Punjab Unionist Party and joining the Muslim League, and the powerful nexus of Barelvi ulema and spiritual divines joining the Pakistan campaign of the Muslim League, the mass mobilization of the Muslims was not possible. More importantly, Alavi's article focuses on the events only up to 1940, when its stronghold was north India. He never examined what transpired in the election campaign of 1945–46, with the promise of establishing an exemplary Islamic state and the events thereafter.

IQBAL FORUM

It is true that from the 1960 onwards the 11 August speech began to be expunged from Jinnah's speeches and statements. For example, in M. Rafique Afzal's *Speeches and Statements of the Quaid-i- Azam Mohammad Ali Jinnah (1911–34 and 1947–48)*, published in 1966, and reprinted by the Research Society of Pakistan in 1973,[18] the 11 August speech is excluded. Distinguished professor of higher education Sharif Al-Mujahid prepared a powerful brief, *Jinnah's Vision of Pakistan*,[19] based on Jinnah's statements since 1940 and until his death on 11 September 1948, in which he demonstrated that the founder of Pakistan always made a necessary and inevitable connection between Islam and Pakistan, though he simultaneously always added that such a connection did not mean a theocracy, i.e. the rule of priests. Al-Mujahid argued that the 11 August speech could not and should not be read in isolation of Jinnah's overall views on Islam and the Pakistani state. He further argues:

> If it is still contended that Jinnah had envisaged a 'secular' state, does one pronouncement prevail over a plethora of pronouncements made before and after the establishment of Pakistan. Does one morsel make a dinner? Does one swallow make a summer? A close study of all of Jinnah's pronouncements during 1934–48, and most of his pronouncements during the pre-1934 period, shows that the word, 'secular' (signifying an ideology) does not find a mention in any of them.[20]

He makes the interesting point that one needs to keep in mind the international situation and ideological polarization between the West and the Soviet Union that prevailed in 1947. In conclusion he writes:

> When Jinnah talks of the concept of a democratic type embodying the essential principles of Islam, he was giving notice that he did not mean the standard Western type or the Soviet brand of people's democracy, but a sort of 'Islamic democracy' which, while retaining the institutional appurtenances of a democratic structure, is congruent with Muslims' ethos, aspirations and code of morality.[21]

Al-Mujahid has claimed in his writings that a paradigmatic shift took place in 1937, when, instead of Indian Muslims being described as a

IQBAL FORUM

minority, Jinnah claimed they were a nation and thus set in motion the unstoppable march towards Pakistan. The term *paradigm*, proposed by Thomas Kuhn,[22] referred to how scientific revolutions take place when normal science and the routine ways of practising science are unable to solve the new problems that crop up. When that happens, a revolution takes place and a new theory replaces the earlier one and subsequently on the basis of it scientists begin to conduct normal science within the framework of the new theory. Al-Mujahid asserts that the 11 August 1947 speech remained a one-time deviation from the core terminology underpinning the ideology of Pakistan, which was neither meant to nor resulted in another paradigm shift to Pakistan being accepted as a secular state by the power elite or the Pakistani Muslims.

Dr Safdar Mahmood, another prominent educationist, has in a 2002 article, published under the same heading as that of Al-Mujahid's—'Jinnah's Vision of Pakistan'—combined an impressive array of evidence from not only the public statements and actions but the whole span of Jinnah's personal life, from the time he went to England for his legal training, to make a case for dispelling any suggestion that Jinnah, even remotely, was a secular-minded person, or that he ever wanted Pakistan to be a secular state. He asserts that Jinnah was neither secular, personally, nor did he ever use the word secular in any of his political statements and public engagements. On the contrary, what emerges from his article is an idealized devotee of Islam and Prophet Muhammad (PBUH), who, from his early life in London as a law student and until his death, was a true Muslim. Mahmood concedes that Jinnah was opposed to sectarianism—although he was born into a Khoja Shia family, he converted his Parsi wife, Ruttie, to Islam through a Sunni cleric but married her according to Ithna Ashari Shia rites. Mahmood also asserts that after his daughter, Dina, married Neville Wadia, a Parsi, Jinnah cut off all relations with her.

Mahmood draws attention to some other anecdotal evidence to buttress his assertion that not only had Jinnah studied Islam deeply, he was a devout Muslim too. Thus, for example, he tells us that Maulana Hasrat Mohani narrated that once he came to Jinnah's residence early in the morning, only to find him prostrating on the prayer mat and weeping. Such devotion was indicative of a very deep commitment to Islam, argues Mahmood.[23] Consequently, he dismisses as absurd the

IQBAL FORUM

suggestion that Jinnah wanted Pakistan to be a secular state. Writing in a similar vein, Saleena Karim endeavours to establish that Jinnah was not a secularist but a Muslim leader who wanted Pakistan to be an Islamic/Muslim state with equal rights for all citizens because the Quran itself guarantees such rights. She mentions Allama Iqbal as Jinnah's mentor and devotes the last chapter of her book to prove that Jinnah was a devoted Muslim whose vision of Pakistan as a Muslim welfare state was based on Quranic verses and that his speeches invoking the rights of minorities and women were based on the Quran.[24]

The 11 August 1947 speech: An analysis

In light of the above discussion we analyse this famous but controversial speech. It is imperative to underline that its primary aim and purpose was to convince the Indian government that the minorities would be safe and have equal rights in Pakistan, with a view to convincing the Indian government not to expel the 35 million Muslims who were to remain in India. Reports of large-scale organized attacks on the Muslims in eastern Punjab had begun to pour in, and on 11 August 1947 Jinnah was very worried about such attacks spreading outside eastern Punjab to other parts of India.

Keeping that in mind we look at the overall reasoning Jinnah had deployed on that occasion. The introductory remarks about the role of the Constituent Assembly—'first is the very onerous and responsible task of framing the future constitution of Pakistan and the second of functioning as a full and complete sovereign body as the Federal Legislature of Pakistan'—are self-evident functions of a Constituent Assembly. The emphasis understandably is first and foremost on the framing of the Constitution of Pakistan and secondly on the normal procedure of lawmaking.

Next, Jinnah underscored the distinguishing characteristics of the transfer of power to India and Pakistan:

> You know really that not only we ourselves are wondering but, I think, the whole world is wondering at this unprecedented cyclonic revolution which has brought about the plan of creating and establishing two independent sovereign Dominions in this

IQBAL FORUM

> sub-continent [. . .] And what is very important with regards to it is that we have achieved it peacefully and by means of an evolution of the greatest possible character.

Describing the transfer of power to India and Pakistan as a titanic plan which had evolved 'peacefully' and wrought an 'unprecedented cyclonic revolution' was a peculiar mixture of not only contrasting images but also mutually exclusive ones. A peaceful cyclone was a contradiction in terms. And the truth was that the partition cyclone had begun to cause massive uprooting and the destruction of life and property.

What followed next was a plea—and warning—that an honest and efficient government had to be established. Jinnah went on to describe bribery and corruption as poison. Next, he flayed nepotism and jobbery, i.e. using public office or trust for one's personal gain, saying, 'Whenever I will find that such a practice is in vogue or is continuing anywhere, low or high, I shall certainly not countenance it.' He underscored the importance of sovereign powers vested in the assembly.

Jinnah then took up an issue which hitherto he had dismissed as irrelevant: whether the partition of India was justified or not:

> I know there are people who do not quite agree with the division of India and the partition of the Punjab and Bengal. Much has been said against it, but now that it has been accepted, it is the duty of every one of us to loyally abide by it and honourably act according to the agreement which is now final and binding on all [. . .] On both sides, in Hindustan and Pakistan, there are sections of people who may not agree with it, who may not like it, but in ~~my~~ judgement there was no other solution and I am sure future history will record its verdict in favour of it [. . .] Maybe that view is correct; maybe it is not; that remains to be seen. All the same, in this division it was impossible to avoid the question of minorities being in one Dominion or the other. Now that was unavoidable. There is no other solution.

This passage in his speech was the only time Jinnah was willing to admit that the wisdom in demanding the partition of India, which,

IQBAL FORUM

in turn, had resulted in the partitioning of Bengal and the Punjab as well, could be doubted, and that both in India and Pakistan there were people against it. However, he stuck to his guns with the usual tenacity and insisted there was no other solution but to create Hindustan (for the Hindus) and Pakistan (for the Muslims). It is important to recall that in the aftermath of the massacre of Muslims in Bihar, Jinnah had said that an exchange of population would be necessary; but once the 3 June 1947 Partition Plan was announced he did not return to the idea of population exchange. Jinnah remained firm about the utilitarian justification of the creation of Pakistan.

Also, was the fear of annihilation of Islam and the obliteration of Muslims ever serious? He went on record dismissing such fears as unwarranted during his Indian nationalist phase. Moreover, as Iqbal admitted, Muslims were over-represented in the Indian Army. They were also over-represented in the police. That democracy would be a game of numbers in which the Hindus would have an advantage was correct, but only if all political parties were to be closed communal parties. Gandhi had already shown Jinnah the way to build up an alternative political party comprising Muslims, the Dalits and south Indians. Moreover, the allegation that all Hindu leaders were anti-Muslim demons was patently a lie. Khalid bin Sayeed once again makes this point succinctly:

> It would not be fair to think that Hindu short-sightedness or exclusiveness was the sole factor which created Pakistan. There were several Hindu leaders like Gandhi, the two Nehrus (Motilal and Jawaharlal), Sir Tej Bahadur Sapru and C. Rajagopal who tried their best to be fair and sympathetic towards the Muslim demands.[25]

As noted already, Jinnah's appeal in the name of Islam to justify and popularize Pakistan played a very important role in galvanizing Muslim support; the Muslim elite could not understand why under democracy they should be disadvantaged. The memory of being the ruling class once haunted them and accentuated their misery in case India were to become a democracy. Khalid bin Sayeed again captures that sentiment aptly, 'Muslims had ruled India and they could not

IQBAL FORUM

understand why under a democratic system they should be deprived of power and influence.'[26]

The next portion of his speech was a very strong plea for an arrangement, which, in the past, he had dismissed out of hand as highly uncommendable:

> Now what shall we do? Now, if we want to make this great State of Pakistan happy and prosperous, we should wholly and solely concentrate on the well-being of the people, and especially of the masses and the poor [. . .] If you change your past and work together in a spirit that every one of you, no matter to what community he belongs, no matter what relations he had with you in the past, no matter what is his colour, caste or creed, is first, second and last a citizen of this State with equal rights, privileges, and obligations, there will be no end to the progress you will make.
>
> I cannot emphasize it too much. We should begin to work in that spirit and in course of time all these angularities of the majority and minority communities, the Hindu community and the Muslim community, because even as regards Muslims you have Pathans, Punjabis, Shias, Sunnis and so on, and among the Hindus you have Brahmins, Vashnavas, Khatris, also Bengalis, Madrasis and so on, will vanish. Indeed, if you ask me, this has been the biggest hindrance in the way of India to attain the freedom and independence and but for this we would have been free people long long ago. No power can hold another nation, and specially a nation of 400 million souls in subjection; nobody could have conquered you, and even if it had happened, nobody could have continued its hold on you for any length of time, but for this. Therefore, we must learn a lesson from this.

Jinnah was negating the core argument underlying his famously inflexible stand on Hindu–Muslim relations. He had argued that since Hindus and Muslims belonged to different religions, their thinking and behaviour was determined essentially and immutably by their religious outlooks and convictions, which, he maintained steadfastly, were diametrically opposed to one another and therefore could not be changed or reformed through political means. Now, he

IQBAL FORUM

was saying that the essentialist hold of religion could be undone if the people changed their way of thinking—or the implicit argument that if Muslims were in a majority the state could be an ideal model of pluralism.

What he said next is the most disputed and controversial part of his 11 August 1947 speech:

> You are free; you are free to go to your temples; you are free to go to your mosques or to any other place or 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. As you know, history shows that in England, conditions, some time ago, were much worse than those prevailing in India today. The Roman Catholics and the Protestants persecuted each other. Even now there are some States in existence where there are discriminations made and bars imposed against a particular class. Thank God, we are not starting in those days. We are starting in the days where there is no discrimination, no distinction between one community and another, no discrimination between one caste or creed and another. We are starting with this fundamental principle that we are all citizens and equal citizens of one State. The people of England in course of time had to face the realities of the situation and had to discharge the responsibilities and burdens placed upon them by the government of their country and they went through that fire step by step. Today, you might say with justice that Roman Catholics and Protestants do not exist; what exists now is that every man is a citizen, an equal citizen of Great Britain and they are all members of the Nation. 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 as citizens of the State.

Indeed, what he said in these passages was the ultimate repudiation of the divisive thrust of the two-nation theory and its moral and ethical bankruptcy. He was employing a combination of historical–evolutionary and contemporaneous arguments to explain his optimism

IQBAL FORUM

about Pakistan becoming a state in which people were free to go to their temples and mosques and that religious identity had nothing to do with the business of the state. It was a matter of personal faith and belief and should remain so. The state should treat all individuals as equals before the law and grant them equal rights as citizens.

The truth is that the Indian National Congress had been saying all this and the 1928 Motilal Nehru Report had clearly proposed equal citizen rights for all men and women; but in debunking it Jinnah had developed an argument of cultural objectification alleging that Hinduism and Hindus could never accept a culture of political rights as part of the national state project. This time, he did not take up the presumed democratic culture of Islam and Muslims. On the other hand, he said something which, even remotely, had no place in Islam and the practice of Muslim states: '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 as citizens of the State.' There is no evidence that Muslim states had ever accepted the private nature of religion and its delinking with rights. The dhimmi system historically fluctuated between the toleration of internal communal autonomy and considerable repression depending on the overall political situation, but individuals being treated as equal citizens had never been part of the practice of any Muslim-majority state. The emphasis had been on treating minorities fairly, allowing them internal autonomy but also placing them into a separate category from Muslims when it came to the question of who rules, how and why.

However, Jinnah could have given the example of Turkey under Ataturk. Modern Turkey had not only separated Islam from the state, it also adopted radical secularism, known as laicism, on the model of the French state. If Jinnah wanted Pakistan to emulate Turkey, he should have mentioned it explicitly. The term secularism is missing in his speech and that too is a major omission if he wanted a conceptual transformation to take place. He said nothing of the sort. What he did was give the example of England, which in fact had not separated the state and the church constitutionally. The British monarch was still the head of the Anglican Church, and among one of the titles the monarch enjoyed was that of 'Defender of the Faith'. However, such historical antecedents had become redundant and obsolete in practice

IQBAL FORUM

because of the secularization of society through modernization and democratization over a long period of time. Thus, even if England had not formally become a secular state, it had, in practice, evolved into a virtual secular state with the Christian connections suspended perhaps irreversibly. Jinnah correctly pointed out that political sensibilities had changed in England over a long period of time.

Was Jinnah then telling a 'noble lie'? The idea of a noble lie descends from Plato, who spent a lifetime trying to prove that truth is better than untruth but deviated from this principle when dealing with the best interests of the state. He argued that it was permissible to tell a lie that God had created some people to rule and others to obey if it made the people obey the ruler and thus strengthened the social and political order and made the state strong.[27]

Was then Jinnah hoping that because of his towering leadership and charisma he could tell a noble lie which would suffice to make territorial nationalism based on inclusive Pakistani nationalism supplant the raison d'être of Pakistan—the two-nation theory and Muslim nationalism? Such a possibility cannot be overruled. There is no doubt he believed he had charismatic powers and that his word would be obeyed by succeeding governments and the people would accept them. We have quoted him explicitly saying that when he told the Sikh spokesperson, Hardit Singh Malik, during his negotiations with the Sikhs in May 1947 that whatever he said would be like the word of God in Pakistan.[28]

On the other hand, it is entirely a different matter if the 11 August speech is seen as a one-time phenomenon. More likely is that he hoped that Muslim scholars would find a way of treating minorities as equals in most spheres of life but within a state based on the primacy of Muslims in the state he had founded. The last section of his speech was appropriate rhetoric to wind up in which he had singularly expressed his doubts and convictions. A mention of the message of felicitations from the United States was noteworthy. The detailed review of the discussion on the 11 August speech of Mohammad Ali Jinnah and the systematic analysis of the speech should not leave any doubt that its wording lends itself to quite diverse interpretations; hence, the continuing controversy over it.

However, the main reason for drastic deviation from the two-nation theory argument was to prevent the exodus of 35 million

IQBAL FORUM

Muslims from India by assuring that in Pakistan Hindus and Sikhs would be treated as equal citizens. Reports from eastern Punjab were most alarming and Jinnah must have realized that an exchange of population to create 'homogeneous nations of faith' would spell disaster for Pakistan and he was exerting his political skills and rhetoric with proverbial ease in the changed circumstances.

Notes

1. Khalid bin Sayeed, *Pakistan: The Formative Phase, 1857–1948* (Karachi: Oxford University Press, 1998), p. 253.
2. Ibid.
3. Ibid.
4. Malik Mohammad Jafar, I.A. Rehman and Ghani Jafar, ed., *Jinnah as a Parliamentarian* (Lahore: Azfar Associates, 1977), p. 354.
5. Ibid.
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IQBAL FORUM

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IQBAL FORUM

Chapter 17

Governor-General Jinnah's Other Speeches, Statements and Messages



Jinnah had been pivotal to the redrawing of the map of India. Pakistan had a vast territory in the western zone. Western Punjab, with its canal colonies and progressive agriculture, had become the granary of India. It was now all in Pakistan. East Bengal, or rather East Pakistan, was poor and overpopulated and had become a part of Pakistan because of the last-minute scramble for territory which had scuttled a united Bengal. But as explained earlier, it happened as it was part of the logic upon which the partition of India, Bengal and the Punjab had been controverted by the principal adversaries, INC and AIML, with the Sikhs siding with the INC. East and West Pakistan represented uneven economic development during the colonial period. Muslims had little experience of business and industry: now was the opportunity of a lifetime to acquire that to grow and expand. With the exit of Hindus and Sikhs, thousands of jobs and promotions were now vacated for Muslims to fill, and hundreds and thousands more were expected to be generated in the future.

The civil service and the Pakistan Army and other wings of the armed forces were functioning institutions. Pakistan enjoyed great geostrategic advantages because of its connections with West Asia and Central Asia by sea and land respectively, though the partition of Bengal and the Punjab had rendered Pakistan vulnerable to a successful land offensive by India because the international border was too long and drawn very close to some of the major cities

IQBAL FORUM

such as Lahore. The two-nation theory, Muslim nationalism and the new geographical peculiarities of Pakistan coalesced to perpetuate the mentality of being both a martial nation and the underdog vis-à-vis Hindus and now India. It generated a garrison mentality to which both the civil and military elites subscribed. In short, state-building had created unprecedented opportunities for Pakistani Muslims to develop economically without competition from Hindus and Sikhs, but it had simultaneously trapped them into a security nightmare deriving from real, imagined and contrived perception of threats from India.

Pakistan's advent as a new nation began under the leadership of Mohammad Ali Jinnah. He had decided to become the first governor-general of Pakistan; only some formalities remained to complete the process. Lord and Lady Mountbatten arrived in Karachi on 13 August to take part in the Independence celebrations the following day, though the transfer of power was to take place at midnight when it transited to 15 August. In this chapter we examine the main issues Jinnah took up and expressed his views on.

Speech on 13 August at the banquet held for Lord and Lady Mountbatten

A state banquet was held in the evening where Mountbatten and Jinnah toasted to each other and wished good relations between the two dominions. Jinnah was gracious and courteous in his remarks, thanking the British for accepting the Muslim demand to create Pakistan and transfer power to the independent dominions of Hindustan and Pakistan, which in turn were to remain members of the British Commonwealth.[1] About Mountbatten he said:

> Your Excellency Lord Mountbatten, how much we appreciate your [sic] having carried out whole-heartedly the policy and the principle that was laid down by the plan of 3rd June and the Indian Independence Act [. . .] You are the last Viceroy of India, but Pakistan and Hindustan will always remember you, and your name will always be cherished not only in the history of the world, as one who performed his task and duties magnificently.[2]

IQBAL FORUM

Jinnah ended by saying that it would be the endeavour of the Government of Pakistan to create and maintain goodwill and friendship with Britain and 'our neighbouring Dominion—Hindustan' and other nations of the world so as to promote peace in the world. He then proposed a toast to the health of His Majesty, King George VI.[3] His reference to India as Hindustan instead of India was interesting. In the Indian Independence Act it was written: 'As from the fifteenth day of August, nineteen hundred and forty-seven, two independent Dominions shall be set up in India, to be known respectively as India and Pakistan.' After the banquet a reception for 1300 guests was held. Mountbatten informs us that originally a lunch was to be hosted by Jinnah on 14 August but someone cautioned Jinnah that it was Ramadan and therefore the programme was hurriedly changed to dinner on the night of 13 August.[4]

Speech at the inauguration of the Pakistan Constituent Assembly, 14 August

The following day both attended the inauguration of the Pakistan Constituent Assembly. In his speech, Mountbatten mentioned Emperor Akbar as a worthy role model for a Muslim state to emulate. Jinnah was quick to point out that the original source of good government among Muslims was someone else:

> The tolerance and goodwill that Emperor Akbar showed to all the non-Muslims is not of recent origin. It dates back thirteen centuries ago when our Prophet (PBUH) not only by words but by deeds treated the Jews and Christians, after he had conquered them, with the utmost tolerance and regard and respect for their faith and beliefs.[5]

It is significant that Jinnah felt obliged to put forward Prophet Muhammad (PBUH) instead of Emperor Akbar as his role model. Akbar represented unorthodoxy and was the darling of the Congress Party as an example of a secular ruler. Jinnah's emphasis on Jews and Christians first being conquered and then being treated with exemplary tolerance by the Prophet (PBUH) was interesting. He was not referring to the Charter of Medina, the *Misaq-e-Medina*, which was

IQBAL FORUM

agreed upon before the Jews and Christians were conquered and they and the Muslims constituted a sort of proto-territorial nation, albeit under Muslim rule and that of the Prophet (PBUH) himself. That pact did not last long and was superseded by the Quranic verse requiring non-Muslims to pay jizya. However, the situation of non-Muslim Pakistanis was not comparable to the post–*Misaq-e-Medina* situation because they were not a conquered people but the minorities which had been placed in Pakistan because of a partition based on religious grounds. Obviously, Jinnah's grasp of such distinctions and subtleties was limited. He seemed to be mixing the *Misaq-e-Medina* pact with the situation that emerged soon after the Jews were defeated and the Quranic verse about them being a protected minority paying jizya was announced. Consequently, historically, Christians and Jews were entitled to the status of protected minorities (it was abolished a few times in India but then restored) with limited rights to petition, while power remained firmly in the hands of Muslims. It began to be abolished gradually by the Ottoman caliphate from 1856 onwards, while in India, after the British conquest, it was no longer applied anywhere in the subcontinent. Jinnah had repeatedly been telling foreign correspondents that Pakistan would be a modern state based on democratic principles. Therefore, one can say that Jinnah hoped it would be some sort of Muslim democracy.

The Mountbattens flew back to Delhi in the afternoon, where, at the stroke of midnight, 14–15 August, India was to celebrate its independence with Nehru's famous 'Tryst with destiny' speech. The midnight hour had been chosen on the advice of astrologers! Indian secularism had to accommodate superstition even at that decisive moment in history.[6] Such was the nature of state and society in India and Pakistan: the modern elite represented some sort of westernization and modernization, while much of society was conservative, traditional and superstitious in different ways.

15 August message from Karachi on the inauguration of the Pakistan Broadcasting Service

> August 15 is the birthday of the independent and sovereign Pakistan (it is only afterwards that 14 August was declared as

IQBAL FORUM

> the Independence Day of Pakistan). It marks the fulfilment of the destiny of the Muslim nation which made great sacrifices in the past few years to have its homeland . . .
>
> Our object should be peace within and peace without. We want to live peacefully and maintain cordial relationships with our immediate neighbours and with the world at large. We have no aggressive designs against any one. We shall stand by the United Nations' Charter and will gladly make our contribution to the peace and prosperity of the world . . .
>
> Muslims of India have shown to the world that they are a united nation [ironically divided by the creation of Pakistan, author's remark], their cause is just and righteous which cannot be denied . . .
>
> Let us impress the minorities by word, deed and thought that as long as they fulfil their duties and obligations as loyal citizens of Pakistan, they have nothing to fear . . .
>
> Today is Jummat-ul-Wida, last Friday of the holy month of Ramazan, a day of rejoicing for all of us . . .[7]

What is noteworthy is that the focus of Jinnah's speeches was always Pakistani Muslims, the primary nation for whom Pakistan had been created. As a statesman he emphasized on the absolute need to treat minorities well.

Eid message, 18 August

In the Eid message to the Muslims of Pakistan, Jinnah conveyed his greetings but reminded them:

> Let us not, on the occasion, forget those of our brethren and sisters who have sacrificed their all, so that Pakistan may be established and we may live [. . .] Those of our brethren who are minorities in Hindustan may rest assured that we shall never neglect them or forget them. Our hearts go out to them, and we shall consider no effort too great to help them and secure their wellbeing, for I recognise that it is the Muslim minority provinces in this subcontinent who were the pioneers and carried the banner aloft for the achievement of our cherished goal of Pakistan . . .[8]

IQBAL FORUM

Ironically, on 18 August, the Muslims in the Indian East Punjab felt the full brunt of the concerted attacks on their congregations by Sikh jathas and RSS activists. I have covered in detail those events in my book on the Punjab partition.[9]

The transfer of power and ethnic cleansing in both Punjabs

As noted already, organized, large-scale attacks had originated in early March 1947, mainly in the Muslim-majority districts of the Punjab. The violence subsided for a few days or weeks, followed by a recrudescence of attacks, which, from mid May onwards, kept escalating, until the Muslims in the Hindu–Sikh-majority eastern districts began to suffer the same violence by July. Violence spiralled out of control in August, and when power was transferred to the Indian and Pakistani administrations in the divided Punjab, the state—as a neutral arbiter and law-and-order authority represented by the British governors—no longer existed. Because of the fear and insecurity generated during the 1945–46 election campaign, followed by the Direct Action of the Muslim League against the coalition government of Sir Khizr Tiwana, of the 4.5 million Hindus and Sikhs who lived in West Punjab, nearly half a million had crossed the border before the transfer of power. On the other hand, attacks on the Muslims of East Punjab began in July. On 12 August, Jenkins noted that Muslims were fleeing westwards in large numbers towards Pakistan.

Hobbes's state of nature superseded by the partisan state in the divided Punjab

On 15 August, power was transferred to India and Pakistan amid much pomp and show, but without the international border between them being announced publicly.

For two or three days, so to say, the Punjab degenerated into Hobbes's dreaded 'state of nature', a war of all against law, because it was not yet clear in large areas of central Punjab whether they would go to India or Pakistan and therefore the new administration had not gained firm control of the state machinery. For example, during 15–17 August, the Pakistan flag flew over the deputy commissioner's office of Gurdaspur district. On 17 August, when the Radcliffe Award

IQBAL FORUM

became public, it was realized that three of Gurdaspur district's four tehsils had been awarded to India.[10]

The partisan state takes over in the two Punjabs

On 17 August, all hell broke loose for the unwanted minorities who were in the millions on the wrong side of the border. On both sides, partial, biased and prejudiced administrations took over power and the partisan state dug in; it became party to the chaos by definite action as well as its inaction to vicious and heinous assaults on minorities who were hunted down, their women raped and children killed. The violence was by no means mere spontaneous reprisals as Paul Brass has suggested. He is off the mark completely in saying that the state was not involved in the violence on both sides. He bases his idea of state involvement on that of Nazi Germany's during the Holocaust.[11] While it did not happen that blatantly and completely, on both sides, the administrations were involved one way or another in the violence perpetrated on the helpless minorities. Governor Sir Francis Mudie of the Pakistani West Punjab wrote to Jinnah in early September that 400,000 Sikhs were refusing to leave Lyallpur (now known as Faisalabad), but that they had to leave at all costs to accommodate Muslim refugees pouring in from East Punjab. From the other side, Master Tara Singh advised all Hindus and Sikhs to vacate Pakistan and all Muslims to leave India.[12]

As already discussed in an earlier chapter, in a special report submitted on 4 August by Governor Jenkins to Mountbatten he had given a figure of 5200 dead: 1200 Muslims, of which a large number were from the Gurgaon district on the outskirts of Delhi, and 3800 Hindus and Sikhs, of which the vast majority were Sikhs from the Rawalpindi region. He admitted that these figures were lower than actual fatalities and could be twice as many.[13] However, until 14 August, the facade of a neutral state personified by Jenkins did exist. Between 15 August—especially after 17 August—and 31 December 1947, the 4.5 million Hindus and Sikhs from the Pakistani Punjab and 6 million Muslims from the Indian Punjab were forced out of their hearths and homes. An exception was the tiny princely state of Malerkotla, ruled by a Muslim nawab, which escaped Sikh wrath. Several thousand Muslims survived there; elsewhere, demonized

IQBAL FORUM

and dehumanized Hindus, Muslims and Sikhs were legitimate prey for expulsion and murder. Although organized attacks began in the Muslim-majority districts of western Punjab in March 1947, at the end of that year more Muslims were killed in the Indian Punjab than Hindus and Sikhs combined in the Pakistani Punjab. The reason was that in some of the Sikh princely states of eastern Punjab the killings could be carried out in far greater secrecy than in the districts of British Punjab, where, although the administrations were complicit to ethnic cleansing by commission or omission, they maintained communications and therefore some restraint had to be exercised based on reports and complaints.

Ian Copland has provided ample proof of a Sikh plan to eradicate East Punjab of all Muslims.[14] Various other reports are also available. On the other hand, the Shiromani Gurdwara Parbandhak Committee (SGPC) gave details of a Muslim plan with the Muslim League spearheading it to eliminate all Hindus and Sikhs from the whole of the Punjab. Other reports such as the Khosla Report also allege that the attacks were masterminded by the Muslim League, while those taking place in East Punjab were reprisals for what happened first in the Muslim-majority areas. The existing reports acknowledge, directly or indirectly, that more Muslims were killed in the Indian Punjab than Hindus in the Pakistani Punjab. I would suggest 500,000 Muslims and 300,000 Hindus and Sikhs perished during the 1947 riots.[15]

For those taking part in the attacks, besides revenge and the ideological motivations, material factors also played a very important role. Hindus and Sikhs were far more advanced than Muslims all over undivided Punjab. Business, commerce and industry were in their hands. Muslim landlords as well as smaller farmers, poor peasants and tenant-cultivators were in debt to Hindu and Sikh moneylenders. The family of poet and writer Anis Nagi originally hailed from Amritsar, but his father was a sessions judge posted in Rohtak, Ambala division, who, in July 1947, was transferred to Lahore. Nagi, in his book *Aik Adhuri Sargusht*,[16] writes that in Lahore, his father had to perform several administrative and judicial duties, including the growing examination of claims to territory left in India by Muslim refugees. However, not only refugees but also many locals illegally captured houses and properties left behind by the fleeing Hindus and Sikhs. A rumour spread that they had buried gold and jewellery before leaving and would come back later to fetch them

IQBAL FORUM

or might even return after law and order were restored. Therefore, thousands of abandoned houses were dug up in search of precious metals. Since Nagi's family was from Amritsar, his father went out of his way to allot abandoned houses and properties in Gawalmandi, Lahore, exclusively to refugees from Amritsar. He was transferred to Mianwali, Rawalpindi division, where a powerful landlord wanted to capture a palatial Hindu mansion but his father refused to comply. As a result, the landlord sent his men, who fired upon him, and he returned the fire, but he refused to cave in to pressure and threats.[17] I can add from my growing-up years in Lahore that it was common knowledge that in all the posh and upscale localities the civil servants and their relatives were the first to grab the houses of the Hindus and Sikhs. Some of them gained considerable notoriety and in fictional literature these events are described in great detail. On the other hand, the Muslims of eastern Punjab were mostly poor. They bore the terrible brunt of organized revenge attacks.

The threat of Muslim refugees inundating Pakistan, leading to its collapse

Once the ceremonies and festivities were over, Jinnah and his government had to face the grim reality of a subcontinent in turmoil. He was now panic-stricken by the prospect of not only 6 million Muslims from East Punjab pouring into Pakistan but also some 29 million from the rest of India. Altogether that would be some 35 million being expelled and sent to Pakistan.

On 24 August Jinnah deplored:

> I have been watching with increasing grief and concern the orgies of violence in the Eastern Punjab, which have taken a heavy toll of Muslim lives and inflicted indescribable tragedies on hundreds of thousands of Muslims.[18]

He then informed that his government was taking all measures to ensure that those who entered Pakistan were provided relief and succour. He said, 'We are also in touch with the Government of the Indian Dominion and the West Pakistan ministry is acting in conjunction with the Eastern Punjab Ministry with a view to ending the bloodshed and lawlessness as speedily as possible.'[19]

IQBAL FORUM

Simultaneously, he began to talk about a sinister conspiracy against Pakistan:

> Let me warn Muslims to be aware of their enemies who do not wish well to Pakistan and would not like it to grow strong and powerful [. . .] I am here to say that those who unwisely think that they can undo Pakistan are sadly mistaken [. . .] Any such dream or feeling on their part which leads them to indulge in killing will only end in increasing toll of innocent lives, and, they are only tarnishing the fair name of the communities to which they belong. The civilised world will look upon their inhuman conduct with horror.[20]

Next he pleaded with the people in Pakistan not to retaliate because such a reaction would only worsen the situation. He warned those who wanted to paralyse and destabilize Pakistan that their nefarious designs would not be allowed to succeed. Then, addressing the Muslims of Pakistan, he said: 'I, therefore, call upon every Muslim, man and woman, in Pakistan to fortify themselves against their present sorrows . . . to build up, so that before long it [Pakistan] can justify its position as the largest Islamic State in the world.'[21]

Overtures to the United States

Notwithstanding the great refugee crisis, Jinnah sensed another existentialist threat to Pakistan—that posed by India. As noted already, in a land war Pakistan was patently vulnerable to an Indian advance. In March, he spoke to Margaret Bourke-White of *Life* magazine. She was then covering the partition of India and published photographs and comments on what happened during those days. He had told her that Islam was democratic and Pakistan would be a democracy, but she doubted the reasonableness of such a claim given the remnants of feudalism in Pakistan as well as the totalitarianism and extremism in Islamic heritage.[22] Jinnah offered to make Pakistan a front-line state in the West's strategy to contain Soviet communism. He told her:

> America needs Pakistan more than Pakistan needs America . . . Pakistan is the pivot of the world, as we are placed . . . the

IQBAL FORUM

> frontier on which the future position of the world revolves [. . .] Russia is not so very far away [. . .] If Russia walks in the whole world is menaced.[23]

Bourke-White noted the following in her observation on Pakistan:

> In the weeks to come I was to hear the Quaid-i-Azam's thesis echoed by government officials throughout Pakistan. 'Surely America will build our army' they would say to me. 'Surely America will give us loans to keep Russia from walking in'. But when I asked whether there were any signs of Russian infiltration, they would reply almost sadly, as though sorry not to be able to make more of the argument. 'No, Russia has shown no signs of being interested in Pakistan.'[24]

The author notes that such strategy to tap the US treasury was voiced persistently and she wondered whether the purpose was to bolster the world against Bolshevism or to bolster Pakistan's own uncertain position as a new political entity. She believes it also derived from the:

> Bankruptcy of ideas in the new Muslim state—a nation drawing its spurious warmth from the embers of an antique religious fanaticism, fanned into a new blaze. Jinnah's most frequently used technique, during the struggle for his new nation, had been the playing of opponent against opponent. Evidently, this technique was now going to be extended into foreign policy.[25]

On 7 September 1947, Jinnah told cabinet ministers that, 'Pakistan [is] a democracy and communism [does] not flourish in the soil of Islam. It [is] clear therefore that our interests [lie] more with the two great democratic countries, namely the United Kingdom and the US, rather than with Russia.'[26] Jinnah also alluded to the Great Game logic when he asserted, 'The safety of the North Western Frontier [is] of world concern and not merely an internal matter for Pakistan alone.'[27] He asserted that the Russians were behind Afghanistan's demand for Pakhtunistan. Such tactics were meant to make the Americans appreciate Pakistan's geostrategic

IQBAL FORUM

importance in any strategy purporting to contain Soviet influence, not only in South Asia but also in the Middle East and South East Asia. At that time Chinese communist influence was spreading fast in South East Asia, and East Pakistan connected with that region of the Asian continent.

Appeal on the establishment of the Quaid-e-Azam Relief Fund, 12 September

Yet, the main worry of Jinnah was a veritable existentialist one posed by 35 million Muslims being driven to Pakistan. He appealed to Pakistanis to contribute generously to the relief fund he had established and adopt an austere lifestyle themselves. He presented the picture of the Muslims in India in the following words, 'The sufferings that have been inflicted on our people in the East Punjab, Delhi and various other parts of the Dominion of India have few parallels in their extent.'[28]

15 September statement regarding the conditions of Muslims of Delhi

A delegation of Delhi Muslims had arrived in Karachi to request Jinnah to do something to help the beleaguered Muslims of that city. In his statement he assured them that the Government of Pakistan was doing everything possible to persuade the Indian government to take measures to protect the Muslims of Delhi. Jinnah remarked: 'Muslims in Delhi, many thousands of whom are now practically living as worse than prisoners in various camps in Delhi, such as the Purana Qila, the Idgah and other places, for they are without shelter, food or clothes and in fear of their lives.'[29]

He hoped that the Indian government would 'put down those who are defying law and order and disturbing the peace of Delhi, the capital of the India Dominion Government, with an iron hand'.[30] The terrible ordeal which confronted the Muslims of Delhi has been recorded by staunch Muslim Leaguer and later federal education minister in Pakistan and vice-chancellor of Karachi University Dr Ishtiaq Husain Qureshi in the following words:

IQBAL FORUM

> The following day, I sent my family into the Old Fort, where the Muslim refugees from the city had congregated and plunged into rescue work. There were many memorable incidents, but the most significant of these was that I brought Dr. Zakir Husain, later President of India, from his house at the Jamia near Okhala, at that time several miles out of Delhi, and both of us went and saw Gandhi. We did not have to tell him much because his workers were reporting events fully and truly. There was no effort to hide the truth from him. I said to him that only he could stop the carnage. For a moment he grew thoughtful and promised simply, 'I will put my best into the effort.' And I think he did keep his promise. Otherwise he would not have been assassinated.[31]

The writer Shorish Kashmiri has provided another facet of Gandhi's efforts to save the Muslims of Delhi. General Shah Nawaz, unlike some other officers of Bose's INA, decided to remain in India, and at that hour of trial he went to Gandhi with other comrades and nationalist Muslims. Together they went to Emperor Humayun's tomb. Kashmiri writes:

> Hundreds of Muslims fell at his [Gandhi's] feet. Many began to weep and wail. Gandhi consoled them and said: 'You are Muslims. And a Muslim does not bow his head before anyone except Allah. By bowing like that [before me] you are committing a sin. Keep your spirits up. Allah will help you.'
>
> After returning from there, Gandhiji said to Shah Nawaz: 'The condition of Muslims is really bad. Tell me about their general condition within the walled city.'
>
> Shah Nawaz replied, 'Mahatmaji, the plight of Muslims there is pitiable. The Sikhs from Punjab climb on the roofs and then standing stark-naked before their [Muslim] women, who live in seclusion, say: "Vacate the houses, otherwise [pointing to their penises] we will thrust these into your . . ."'
>
> 'Are you telling the truth, Shah Nawaz?'
>
> 'It is absolutely true, Mahatmaji.'
>
> Gandhiji said: 'If that is true, then it would be better for Gandhi to be under the earth than to walk on it [. . .] It is better to die.'
>
> Gandhiji immediately announced his fast unto death.[32]

IQBAL FORUM

In their seminal work on the Partition, *Freedom at Midnight*, Collins and Lapierre convey vividly and graphically the reaction to Gandhi's assassination all over India and Pakistan—grief everywhere. They write, 'In Pakistan, millions of women shattered their baubles and trinkets in a traditional gesture of grief.'[33] However, as noted, among Hindus and Sikhs, especially those uprooted from what became Pakistan, Gandhi was an object of extreme hatred. Gandhi's own son Ramdas's tirade against his father is also mentioned by Chaudhry Khaliquzzaman, to whom Mahatma Gandhi showed the letter.[34] He considered his father's concern for Muslims a betrayal of Hindus. He wrote to him:

> At the time of the Kohat riots [1924], when Maulana Shaukat Ali wrote a letter to you, you dropped out of politics and detached yourself from the whole thing. Now when the time has come to teach the Muslims a lesson, you are threatening a fast unto death. The very existence of a man like you is extremely harmful to the Hindu community.[35]

It can be added that Nehru personally intervened and prevented mobs wanting to kill beleaguered Muslims at Delhi's fashionable Connaught Place. Nehru also exercised his full authority to prevent the slaughter of thousands of Muslims in Batala, Gurdaspur district, in the Punjab, where thousands were facing a terrible onslaught at the hands of Sikh jathas. This is confirmed by Muslim League leader Begum Shahnawaz.[36]

Address to civil, naval, military and air force officers, 11 October

In the context of reports of attacks on the Muslims of East Punjab Jinnah informed officialdom:

> The establishment of Pakistan for which we have been striving the last ten years is, by the Grace of God, an established fact today, but the creation of the State of our own was means to an end and not the end in itself. The idea was that we should have a State in which we could live and breathe as free men and which we could develop according to our own lights and culture

IQBAL FORUM

> and where the principles of Islamic social justice could find free play [. . .]
>
> Unfortunately, the birth of Pakistan was attended by a holocaust unprecedented in history. Hundreds of thousands of defenceless people have been mercilessly butchered and millions have been displaced from their hearths and homes. People who till yesterday were leading a decent and prosperous life are today paupers with no means of livelihood.[37]

He then turned to the situation of the minorities in Pakistan and said:

> Another question which has been agitating my mind is the treatment of minorities. I have repeatedly made it clear in my utterances, both private and public, that we would treat the minorities fairly and that nothing is farther from my thoughts than to drive them away. I, however, regret to say that the minorities here did not give us a chance to prove our bona fides and give us their whole-hearted co-operation as citizens of Pakistan, which subsequent events have proved, was part of a well-organized plan to cripple Pakistan.[38]

Further, he took the position that things were peaceful in Sind but that the Hindus left partly out of panic and partly were 'leaving Pakistan in the hope that it will be paralysed economically and socially'.[39]

He admitted that some trouble had taken place in the North-West Frontier Province and Baluchistan but asserted that:

> It was not the outcome of any premeditated plan. Some excitable elements in society were carried away by tales of woes of refugees from East Punjab; and sought solace in revenge which was definitely against our policy and contrary to our expressed instructions to our people that there should be no retaliation. Whatever has happened cannot be justified.[40]

About West Punjab Jinnah underlined a difference:

> In West Punjab, things were rather different. It was nearer the scene of carnage and so could not escape the contagion.

IQBAL FORUM

> Regrettable incidents have, no doubt, taken place there but the arm of the law is again asserting itself and things are returning to normal.[41]

No mention of events in Bengal was made because just at that time the Gandhi–Suhrawardy efforts had succeeded in preventing large-scale rioting.

In any event, Jinnah ended his speech by lamenting:

> When I turn my eyes to the sister Dominion of India, I find that the Muslim minority there has suffered grievous wrongs. Not content [with] having uprooted Muslims from East Punjab certain sections in India seem to be determined to drive Muslims from the entire Dominion by making life impossible for them.[42]

He then observed:

> The division of India was agreed upon with a solemn and sacred undertaking that minorities will be protected by the two Dominion Governments and that the minorities had nothingto fear as long as they remained loyal to the State. If this is still the policy of the Government of India—and I am sure it is—they should put a stop to the process of victimization of Muslims, which, if persisted in, would mean ruin for both the States.
>
> My advice to my Muslim brethren in India is to give unflinching loyalty to the State in which they happen to be. At the same time, they should reorganize themselves and create the right leadership which should give them the correct lead in these perilous times.[43]

The speech ended by reminding the officers of their solemn duty to serve Pakistan sincerely.

This important speech captured the contradictions and predicaments Jinnah now faced. He still was not willing to admit that since March 1947 communal violence had been occurring in western Punjab and that the concerted effort to drive out Muslims from East Punjab was the terrible reaction to the wrongs done on the Muslim side.

IQBAL FORUM

It is clear that Jinnah was now taking recourse to moral arguments to plead for the protection of minorities, especially the Muslims of India. These were the very people he had declared hypocrites and harbingers of the Hindu Raj, but now he had no other choice left but to invoke their conscience and responsibility to protect the Muslims. Unless that were to happen, Pakistan would surely collapse under the weight of the 30–40 million Muslim refugees from India. Jinnah most certainly did not want Pakistan to be inundated by Muslims whom Partition had now rendered Indian citizens. Under the circumstances, he offered very sane advice to them to become loyal citizens of India and to find leaders who could enable a new relationship to emerge between them and the Indian state. Quite simply, the Partition had virtually left those Muslims at the mercy of the Indian government and the Hindu majority.

The speech as a whole mirrored the types of problems, challenges and threats which the division of India between two dominions had generated. One can wonder if these were entirely unexpected and unanticipated, but one can grant that Jinnah and many other leaders could not have been able to fathom the full explosive potential of the Partition process. The devastation and misery it was causing innocent people seemed to have profoundly shaken him. He focused on the suffering of the Muslims who were his own constituency but his sympathies extended to the Hindus and Sikhs as well, though in the latter case he wanted to convey the thought that they were pawns in a plot hatched by the enemies of Pakistan, and by that he meant primarily the Congress out to destabilize Pakistan and deprive it of the services of the much-needed Sindhi Hindu bourgeoisie for putting Pakistan on the path of development.

Message to the nation on Eid-ul-Azha (Festival of Sacrifice), 24 October

While conveying his greetings on the Festival of Sacrifice to Pakistani Muslims, he reminded them:

> [G]od is testing and trying the Muslims of Pakistan and India. He has demanded great sacrifices from us. Our new-born State is bleeding from wounds inflicted by our enemies. Our

IQBAL FORUM

> Muslim brethren in India are being victimized and oppressed as Muslims for their help and sympathy for the establishment of Pakistan.[44]

Jinnah was no doubt in great agony. By that time reports from other areas must also have been gathering in Karachi. Muslims were being attacked in some places in northern India and in Bihar, Maharashtra and Gujarat.

Interview to Reuters correspondent Duncan Cooper, 25 October

For Jinnah, speaking to a correspondent of Reuters was an opportunity to create awareness and sympathy for the challenges Pakistan was facing with the Muslims in India, especially in East Punjab, being targeted for killing and ethnic cleansing.

Upon Duncan Cooper's questioning that what is the best basis for firm and friendly relations between the dominions of India and Pakistan, Jinnah replied that since the division of India had been agreed upon by both dominions they should now bury the past and 'resolve that, despite, all that has happened, we shall remain friends'.[45] He asserted that cooperation between them can help them morally, materially and politically and thereby raise their prestige. However, before that were to happen both had to establish peace and restore law and order. He then took up the perceived threat from India to Pakistan's existence. He remarked:

> It is very unfortunate that vigorous propaganda has been going on from the moment the division was agreed upon and two States were created that Pakistan is only a truncated Pakistan, that it is merely a temporary madness on the part of the Muslim League that has brought about the 'secession', that Pakistan will have to come back into the Union as a penitent, repentant, erring son and that the 'two-nation theory' is responsible for all that has taken place.[46]

He dismissed all suggestions of Pakistan and India being united again. This he underlined very strongly:

IQBAL FORUM

> I want to make it clear that Pakistan will never surrender and never agree in any shape or form to any constitutional union between these two sovereign States with one centre. Pakistan has come to stay and will stay. But we are always ready to come to an understanding or enter into agreements with Hindustan as two independent, equal, sovereign States just as we may have our alliances, friendships and agreements with any other foreign nation.[47]

Regarding India, Jinnah remained unmoved in his conviction that it is a Hindu state. He asserted:

> As for the two-nation theory, it is not a theory but a fact. The division of India is based on that fact and what is more, that fact has been proved beyond doubt by the ugly and deplorable events of the past two months, and by the action of the Dominion of India in pulling out Hindus from Pakistan as their nationals. How then can it be said that there is one nation?[48]

And then he said:

> Minorities belonging to different faiths living in Pakistan or Hindustan do not cease to be citizens of the respective States by virtue of their belonging to a particular faith, religion or race [. . .] Every citizen is expected to be loyal to the State and owe true allegiance to it . . .To the Muslim minority and their leaders in India, I have already conferred advice that they must reorganize themselves under their own chosen leadership [. . .] They have already professed under my advice their loyalty to the Government of India . . . The Muslim minority in India have played a magnificent part in the achievement of and establishment of Pakistan. They were fully alive to the consequences that they would have to remain in Hindustan as minorities but not at the cost of their self-respect and honour. Nobody visualized that a powerful section in India was bent upon the ruthless extermination of Muslims and had prepared a well-organized plan to achieve that end. This gangsterism, I hope, will be put

IQBAL FORUM

> down ruthlessly by the Indian Government, otherwise they will forfeit their claim to be a civilized Government.[49]

Upon Duncan Cooper questioning if Jinnah believed whether Pakistan and India had passed through the worst of the communal troubles following the transfer of power, Jinnah replied:

> You can hardly call this communal trouble [. . .] It is now clear beyond doubt that it was well-planned, well-organised and well-directed and the object of it all, it seems to me, was to paralyse the new-born Dominion of Pakistan [. . .] There is only one remedy now left—that is for the Indian Dominion to deal ruthlessly with this diabolical conspiracy and extirpate, I say extirpate, the roots of the plot and the powerful men who are behind the organization. It is, no use dealing with the symptoms. You must strike at the root.[50]

He then reiterated that the partition of India was agreed by the main parties:

> The Plan of 3 June was accepted by the two major nations as successor authorities . . . under the terms of the Indian Independence Act of 1947 . . . solemn declarations were made both by the Congress and the Muslim League that the minorities of both States would be given a fair deal and that safeguards for them should be secured specially for the protection of their religious, cultural, economic, political, administrative and other rights in consultation with them . . . yet immediately thereafter came this terrific bloodshed which was undoubtedly intended to eliminate the Muslim minorities from Hindustan . . . the Congress and the Indian Dominion Government must put down the leadership of those who planned this ruthless killing and all those elements which are collaborating with them to defy law and order.[51]

In the end, Jinnah said that he refrained from apportioning blame between the Hindus as a community or the Muslims as a community. He strongly emphasized that he rejected the policy of retaliation and revenge and underscored, 'It is the duty of every Muslim as a man of

IQBAL FORUM

honour—and, what is more, his religion enjoins it upon them that there should be no retaliation or revenge.'[52]

Jinnah was returning to his characteristic position of faulting the Congress and its leaders for all that had gone wrong as a result of the Partition. The attacks on Muslims in India were blamed obliquely on the Indian leadership as part of a grand conspiracy to drive Muslims out. It was rather surprising to take up such a one-sided position since the facts showed that on both sides minorities were being hunted down and attacked and, as already noted, organized attacks first began in northern Punjab in March 1947. Jinnah had maintained that the Congress Party represented the Hindu Raj and therefore under no circumstances would it treat non-Hindus, in particular Muslims, fairly. He went on record as saying on 10 March at Aligarh that Islam would be annihilated if India remained united.[53] Now he was arguing that if the Indian government did not treat the Muslim minority well, it would forfeit its right to be considered a civilized government. How could the same people, whom he had condemned as deceitful and revengeful, now change their innate and immutable nature and become responsible leaders heading a civilized government? Why would the same Hindus and their party give two hoots if their reputation was being tarnished internationally? Why would they not now get rid of the Muslims once and for all and make India a truly Hindu state for Hindus only? Clearly, Jinnah was caught in an intellectually and morally untenable position.

He remained adamant that India was a Hindu state and that the two-nation theory was being corroborated fully after the Partition as Indian Muslims were being oppressed and persecuted in India. Nevertheless, he was appealing to the same party and men in power to root out the evil of Hindu extremism and treat the Muslim minority with respect and as equals. Quite simply, the rhetoric which had served to bring about the partition of India was now having to be revised. Why appeal to the Congress leaders to do their duty? Why not offer concrete help and succour to Indian Muslims and invite them to a safe haven in Pakistan? Another important point which emerges from his interview is that now he was not blaming whole communities but only extremists among them. In my view, this distinction was being made since he was speaking to a Western journalist and not addressing a public meeting.

IQBAL FORUM

Speech at a rally at the University Stadium, Lahore, 30 October

Prime Minister Liaquat Ali Khan was in Lahore organizing relief work and in October Jinnah also stationed himself in Lahore for some time. In a huge public meeting at Lahore, Jinnah again talked about the great suffering of people because of the Partition, but blamed it on the other side, saying that the Muslim League accepted the 3 June 1947 Partition Plan and remained sincere in its implementation but that:

> History will also record its verdict on those whose treachery and machinations let loose forces of disorder and disruption in this sub-continent causing deaths of lakhs, enormous destruction of property and bringing about suffering and misery to many millions by uprooting them from their hearths and homes and all that was dear to them [. . .] We have been the victims of a deeply-laid and well-planned conspiracy executed with utter disregard of the elementary principles of honesty, chivalry and honour.[54]

He told the crowd:

> [Take] inspiration and guidance from the Holy Quran, thefinal victory, will be ours [. . .] You have to develop the spirit of mujahids (soldiers of Islam) [. . .] All I require of you now is that everyone . . . be prepared to sacrifice all, if necessary, in building up Pakistan as a bulwark of Islam and as one of the greatest nations whose ideal is peace within and peace without . . . Do not be afraid of death. Our religion teaches us to be always prepared for death. We should face it bravely to save the honour of Pakistan and Islam. There is no better salvation for a Muslim than the death of a martyr for a righteous cause [. . .] The tenets of Islam enjoin on every Musalman to give protection to his neighbours and to the minorities regardless of caste and creed.[55]

The speech was meant to lift the spirits of the people of Lahore because it had been inundated by millions of people crossing into Pakistan from the Wagah border facing Amritsar and the Hussainiwala border facing Ferozepur. The general structure of his argument remained consistent

IQBAL FORUM

with the blame placed on the other side. He inevitably took recourse to typical Islamic terminology describing Pakistan as the bulwark of Islam but one committed to peace and the protection of minorities.

Message from Pakistan Broadcasting Service, Lahore, 30 October

After addressing a public gathering in Lahore that evening, Jinnah also relayed a message to the nation from Radio Lahore. Expressing his great distress over the harrowing accounts of the terrible happenings in the Punjab, he told the Pakistanis that he had decided to come to Lahore to personally get a closer view of the cataclysmic upheaval that had broken upon the Punjabis but remained steadfast in placing all blame on the other side. He insisted that the idea behind such a conspiracy was to destabilize Pakistan to the extent that it would cease to exist but that 'Pakistan is now a fait accompli and it can never be undone'.[56]

He then went further and claimed that the Boundary Commission Award was 'unjust, incomprehensible and even perverse . . . but we had agreed to abide by it and it is binding upon us'.[57] He referred to a meeting on 29 August 1947 in Lahore, where both sides had agreed to protect minorities (it referred to the press conference in Lahore given by Prime Minister Liaquat Ali Khan and Prime Minister Jawaharlal Nehru who had together toured the troubled areas of East Punjab and West Punjab) and that such an agreement should be honoured by both sides. He said, however, that he did not want to blame just one side but condemned all acts of violence on minorities.

What was new in Jinnah's speech was to declare the Radcliffe Award unjust and perverse. He did not dilate upon it further, but as I have shown, the Radcliffe Award essentially upheld the Pakistani position on the Punjab, which was that areas in the Punjab should be allocated on the basis of religious contiguity, while the Congress and Sikhs had insisted that property rights, development and revenue payments as well as the Sikh rights to their religious shrines were of equal importance. Lahore, Gujranwala, Sialkot, Lyallpur, Sheikhupura and Montgomery had been given to Pakistan on the basis of contiguous religious Muslim-majority areas and not to the other side, which had claimed them on the basis of their greater economic interests.

IQBAL FORUM

Only in the case of Gurdaspur the Radcliffe Award had deviated from the majority principle by giving three tehsils of Gurdaspur district to India and leaving only Shakargarh tehsil, which was on the western bank of the river to Pakistan. The reason was that Amritsar needed to be protected from encirclement on three sides by Pakistan, and its chief protagonist was Lord Wavell. The Radcliffe Award was 99.9 per cent identical to the Wavell Demarcation Plan of 7 February 1946. However, in Pakistan, it was seen as a conspiracy to provide a road to Kashmir from the Pathankot tehsil of Gurdaspur district. In fact, the situation when that happened in mid August was that both the 3 June 1947 Partition Plan and the Indian Independence Act of 18 July 1947 applied to areas directly ruled by Britain—the hundreds of princely states were to freely decide their relations with the two dominions.[58] The princely states enjoyed in principle the right to remain independent and Jinnah himself was a great supporter of the independence of the princely states. The Kashmir issue cropped up later, but in November, when Jinnah was speaking, the road from Pathankot, actually a dirt track rather than a proper road, did become an important link between India and Kashmir. It can further be underlined that he had been warned by the Cabinet Mission delegation that he might not get either Gurdaspur or Calcutta. It needs to be mentioned that Jinnah's long stay in Lahore primarily was to personally take part in planning the Kashmir operation. He took a hawkish position and wanted to commit the Pakistan military directly in the war. The officiating commander-in-chief of the Pakistan Army, General Gracey, however, refused to comply because Field Marshall Auchinleck, who was the supreme commander for both India and Pakistan, ruled out a war between the two countries as that would mean British officers fighting on both sides. It is interesting to note that Gen. Gracey was promoted to the post of commander-in-chief of the Pakistan Army in February 1948 despite having defied Pakistan's governor-general. It was an indication of the limits of Jinnah's powers and the ultimate authority of the British government over such matters.

Jinnah visits the Walton Relief Camp for refugees, 6 November

On 6 November, Jinnah finally visited the Walton Relief Camp for refugees outside Lahore. The Amritsar–Lahore tract constituted

IQBAL FORUM

the killing fields in which hundreds of thousands of hapless and traumatized Hindus, Muslims and Sikhs were killed mercilessly, women abducted, raped and sold off to the highest bidder; some had their breasts chopped off their bodies, others their vaginas pierced with sticks and knives. Children were impaled on spears—it was like nothing else in the history of the subcontinent. I have looked at the available primary source material, including the collection of Jinnah's speeches and statements, *The Chronicle of Pakistan* website maintained by Khurram Ali Shafique, as well as *The Jinnah Papers*, a collection edited by Z.H. Zaidi in several volumes of nearly all documents related to Jinnah from 20 February 1947 onwards until his death on 11 September 1948 and afterwards, as well as newspaper cuttings to see if Jinnah visited any refugee camp in the Punjab after Pakistan came into being. In her book *My Brother*, Fatima Jinnah mentions that she and Jinnah were in Lahore in September and again in October.[59] The visit in October lasted several weeks and was primarily to deliberate on the bid to capture Kashmir. At this time, only a few miles away, hundreds of thousands of Muslims were languishing in the Walton Refugee Camp. All evidence suggests that the first time Jinnah set foot in that camp was on 6 November. The *Pakistan Times* of 7 November 1947 notes briefly that Jinnah visited the Walton Refugee Camp and observes that spirits were high among the refugees.[60]

The story behind the visit is that the Punjab's minister for refugees and rehabilitation, Mian Iftikhar-ud-Din, after much effort, persuaded him to visit the Walton camp to get a first-hand impression of the refugee situation. According to Kuldip Nayyar, the journalist Mazhar Ali Khan was also with them and Jinnah is supposed to have said, 'My God, what have I done?' I talked to the late Tahira Mazhar Ali Khan who said that her husband was not with them but that she had heard that Jinnah did express his regrets in such words. I then checked with Iftikhar-ud-Din's daughter Seema Iftikhar in 2016 (she was born ten years after the Partition). She told me that she never heard from her mother or anyone else about Jinnah saying something of that sort. It is quite possible that Jinnah was badly shaken when he personally saw the suffering of the people at the camps. Refugees were reaching Lahore from the Wagah and Hussainiwala borders, but according to contemporary accounts dead bodies were rotting all

IQBAL FORUM

around in the fields and on the roads as the Hindus and Sikhs leaving Pakistan were being attacked and killed, just as on the Indian side Muslims were being struck down with abandon.

A friend of mine who enjoys my absolute trust told me that his father who was serving in the Special Police escorted Jinnah to the Walton Relief Camp. Some people shouted abuses and curses on him for the devastation that Partition had wreaked on their families.

Meeting of the council of the All-India Muslim League on 14–15 December, Karachi

The meeting of the council of the All-India Muslim League on 14–15 December was held in camera in Karachi and was attended by Indian delegates. Jinnah made the following remarks:

> As you know, the Muslim League has achieved and established Pakistan in a way and in a manner which has no parallel. The Muslims were a crowd, they were demoralized, and they had to suffer economically. We have achieved Pakistan, not for the League, not for any of our colleagues, but for the masses. Muslim India would have been finished if Pakistan had not been achieved. We have established Pakistan where there are at least 60 million Muslims, with a mighty territory and complete sovereignty. We both agreed [the Congress and the Muslim League] regarding the treatment of the minorities. I never thought the Hindus would resort not only to killing and destroying life and property, but to organized group barbarities. It was intended to give a blow to Pakistan. There was pre-planned [sic].[61]

He condemned the atrocities going on in both dominions. He tried to refute the accusations that he and other leaders of Pakistan had betrayed the Muslims of India. He advised Indian Muslims to remain organized, acknowledging that Pakistan was the outcome of the struggle of the Muslims of the minority provinces and assured them that Pakistan would help them in 'in every possible way'.[62]

In reply to a question on whether he was willing to take over the leadership of the Muslims of India in the present hour of trial, he said that he was willing to do so 'if the Council gave verdict in favour of

IQBAL FORUM

such a proposal'.[63] He recalled that when Pakistan was achieved he had expressed the desire to 'lead a retired life'. But if called upon, he was quite willing to leave Pakistan and share the difficulties of the Muslims in the Indian union and to lead them.[64]

Having said this, Jinnah then made the following observation:

> Let it be clear that Pakistan is going to be a Muslim State based on Islamic ideals. It was not going to be an ecclesiastical State. In Islam there is no discrimination insofar [as] citizenship is concerned [meaning against non-Muslims]. The whole world, even UNO has characterized Pakistan as a Muslim State.[65]

What he then said was significant:

> There must be a Muslim League in Hindustan. If you are thinking of anything else, you are finished. If you want to wind up the League you can do so; but I think it would be a great mistake. I know there is an attempt. Maulana Abul Kalam Azad and others are trying to break the identity of Muslims in India. Do not allow it. Do not do it.[66]

It is clear that he was advising Indian Muslims to retain their separate identity by setting up an Indian Muslim League. For Jinnah, it was presumably psychologically imperative that Indian Muslims be kept out of the Congress Party because joining the Congress would integrate Muslims into the Indian mainstream, which, for him, meant that his stand against the Congress and by that token his championing of the two-nation theory and Pakistan was wrong. That suspicion is confirmed when, a few days later, he opposed the Muslim League being opened for membership to non-Muslims.

Interview with BBC correspondent Robert Stimson, 19 December

On 19 December he gave an interview to Robert Stimson, BBC correspondent. He said that the Pakistan Constituent Assembly would decide if Pakistan is to remain in the British Commonwealth; he personally wanted that and had no doubt it would too. He said he

IQBAL FORUM

realized that Britain had no power to intervene in the affairs of any dominion but it could surely exercise moral persuasion to help sort out differences between the different dominions.

He said that the All-India Muslim League had decided to split into a Pakistan and an Indian Muslim League because both now faced very different problems and challenges.

When asked if the Muslim League should then change its name to the Pakistan League, Jinnah replied:

> The time has not yet come for a national organization of that kind. Public opinion among the Muslims of Pakistan is not yet ready for it. We must not be dazzled by democratic slogans that have no foundation in reality.
>
> The Muslims have only just won their own Muslim homeland, and they have still to build a structure that will suit conditions and developments that will take place. But the decision to form a purely Muslim organization in Pakistan is not irrevocable. It may be altered as and when necessary to suit changing circumstances. Nothing is static in politics. It all depends upon what progress we make and further developments that may take place.[67]

With regard to Kashmir, where armed conflict was going on and Indian troops had landed on 27 October to help the maharaja against a tribal incursion from Pakistan, he told Stimson that since talks were going on between the Indian and Pakistani prime ministers, he preferred not to express an opinion. He expressed the Government of Pakistan's objections to the UN resolution on the partition of Palestine.

Talking to the correspondent of what was then the most powerful news broadcasting organization of the world, it is clear that Jinnah was continuing to seek international understanding and help; cultivating the British remained critical, though Jinnah had already assessed that the United States was the power to reckon with in the post-war period.

The most interesting part of the interview was where Jinnah overruled the Muslim League being converted into an organization for all Pakistanis. He believed that since Pakistan had recently been achieved, the Muslim/Islamic exclusivity of the founding party, the

IQBAL FORUM

Muslim League, had to be maintained because Pakistani Muslims would not approve a change making it a secular, open party. Such reasoning should suffice to dispel any notion of the 11 August 1947 speech of Jinnah having allegedly broken with the communal nature of the Muslim League and his becoming a champion of secularism. On the contrary, it should be interpreted to imply that Pakistan remained an ideological Muslim state and the Muslim League its ideological and political spearhead. A distant possibility of it becoming a non-communal party was mentioned by Jinnah, however.

The end of the refugee crisis, 1948

At the beginning of 1948, the refugee crisis was more or less over. The Pakistan government followed a distinct relocation and rehabilitation policy pertaining to Muslim refugees. Punjabi refugees were absorbed in West Punjab. Migrants from the Urdu-speaking belt of north and north-eastern India, the UP, the Central Provinces and Bihar were dispatched to Sind. Attacks on Hindu and Sikh Sindhis had begun to occur in Sind in September 1947; these intensified by the beginning of January and reached Karachi. On 9 January, Jinnah visited camps of Muslim refugees. He told them that he understood their feelings and his sympathies were entirely with them but that they should not abuse the hospitality they were being offered. He told them to cooperate with the government and help 'in protecting Hindu neighbours against lawless elements, fifth-columnists and the cliques who are responsible for creating these disturbances'.[68] He expressed sympathy for the Hindus but said that they had 'been misled by propaganda that is being carried out to pull them out of Sind, with an ulterior motive'.[69]

Although the Hindus and the tiny Sikh community had begun to face violent attacks in Sind after the transfer of power, it was not until the beginning of January that such attacks were organized and planned on a concerted, larger scale. The perpetrators were mainly the refugees from north India. As a result, some Sikhs were forced out of their homes from elsewhere in Sind and brought to Karachi. Jinnah was greatly annoyed with such acts taking place right under his nose. He wondered 'who was responsible for bringing the Sikhs to Karachi and arranging to lodge them at the Gurdwara without informing the District Magistrate, Sind, or any other Sindi Authority or Police'.[70]

IQBAL FORUM

Nevertheless, the founder of Pakistan remained steadfast in his assertion that the trouble was being created by India. In Chaudhri Muhammad Ali's book, *The Emergence of Pakistan*,[71] the allegation that the Congress leaders were goading Hindus to leave Pakistan is presented in the following words:

> He [Acharya Kripalani] was a strong believer in Akhand Bharat, or undivided India. When the Congress accepted the Partition Plan, he called on the Congress party to make India a strong, happy, democratic and socialist state, and declared, 'Such an India can win back the seceding children to its lap . . . for the freedom we have achieved cannot be complete without the unity of India.'[72]

He further asserts that Kripalani came to Karachi in the third week of September 1947 and saw the Quaid-e-Azam, who assured him of the Pakistan government's firm intention to maintain peace and give full protection and equal rights to minorities. 'Nevertheless, Kripalani persisted in his efforts to spread panic among the Hindu community by painting a highly coloured picture of their present hardships and making gloomy predictions about their future unless they pulled out of Pakistan.'[73]

It is possible that Kripalani did make such a statement, but the Sindhi Hindus had been threatened and intimidated since the election of 1945 and in some cases they had been attacked too. Jinnah's own advice to the Muslim refugees to protect Hindus indicates that violence against them was taking place. Nandita Bhavnani, who belongs to a Sindhi refugee family in Mumbai, has researched the Sindhi exodus to India. She notes that Kripalani visited Rawalpindi after the March 1947 attacks. When traumatized Hindus and Sikhs asked him if they should migrate to safer havens, he snubbed them because the Congress policy was consistently to discourage such an exit. Both Gandhi and Patel, as late as May 1947, spoke out against the migration of Hindus from prospective Pakistan. Even after Partition, Gandhi continued to question Sindhi Hindu migration. Privately, however, Gandhi understood that Sindhi Hindus would not be able to put up a resistance but would have to leave.[74] According to Bhavnani, Kripalani's niece, Kamla Hiranand, told her that in

IQBAL FORUM

August 1947 Kripalani had advised Sindhi Hindus to stay in Sind, but by December that year, as attacks against them began to take place, Sindhi leaders' pleas to Gandhi to let them migrate to India were heeded. Gandhi, reportedly on 30 December in his post-prayers meeting, said, 'No Hindu or for that matter, no non-Muslim could today remain in Sindh and feel safe.' A few days later, on 4 January, Sardar Patel remarked, 'We have to take out Hindus and Sikhs from Sind, for despite assurances of protection they cannot remain there for a day. These assurances are empty words.'[75]

G.D. Khosla has in his book *Stern Reckoning* alleged that Mohammad Ayub Khuhro warned Sindhi Hindus and Sikhs to leave Sind before it was too late during the 1945 election campaign, and when they were leaving, deprived them of all their belongings. The general atmosphere of intolerance in Sind at that time against the Hindus and Sikhs can be gauged from two examples.

> Let there be in Pakistan, the separate centre of Islam,
> We shall not in Pakistan have to look at faces of non-Muslims.
> The abode of the Muslim Nation will brighten up only,
> When in Pakistan there remain no idolatrous thorns.
> They [Hindus] whose function is to be slaves have no right to participate in Government,
> Nowhere have they succeeded in governing.
>
> —Song sung at the Muslim League Conference at Sultankot (Sind)[76]

> Let the Hindus of Sind leave Sind and go elsewhere. Let them go while the going is good and possible, else I warn them that a time is fast coming when in their flight from Sind, they may not be able to get a horse or an ass or a gari [car] or any other means of transport.
>
> —Mohammad Ayub Khuhro[77]

During Partition Khuhro was the chief minister of the Muslim League government in Sind. His daughter, Hamida Khuhro, in her book *Mohammad Ayub Khuhro: A Life of Courage in Politics* asserts that

IQBAL FORUM

her father enjoyed the complete trust of Jinnah, who consulted him every day during the disturbances in 1947. Jinnah told her father that non-Muslims should at all costs be kept in Pakistan and he too subscribed to the view that Sindhi Hindus and Sikhs should be protected and encouraged to stay.[78]

According to Hamida Khuhro, her father blamed not only Prime Minister Liaquat Ali Khan for fomenting the attacks on Sindhi Hindus and Sikhs but also senior civil servants such as Masud ICS, better known as Masud Khadarposh or Masud Bhagwan, as he came to be recognized for his social work among Bhils, a depressed Dalit group. According to her father, Masud Khadarposh was at that time the deputy commissioner of Nawabshah district. He masterminded an attack on 1 September 1947 on a train carrying mainly Sindhi Sikhs to India.[79] Whatever the truth, there is no doubt that Sindhi Hindus and Sikhs had begun to be attacked soon after the transfer of power. Many sought refuge in Karachi, where the central government and Sind provincial governments were based.

One therefore needs to examine critically this conspiracy theory that Jinnah and Chaudhri Muhammad Ali refer to. A diabolical plot to undo Pakistan would be to terrorize the 35 million Indian Muslims to flee to Pakistan. All the Indian government needed to do was to allow the Hindu Mahasabha, the RSS, the Congress cadres and the lumpen elements of society a free hand to assault Muslims all over India and chase them out. This is exactly what happened in West Pakistan, where Jinnah continued to plead for the protection of Hindus and Sikhs, while politicians, biased civil servants and underworld criminals established nexuses which carried out their attacks on such unwanted minorities. The attacks on Sindhi Hindus took place in the urban areas where they were owners of businesses and trade but nearly half the Sindhi Hindu population (which included those who had converted to Sikhism but were Sajdhari Sikhs who did not wear the five emblems of orthodox Sikhs) lived in the rural areas. According to the 1951 Census of India, of the 131,680 Sindhi Hindus and Sikhs, 776,000 had migrated to India. The main reason was that because of the strong syncretic Sufi traditions, Sindhi Muslims and Hindus enjoyed good communal relations. Some Sindhi politicians were involved in the attacks on Hindus but mostly it was the Urdu-speaking *Muhajir*s (immigrants) who took part in such attacks.

IQBAL FORUM

The record of the NWFP in maintaining communal peace was also impressive as long as the Congress government of Dr Khan Sahib, supported by his brother Khan Abdul Ghaffar Khan's Khudai Khidmatgars, was in power, but that changed soon after Partition, when a Muslim League government led by Abdul Qayyum Khan took office in a constitutional coup ordered by Jinnah. Thereafter, a reign of terror was let loose against them as well. We look at that dramatic change in the next chapter.

Now, the record shows that Jinnah spoke out against the attacks on Hindus and Sikhs, but the Muslim League governments—federal and provincial—did little to ensure their security. One can imagine Nehru also issuing similar statements admonishing the attacks on Muslims, but if word was not followed by action, the Indian government would have faced, at most, moral censure from the international community, which they could ignore with impunity. The truth is that except for the Indian Punjab, where the Sikh leadership was determined to expel Muslims, in the rest of India, where the Congress held power, that was not allowed to happen.

The exit of Sindhi Hindus could only result in the flight of entrepreneurial expertise and some cash and precious jewellery, but most immovable property, including houses and production units, remained in Pakistan.

Therefore, the allegation of a grand conspiracy against Pakistan plotted by the Congress leaders to urge the Hindus to leave Sind—if at all such was the intention of Kripalani and others—is either unfounded or pulled out of context and greatly exaggerated and misinterpreted.

The Provinces of West Pakistan

I have complete information with me about the 1941 census of the united Punjab, including of districts and tehsils. Pakistan was given sixteen out of twenty-nine districts and the Shakargarh tehsil of Gurdaspur district. Their total population was 16,008,894. Of these, Muslims were 11,773,746 or 73.5 per cent; the Hindus (including the Scheduled Castes) were 3,779, 901 or 23.6 per cent; and Christians and others were 455,247 or 2.9 per cent.[80]

For the other provinces and the princely states, I relied on tables from the 1941 census reproduced in G. Allana's edited work *Pakistan*

IQBAL FORUM

Movement: Historic Documents (1977). The total population of non-Muslims is given but the Hindu–Sikh part of it is not given separately. Therefore, the population of Indian Christians and other minorities had to be deducted from that total to establish the Hindu–Sikh population.

Consequently, the total population of Sind province was 4,535,008. Muslims constituted 3,208,325 or 70.7 per cent of it. Hindus, Sikhs, Christians and other minorities are given together as 1,326,683. If we exclude 15,000 for the Christian and other minorities, then it comes to 1,316,830. That meant the Hindu–Sikh population was about 29 per cent of the Sind population.[81] In the overwhelmingly Muslim NWFP, out of a total population of 3,038,067, Muslims were 2,788,797, making up an overwhelming majority of 91.8 per cent. A tiny Christian minority made up some 6500, while the rest were Hindus and Sikhs who made up 242,770 or some 7.9 per cent of the population.[82] British Baluchistan had a total population of 501,631, of which Muslims were 438,930 or 87.7 per cent of the population; the Christians 2633; and the Hindu–Sikh population was 60,068 or 11.9 per cent of the population.[83]

Thus, the total population in 1941 of the West Punjab, including the sixteen districts of the Punjab, Sind, the NWFP and British Baluchistan, was 24,945,606. The Hindu–Sikh population of the four provinces in 1947 was approximately 5,419,668. That comes to 21.7 per cent of the total population of those three provinces. More than 700,000 Hindus and Sikhs stayed behind in Sind, and a few thousand in NWFP and British Baluchistan.

The three main princely states

Regarding the three princely states which were placed in West Pakistan, Bahawalpur had a total population of 1,341,209, of which Muslims were 1,098,814. Hindus and Sikhs were 119,005 or 8.9 per cent of the population.[84] In 1931, Khairpur state in Sind had a total population of 227,183, of which Muslims were 84 per cent and the Hindu–Sikh minority constituted 16 per cent.[85] That works out to 36,350.

Kalat state in Greater Baluchistan had a total population of 356,204, of which Muslims constituted 346,251 or 97.2 per cent of the population. The Hindu–Sikh population comes roughly to 1953

IQBAL FORUM

but there could be some Christians as well. That brings the total population of the three princely states to 1,924,596. The Hindu–Sikh population was roughly 157,308 or 8.1 per cent of the total population.[86] Here, too, some Hindus and Sikhs stayed behind. Under the Kalat confederacy were vassal states such as Las Bela, Makran and Kharan, which in 1931 had a population of 163,746. Their religious composition is not given.[87] By 1941, it must have increased to approximately 200,000.

The minor frontier states

The minor frontier princely states with tiny populations were Chitral (89,000), Dir (250,000), Swat (216,000) and Amb (36,000), of which only Swat and Dir had small Hindu populations that probably stayed on. The minuscule states of Hunza and Nagar had populations of only 16,000 each. They traditionally owed allegiance both to Jammu and Kashmir state and China, but the British government had extended its paramountcy to them. Then there was the Gilgit Agency too. These entities had hardly any Hindus or Sikhs living in them.[88] The rough total population of the frontier states was 587,000. Perhaps 10,000 were Hindus and Sikhs. That means 1.7 per cent of the total population of those states.

Therefore, the total population of West Pakistan according to the 1941 census was 26,744,617. Muslims were 20,602,697 or 77 per cent; Hindus and Sikhs were 5,686,671 or 21.2 per cent; and Christians and others 455,249 or 1.9 per cent. There were other minuscule units in the tribal agencies and so on. Allegations that Dalits were under the Essential Services Maintenance Act and were prevented from leaving West Pakistan have been reported in several works.[89,90] Did Dalits from East Punjab cross over to West Punjab in the hope of better treatment in Pakistan? Research on Dalit migration at the time of Partition awaits a proper investigation.

Under the circumstances, the figures and percentages are based on the statistics available mainly for the 1941 census. As noted, the census figures are the closest one can come to the demographic composition of Pakistan if no movement of people had taken place at Partition, but when it did, the estimates given are the closest one can come to what must have happened at that time. Of course, there

IQBAL FORUM

must have been a natural increase in the numbers by 1947, but the percentage can be presumed to have remained the same.

According to the 1951 Pakistan census, the total Hindu population of Pakistan was 1.6 per cent. It has remained unchanged since then. According to the Indian census of 1951, 776,000 Sindhi Hindus (which included Sikhs) migrated to India. Overall, then, some 5.5 million Hindus and Sikhs must have left West Pakistan in 1947. Most of them did it by the end of that year but the process continued till the spring of 1948.

Bengal

In Bengal, communal attacks remained low at the time of Partition in 1947 but had occurred earlier in 1946. The attacks were revived in 1948 in East Bengal (later known as East Pakistan).[91,92] The 1951 Pakistan census put 22.8 per cent as the Hindu population. That figure has been reducing, and in the 1971 Pakistan census it had gone down to 17 per cent, and after the civil war, when Bangladesh came into being, it had become 12 per cent,[93] which is now down to about 10 per cent.

Muslim migration to Pakistan from India

The Sikh leadership drove all Muslims out from East Punjab; only some thousands could stay on in Malerkotla state and in other places some artisans. On the other hand, Gandhi and Suhrawardy had ensured that 1946-type riots did not take place in Bengal in 1947. The 1951 Pakistan census recorded 671,000 refugees in East Bengal, the majority of whom came from West Bengal and some from Bihar.[94] That was a small portion of the Muslim population of Indian West Bengal. From the Urdu-speaking belt the migration was largely voluntary, though riots in Delhi, Aligarh, Meerut, Bombay and some other places also forced some to leave for Pakistan. Most of those who left were hoping to find greener pastures in Pakistan, mainly West Pakistan, but from Bihar and eastern UP, too, some headed for East Bengal. In March 1990, I interviewed the chairman of the Muttahida Qaumi Mahaz (MQM), Azim Tariq (later assassinated) in their fortress-like headquarters in North Nazimabad. He told

IQBAL FORUM

me that Nehru was pleading with their elders not to go to Pakistan but that they came fired with a desire to build a Muslim state of their own.[95] And that is true, most Urdu-speaking Muhajirs freely chose to migrate to Pakistan. The Urdu-speaking belt was the core area of Muslim separatism, and those who migrated to Pakistan hoped to play a leading role in running the nascent Muslim state. They were better educated and urbanized, with a long tradition of being state functionaries and part of the officialdom with both the Mughal and then the British empires. In Maharashtra, especially Bombay, and Gujarat, terrorist attacks on Muslims took place but the Indian government prevailed in preventing a large-scale expulsion of Muslims. There were attacks on Muslims in some northern Indian towns. Reports of a grand conspiracy to drive out Muslims from the UP was foiled after the Nehru government at the Centre learnt about it.[96] Elsewhere, too, in provinces under Congress rule, the wholesale exodus of Muslims to Pakistan was thus prevented. The 1951 Census of India gave 9.8 as the Muslim percentage of the Indian population. It has now increased to 14.2 per cent.

One thing that needs to be noted is that between 1941 and 1947 a natural increase in the population must have taken place in the territories of West Pakistan, while in Bengal, because of a famine that struck in 1943, a decrease in population must have taken place, and surely the exact numbers of people affected by the 1947 Partition can never be known for certain, but the percentages which have been worked out should be more or less the same as in 1947.

The demand for an Islamic constitution

While the refugee crisis mainly drew Jinnah's attention, his 11 August 1947 speech, as we learnt, evoked wonderment and disbelief among his closest associates. But the most significant reaction was that of the ulema and other conservative Muslims, to whom Jinnah had given the impression that Pakistan would be a Muslim state upholding the sharia. As noted in a previous chapter, Maududi had, since the 1920s, been arguing for an Islamic state based on the supremacy of the sharia. But Pakistan as an idea, its leadership and influx of communists and westernized Muslims sowed deep

IQBAL FORUM

doubts in him.[97] Jinnah had tried to win him over through Zafar Ahmed Ansari who had good relations both with him and the dissident Deobandi ulema who had supported the Muslim League against the Congress.[98] In 1945, the Jamiat-ul-Ulema-e-Islam had been founded by Deobandi dissidents. Shabbir Ahmad Osmani arrived in December 1947 in Karachi and started hectic activities and meetings to mobilize opinion in favour of an Islamic Pakistan. On 2 January 1948, the Barelvis founded the Jamiat-ul-Ulema- e-Pakistan under the leadership of Abdul Hamid Badayuni, who had migrated from the UP to Karachi.[99] Maududi, however, had settled in Lahore. On 6 January 1948, he spoke at the Law College, Lahore. The thesis Maududi set forth in his first address was that because Pakistan had been claimed in the name of Islam, it was immanently an Islamic state and that the Muslim League must acknowledge that fact and give it appropriate recognition by declaring the sharia as the supreme source of law. He thus revised drastically his earlier opposition to Pakistan. Jinnah may not have been serious about the allusions to Islam and sharia in his speeches, but Maududi was now calling his bluff. Jinnah had to respond in a credible manner to the growing pressure from the fundamentalists.

Address to the Bar Association, Karachi, on the birthday of Prophet Muhammad (PBUH), 25 January

We have noted that after the controversial 11 August 1947 speech Jinnah continued to reiterate the link between Islam, Muslims and Pakistan and overruled the Muslim League becoming a non-communal party open to all Pakistanis. He finally laid to rest the rumours and confusion when speaking to lawyers in Karachi on the birthday of the Prophet (PBUH). This time he did not mince his words to categorically make the connection between Islam, sharia, the Constitution and Pakistan crystal clear. He remarked:

> Why this feeling of nervousness that the future constitution of Pakistan is going to be in conflict with Shariat Laws? . . . Islamic principles today are as applicable to life as they were 1,300 years ago [. . .] Islam and its idealism have taught us democracy. Islam has taught equality, justice and fair play to everyone.[100,101]

IQBAL FORUM

In a major departure from his pre-Partition stand in favour of provincial autonomy, now as governor-general Jinnah took a very different position and said:

> I want the Muslims to get rid of the disease of provincialism. A nation can never make progress unless it marches in one formation. We are all Pakistanis and citizens of the State and we should serve, sacrifice and die for the State so that we make it the most glorious and sovereign State in the world.[102,103]

Paying homage to Prophet Muhammad (PBUH), Jinnah made several remarks:

> What tribute can I, a humble man, pay to this great man [. . .] The Prophet (PBUH) was a great teacher. He was a great law-giver. He was a great statesman and he was a great Sovereign who ruled. No doubt, there are many people who do not quite appreciate when we talk about Islam.
>
> Islam is not only a set of rituals, traditions and spiritual doctrines. Islam is also a code for every Muslim which regulates his life and his conduct in even politics and economic, and the like [. . .] In Islam there is no difference between man and man. The qualities of equality, liberty and fraternity are the fundamental principles of Islam [. . .] Thirteen hundred years ago he (that is, Prophet Muhammad (PBUH)) laid the foundations of democracy.[104,105]

The ulema were relieved. Jinnah's appointee Muhammad Asad, director of the Department of Islamic Reconstruction in Lahore, invited Maududi to give a series of talks on Islam on Radio Lahore. Asad's own ideas of an Islamic constitution were similar to Maududi's.[106] Jinnah had underlined that Pakistan would be a democracy but he simultaneously dispelled all speculation about Pakistan becoming a secular state.

Insofar as sharia and the remarks against provincialism are concerned, he now took a position diametrically opposite to the stand he took from 1929 onwards until 22 March 1940—that India should be a loose federation, with most powers vested in the provinces, and that the Centre should take care only of defence, foreign affairs and communications, with the financial powers limited to taxes and

IQBAL FORUM

levies needed to manage those three subjects. He was now declaring that devotion to the state should be the highest calling of Pakistani Muslims. The underlying logic obviously was that since the Muslims were a nation, provincialism was divisive of that unity of the nation. He went much further than Nehru's stand in favour of a strong and effective Centre and, more in the legacy of Plato, began to preach complete loyalty and devotion to the state. For Jinnah, the Islamic bond was the only factor that mattered. Did this mean that he was rejecting the existence of provinces? Not necessarily, but for him they were convenient administrative units. Pakistan had been achieved, and since it was an ideological state, all other affiliations had to be discarded in favour of a strong centralizing state.

While paying homage to the Prophet (PBUH) as the best human being, teacher, ideal ruler and lawgiver was most appropriate for a Muslim audience on this occasion, it naturally meant that the Prophet's (PBUH) Sunnah or his sayings and doings, not only in the spiritual sphere but also as the ideal ruler at Medina, were binding on the Muslims. Jinnah became even more eloquent when he said that Islam was a complete code of life meant to cover all aspects of an individual's life. These remarks were perhaps just rhetoric, but they reinforced the idea that the values and traditions of state practice established by the Prophet (PBUH) had to be emulated in Pakistan.

The assassination of Gandhi

On 30 January, Mahatma Gandhi was shot dead by Nathuram Godse, a Maharashtrian Brahmin with roots in the Hindu Mahasabha. There had been three attempts on his life after 1932, when he and Ambedkar had agreed to the Poona Pact. Orthodox Hindus were incensed by Gandhi's campaign against untouchability and the reform of Hindu attitudes towards the Scheduled Castes. It is to be recalled that Gandhi had never rejected the caste system categorically; he had instead tried to rationalize it as a form of division of labour, with all types of labour having equal value and dignity. Such revisionist arguments had been accompanied by the reservation of seats for the Scheduled Castes but without separate electorates. Orthodox Hindus considered such ideas subversive of their faith and the social hierarchy upon which rested their privileges, sanctified by the laws of Manu 2800 years ago. Gandhi's

IQBAL FORUM

efforts to win over Muslims to the freedom movement had further enraged them. Such rage had reached dizzy heights when his peace mission in Bengal and especially Calcutta had averted a bloodbath of Muslims. In Delhi, he had gone out of his way in September 1947 to protect Muslims from revenge attacks by Hindus and Sikhs who had been uprooted from their homes in the Punjab and traumatized by the attacks on them in the Muslim-majority districts of northern and southern Punjab. Profound resentment existed among Hindu and Sikh refugees over the fact that Gandhi had done nothing to come to their aid; rather, he had urged them to stay on and die in their homes. Consequently, a plot to kill Gandhi had been hatched by fanatical Hindus, with the Maharashtrians at the helm of the conspiracy but including Punjabis such as Madanlal Pawa.[107] Moreover, the exodus of 35 million Muslims from India (except East Punjab), which Jinnah dreaded but which would have been welcomed by the RSS, the Hindu Mahasabha and other Hindu nationalists, had not taken place.

Gandhi's last fast unto death to protest attacks on the Muslims and his wish that they be treated as equal citizens of India, coupled with his insistence that Pakistan should be paid Rs 550 million as its due from the colonial kitty, culminated in his assassination on 30 January 1948, in the grounds of Birla House in New Delhi. The world was stunned. Nehru was shocked but also relieved that the assassin was not a Muslim but a Hindu. Jinnah issued the following statement:

> Whatever our political differences, he was one of the greatest men produced by the Hindu community, and a leader who commanded their universal confidence and respect.
>
> I wish to express my deep sorrow, and sincerely sympathize with the great Hindu community and his family in their bereavement at this momentous, historical and critical juncture so soon after the birth of freedom and freedom of Hindustan and Pakistan.
>
> The loss to the Dominion of India is irreparable, and it will be very difficult to fill the vacuum created by the passing away of such a great man at this moment.[108]

One of Jinnah's British assistants suggested different wording, something on the lines of 'a great leader of the world'. However,

IQBAL FORUM

Jinnah would not budge.[109] In any event, several references to Gandhi's assassination took place in Pakistan. On 4 February, in the reference in the Sind Assembly, the premier, M.A. Khuhro, said:

> Gandhiji was undoubtedly one of the greatest men that the world produced and one of the greatest leaders of our times . . . But really speaking his work which was far more important began from August 15 . . . many innocent people [Muslims], men, women and children were massacred and property looted. At that time this man rose to the occasion and he struggled very hard to see that innocent and helpless minorities are protected. He fasted at Calcutta and at Delhi to save the lives of those minorities. I must say that the minorities, particularly Muslims in the Indian Dominion, were very grateful to him and they owed a great deal to his work from August 15 till the day he breathed his last.[110]

On 24 February, tributes were paid by parliamentarians in the Pakistan Constituent Assembly. Prime Minister Liaquat Ali Khan observed:

> It is with deep sense of sorrow that I rise to make a reference to the tragic death of Gandhiji. He was one of the greatest men of our times . . . Thirty years ago, Gandhiji preached the doctrine of non-violence and it is indeed an irony of fate that the man . . . should be the victim of an assassin's bullet [. . .] As he was always anxious for communal harmony, he threw himself, heart and soul into this work of establishing communal harmony in India and everyone knows that even at the risk of his life, he carried on his noble mission. The immediate cause of his tragic death was certainly his effort to re-establish communal harmony in India.[111]

The East Bengal premier, Khawaja Nazimuddin, remarked:

> Gandhiji led the freedom movement in the pre-partition India and during 1922, Muslims and Hindus worked together for Indian independence. After partition, Gandhiji recognised that partition was an established fact and he impressed on all Indians

IQBAL FORUM

> that in the interest of both Pakistan and India, it was necessary that the two Dominions should work together in harmony and cooperation. It is most unfortunate that at the time he was trying his best to protect the minorities in India, he should have fallen a victim to the bullet of an assassin. I feel his death is not simply a loss to India; it is a loss to Pakistan too. He was trying to bring about good relations between India and Pakistan.[112]

The Punjab premier, Mian Mumtaz Daultana, observed:

> We believe he was killed when he was fighting for a noble cause viz the establishment of communal harmony and peace between the peoples of Hindustan and Pakistan . . . Our hearts are full of grief and sorrow at the loss of this great man who by his noble and spiritual greatness enriched the culture of this world. I hope by his death the two peoples of Hindustan and Pakistan will have mutual friendship, concord and goodwill.[113]

The only province whose chief minister apparently did not partake in the reference was the NWFP. Jinnah heard the leaders pay homage to Gandhi. Finally, he got up and paid tribute in the following words:

> I have heard the deep expression of sorrow and grief and I associate myself with the tributes that have been paid to this great man and his greatness. He died in the discharge of duty in which he was engaged. He was a man of principles and when he believed that it was his duty he took it up and performed it. His tragic death, however, much as we may deplore and condemn it, was a noble death for he died in the discharge of the duty in which he believed. I will convey the message as desired by you, Mr. Prime Minister, to the Indian peoples [sic] in due course.[114]

Finally, Jinnah graciously eschewed any reference to the Hindu community and was willing to concede Gandhi's greatness as a human being rather than as a leader of the Hindu community. He also acknowledged his principles and his sense of duty and his noble death. One can argue that such obituaries were a formal affair but that would be most unfair. The assassination of Gandhi was an occasion

IQBAL FORUM

which nobody could ignore, not in Pakistan, at least. His assassin was a Hindu, and his reason for killing Gandhi was that the mahatma was allegedly pro-Muslim and pro-Pakistan and, by that token, anti-Hindu and anti–Akhand Bharat. There is no denying that Gandhi was Jinnah's biggest opponent of the two-nation theory and the demand for Pakistan, but Gandhi's stand had been that the two communities would be able to accommodate each other's interests in a spirit of give and take, if the British let them do so. Jinnah considered such arguments duplicitous, accusing Gandhi of being a hardcore Hindu at heart. However, once the Partition rioting had started, it was Gandhi who had played the leading role in campaigning against the forced expulsion of Muslims from India. His death had most definitely prevented the Hindu extremists from driving the Muslims out of India.

For the sake of argument, one can concede that Gandhi's friendly gestures towards Muslims were meant to deceive them into not demanding the division of India, with the sinister intention of trapping them into being under the permanent oppression of Hindus, as Jinnah had said many times. However, that Gandhi held his positions consistently cannot possibly be explained by the conspiracy theory Jinnah believed in as an article of faith. Therefore, even if Jinnah and the other Muslim League leaders paid him great homage in their eulogies merely as a formality, they were also fully aware that he had sacrificed his life to save Pakistan from the mass influx of millions of Muslims from all over India and possible financial insolvency.

Many years later, in 1967, Chaudhri Muhammad Ali, a diehard Muslim Leaguer who represented Pakistan in the Partition Council set up by Mountbatten, acknowledged the favour Gandhi did Pakistan. Just to put things in perspective, Auchinleck had appointed him as financial adviser for military finance. Nehru had protested against the appointment in a letter dated 26 July, arguing that since Chaudhri Muhammad Ali had opted for Pakistan, he was no longer an impartial official and should be replaced.[115] Earlier, he had greatly irked Nehru and other Congress leaders by advising Liaquat Ali Khan, who was finance minister in the interim government, to prepare a budget patently hostile to business and commercial interests: the Muslim League was a pro-landlord movement and party.

IQBAL FORUM

On the other hand, Chaudhri Muhammad Ali enjoyed the trust of both Jinnah and Liaquat and headed the Pakistan bureaucracy after Pakistan came into being. He also served briefly as prime minister of Pakistan in the 1950s. Pakistan's first Constitution of 1956 was adopted during his premiership. In *The Emergence of Pakistan*, he unabashedly defended and justified the creation of Pakistan, holding the caste system and Congress leaders responsible for Muslims demanding Pakistan. About Gandhi's assassination, he wrote:

> He [Gandhi] was at that time passing through the noblest phase of his life and was devoting all his energies to restore communal peace and harmony. On January 13, 1948, he undertook an indefinite fast to bring peace to riot-stricken Delhi. To those who argued with him to give up the fast, he said that 'the object should not be to save his life but to save India and her honour' [. . .] When Sardar Patel sent word that he would do anything that Gandhi wished, Gandhi replied that 'the first priority should be given to the question of Pakistan's share of the cash assets withheld by the Union Government'. Thus, on January 15, 1948, the Government of India decided under pressure from Gandhi to implement the financial agreement with Pakistan immediately and released the withheld balances.[116]

The book was published first in 1967 by Columbia University and subsequently in several editions and reprints. The context had changed and therefore the tribute was not a formality or political expediency but a genuine acknowledgement of Gandhi's favours to the Muslims of India and the state of Pakistan.

If we return now to Jinnah and the year 1948, we note that on 3 February Jinnah addressed the minuscule Parsi community in Karachi. In his reply to the welcome address, Jinnah made the following interesting remarks:

> Pakistan which symbolizes the aspirations of a nation that found itself in a minority in the Indian sub-continent, cannot be unmindful of the minorities within its own borders. It is a pity that the fair name of Karachi was sullied by the sudden outburst of communal frenzy last month and I cannot find

IQBAL FORUM

> words strong enough to condemn the actions of those who were responsible for it.[117]

What he said next was the continuation of his conspiracy theory as to why the minorities were leaving Pakistan. He said:

> As you may well be aware, the Government has been making genuine efforts to allay the fears and suspicions of minorities and if their exodus from Sind continues, it is not because they are not wanted here but because they are more prone to listen to people across the border who are interested in pulling them out [...] I realize that during the last few months there have been encroachments on private property but you should not judge the Government too harshly.[118]

He explained that the arrival of government personnel from India and especially the influx of refugees 'whose tempers have been frayed by the suffering undergone by them'[119] from India needed to beunderstood with sympathy. Incidents of the refugees attacking Hindus and Sikhs had been reported, and in Karachi, where Jinnah lived, the properties of those non-Muslims were being broken into and occupied. It is against this background that he made such a remark. He observed, 'Parsis as a community have fortunately escaped the ravages of the recent internecine conflict that has brought so much suffering to other communities, and I see no reason why their future should hold any terror for them.'[120]

On 19 February, Jinnah broadcast to the people of Australia, informing them that Pakistan had been carved out of the British Empire. It was a novelty as it was not a case of the usual anti-colonial struggle but a separatist struggle of a minority to prevent a majority from coming into power in a democratic system on the grounds that the division of majority and minority was not political but religious and would therefore permanently place the Muslims at a disadvantage. Jinnah was anxious to project a benign image of Pakistan. He added that Pakistan was not a theocracy. He said that as members of the brotherhood of Islam, all Muslims were equal. However, Islam demanded from Muslims the tolerance of other creeds and therefore loyal non-Muslim Pakistanis were welcome to play that

IQBAL FORUM

part in making Pakistan a great country. Further, he said, 'Not only are most of us Muslims but we have our own history, customs and traditions and those ways of thought, outlook and instincts which go to make up a sense of nationality [. . .] We have no aggressive designs on our neighbours.'[121] Speaking about the Partition he said:

> Our people have not achieved their ambition to have a place of their own without great suffering [. . .] Men and women and children have been massacred in their thousands—millions are homeless. The trouble once having started, the people on both sides have hit back at each other, and I hope they are ashamed of it.[122]

As noted earlier in this chapter, Jinnah was acutely aware of the importance of the United States in world affairs. In February 1948, Jinnah recorded a broadcast talk for the American people. He began by conveying his greetings and then said:

> This Dominion which represents the fulfilment, in some measure, of the cherished goal of 100 million Muslims of this subcontinent came into existence on August 15, 1947. Pakistan is the premier Islamic State and the fifth largest in the world.[123]

He then introduced Pakistan as mainly an agricultural country and economy with raw materials and a great potential to develop industrially. Then he took up the constitutional question:

> The constitution of Pakistan has yet to be framed by the Pakistan Constituent Assembly. I do not know what the ultimate shape of this constitution is going to be, but I am sure it will be of a democratic type, embodying the essential principles of Islam. Today, they are as applicable in actual life as they were 1,300 years ago [. . .] In any case, it is not going to be a theocratic state—to be ruled by priests with a divine mission. We have many non-Muslims—Hindus, Christians and Parsis—but they are all Pakistanis. They will enjoy the same rights and privileges as any other citizens and will play their part in the affairs of Pakistan.[124]

IQBAL FORUM

With regard to foreign policy, Jinnah declared that Pakistan's policy would be to have friendly relations with all nations and promised that Pakistan would always be willing to extend its support to 'the oppressed and suppressed people of the world and in upholding the principles of the United Nations Charter'.[125]

The first US ambassador to Pakistan did not arrive until February 1948. Prior to that, American representation was at a lower level. Jinnah told Ambassador Paul Alling that he wanted friendly relations with India on the same pattern as the relations between the United States and Canada. However, he blamed Mountbatten for favouring India on the Kashmir issue. Jinnah and his sister Fatima Jinnah had tried to convince the ambassador to rent out his house 'Flagstaff', but Alling told him politely that the US needed a smaller place which they had already rented for the US embassy.[126]

In his welcome speech on 26 February 1948, Jinnah told Alling that Pakistan and the United States shared democratic aspirations and assured him of Pakistan's support in the struggle to liberate oppressed people.[127] In subsequent public meetings and press statements Jinnah made routine proclamations about Pakistan having survived attempts by its enemies to bring about its collapse and disintegration but that it had outlasted all such plots. He addressed several sections of the armed forces, received diplomatic deputations and talked to students. Addressing army officers and men at Malir, outside Karachi, on 21 February, he told them, 'Now you have to stand guard over the development and maintenance of Islamic democracy, Islamic social justice and the equality of manhood in your own native soil.'[128]

On 12 April, he told students of Islamia College Peshawar, 'Remember we are building a State which is going to play its full part in the destinies of the whole Islamic world.'[129] On 18 April, to the faculty and students at Edwardes College, Peshawar, he described Pakistan's distinctiveness as 'Islamic, Muslim rule, as a sovereign independent state'.[130] Such speeches and messages continued during the rest of the summer and Jinnah addressed the personnel of the three branches of the Pakistan Armed Forces and civil gatherings. Speaking at Quetta municipality on 16 June, he described provincialism as a curse, emphasizing that ethnic nationality had to be superseded by Pakistani identity.[131]

IQBAL FORUM

On 1 July 1948, at the opening ceremony of the State Bank of Pakistan in Karachi, Jinnah said:

> I shall watch with keenness the work of your Research Organization in evolving practices compatible with Islamic ideals of social and economic life. The economic system of the West has created almost insoluble problems for humanity and to many it appears that only a miracle can save it from disaster that is facing the world [. . .] We must work our destiny in our own way and present to the world an economic system based on true Islamic concept of equality of manhood and social justice. We will thereby be fulfilling our mission as Muslims and giving to humanity the message of peace which alone can save it and secure the welfare, happiness and prosperity of mankind.[132]

It was probably the last of his hectic public engagements. He had already shifted to Ziarat, a hill station in Baluchistan, earlier.

On 6 August, Jinnah issued felicitations on the occasion of Eid-ul-Fitr (the festival which follows after the month of fasting). On 14 August, marking the first anniversary of Pakistan, he reminded Muslims of the great ordeal through which they had passed in winning their separate state. The message reiterated his belief in the theory that the Congress and later the Indian government were conspiring to destabilize Pakistan:

> Disappointed in their efforts by other means to strangle the new State at its very birth, our enemies yet hoped that economic manoeuvres would achieve the object they had at heart. With all the wealth of argument and detail, which malice could invent or ill-will devise, they prophesied that Pakistan would be left bankrupt. And what the fire and sword of the enemy could not achieve, would be brought by the ruined finances of the State. But these prophets of evil have been thoroughly discredited. Our first budget was a surplus one; there is a favourable balance of trade, and a steady and all-round improvement in the economic field.[133]

IQBAL FORUM

Reviewing the speeches, statements and messages of Jinnah during 13 August 1947 and 14 August 1948, one is struck by his insistence on the grand conspiracy of the Indian leadership to destabilize Pakistan. Yet, Gandhi and Nehru had saved Pakistan from certain collapse under the weight of the 35 million Muslim refugees and Gandhi had given his life for Indian Muslims to be treated as equal citizens and Pakistan getting its financial share of British assets. The Hindu Mahasabha and the RSS were notorious Muslim baiters but Jinnah proverbially never made a distinction between them and Gandhi or Nehru. One does note some flexibility in one or two speeches where such a distinction is made, but for Jinnah it was important always to underline that veracity of his two-nation theory, the necessity of Partition and the creation of Pakistan. Hindu-Hindustan, Muslim-Pakistan was the binary upon which he had built his politics and achieved his goal.

The break-up of India had resulted in a human catastrophe of unprecedented magnitude in the Indian subcontinent. In Congress circles, considerable resentment existed against Jinnah, the Muslim League and Pakistan. Pakistan also felt that its share of the military hardware of the British colonial state was unfairly distributed, and with regard to Kashmir it felt that because of the overwhelming Muslim majority, it should have been given to Pakistan, though neither the 3 June 1947 Partition Plan nor the Indian Independence Act of 1947 provided any scope for that. India had its own catalogue of grievances and the Partition killings had generated hatred on both sides.

As both Bolitho and Wolpert have noted, Jinnah needed to continue believing that he was right in demanding Pakistan. However, Chaudhry Khaliquzzaman, whom Jinnah made the president of the Muslim League in December 1947, admitted that the two-nation theory had been harmful to the Muslims left behind in India. He quoted a letter written to him from Calcutta by Huseyn Shaheed Suhrawardy on 10 September 1947, where he had come to the same conclusion. Khaliquzzaman summed up their joint position in the following words, 'He [Suhrawardy] doubted the utility of the two-nation theory which to my mind also had never paid any dividends to us. But after the partition it proved positively injurious to the Muslims of India, and on the long-term basis for Muslims everywhere.'[134]

IQBAL FORUM

This was a very harsh but bold indictment of the two-nation theory by a man who had stayed behind in India and become the leader of the Opposition on Jinnah's insistence in the Indian Parliament. However, on 2 October, he and Suhrawardy accompanied General Ismay to Karachi. On 5 October, he and Suhrawardy met Jinnah, who strongly protested Khaliquzzaman's rejoinder to Sir Zafrulla's fiery speech in the United Nations accusing the Indian government of being party to the mass murder of Muslims in India. Zafrulla had threatened that if the UN did not act to prevent the ongoing slaughter of Indian Muslims, the Pakistan government might decide to intervene militarily to help them. Khaliquzzaman had, in his rejoinder, refuted the charges. He had said:

> [I]t is not correct to say that the Government of India are responsible for what has happened. Most gruesome things have happened in spite of them and their efforts . . . the Congress Government at the Centre and the Ministers in the provinces are striving hard to shoulder the onerous task. Above all, Mahatma Gandhi is straining every nerve to impress upon the people in India where that independence would not be worth anything if the present inhuman and barbarous killing of one community by the other does not immediately end.[135]

Sir Zafrulla's belligerent statement threatening India with a Pakistan invasion may have in fact had the opposite effect, and if there was any hesitation in Delhi, it gave way to a determination to meet such a threat head-on. Jinnah seemed not to have realized the limitations and had gone along with Zafrulla's hyperboles and demagogy. On the other hand, Khaliquzzaman's statement was very well received in India. He met Gandhi, who showed him a letter his son Ramdas had written him (mentioned in an earlier chapter), in which he had said that Gandhi's 'life had become a curse for the Hindu jati'.[136] Gandhi told him that he would not rest until the Muslims in India felt safe and secure. He told Khaliquzzaman, 'If you could persuade Sindhi Hindus not to run away from Sind, my task would be easy.'[137] He also met Nehru, Azad and other Congress leaders who assured him that Muslims in India would be given full protection.

IQBAL FORUM

However, he told Jinnah he had decided not to return to India and that he would let some other Muslim speak on behalf of the Indian Muslims.[138] It is not clear what transpired between Jinnah and Suhrawardy.

It is evident that after Pakistan had come into being, Jinnah's primary attention was directed towards the refugee problem, which, besides being a human tragedy, posed a real existentialist threat to Pakistan. He continued to plead for the protection of Hindus and Sikhs, but those appeals were not heeded by the administrations in the federal capital nor in the provinces of West Pakistan. East Pakistan received much less attention because no comparable migration as a result of communal riots had taken place. Simultaneously, he expended his skills on soliciting understanding and help from Western powers. From his public speeches there is nothing to suggest that he regretted the partition of India. If at all, he continued to harp on the familiar theme of a conspiracy against Muslims by the Hindu Congress, which he now modified as a plot of the Hindu Indian government against Pakistan. Understandably, such a conviction was the leitmotif of his whole campaign against a united India, and after Pakistan came into being, it continued to be the 'core argument' around which he conducted his politics. It was most certainly part of his personal belief that Gandhi had usurped his role as the supreme leader of the Indian freedom movement, which he had now requited by becoming the supreme leader of Pakistan.

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IQBAL FORUM

Chapter 18

Jinnah's Prerogatives as the All-Powerful Head of State



Jinnah's reputation as the champion of constitutionalism is widely talked about. His long years in the Central Legislative Assembly, with hundreds of speeches delivered in the best traditions of constitutionalism, and his general disdain for mass movements do testify to such a reputation. All that changed fundamentally after his call to Direct Action, symbolically proclaiming that he was holding a pistol in one hand. It resulted in the communal bloodbath in Calcutta in August 1946. What followed subsequently is already reviewed in the preceding chapters.

After Pakistan had come into being, the situation was entirely different. Jinnah was uniquely in a position to set precedents as governor-general which could strengthen and consolidate constitutionalism. By constitutionalism, I mean adherence to the standard norms and procedures of democratic government. It presupposes limits on the power of key actors through checks and balances and, in a federation, the demarcation of the powers of the central and provincial governments. In a parliamentary democracy, the head of state is a titular ruler with effective executive powers vested in the prime minister. As we know, the amended 1935 Act and the Indian Independence Act were the two main sources for defining the powers of the Centre and provinces and of the head of state, the governor-general and head of executive, the prime minister, and so on. These, together with other supplementary provisions, were to serve as the interim Constitution of Pakistan.

IQBAL FORUM

Section II of the Indian Independence Act of 1947 defined the role of Jinnah as governor-general

It was stated:

> And We do hereby authorize, empower and command you to exercise and perform all and singular powers and duties conferred and imposed upon Our Governor-General of Pakistan by and under provisions of the Act passed in this tenth and eleventh year of Our Reign intituled the Indian Independence Act 1947.[1]

According to Khalid bin Sayeed, Section 8 of the amended Government of India Act, 1935, adopted on 18 July 1947, presumed that the governor-general would act strictly on the advice of his ministers. However, Section 9 conferred wide powers on the governor-general to bring the Act into operation. Jinnah requested Mountbatten to make such adaptations as would enable him to circumvent the restrictions imposed on dominion governors-general. Mountbatten complied with his request in an adaptation order issued on 14 August 1947.[2] Justice Sir Abdul Rashid administered the oath of office as governor-general of Pakistan to Mohammad Ali Jinnah on 15 August 1947. Once sworn in, Jinnah made amendments which permitted him to effectively control the executive branch of the state.[3] As noted, Mountbatten had reminded Jinnah that the governor-general was expected to be a titular head of state, while as prime minister Jinnah could exercise wide powers in accordance with the norms of parliamentary democracy, but he had spurned such advice. Jinnah's decision to acquire sui generis powers not only perpetuated the viceregal system bequeathed by the colonial state in which the governor-general and provincial governors enjoyed substantive powers with a veto right on several issues, but its further strengthening and deepening proved undeniably detrimental to the parliamentary system of Pakistan.

British officialdom

While Jinnah had rejected Mountbatten as the governor-general of Pakistan, he retained British officers in key positions in the civil and military apparatuses. He appointed British governors of East Bengal,

IQBAL FORUM

the NWFP and the Punjab. Only in Sind a Pakistani was given that post. The governors (with the exception of the East Bengal governor) presided over the provincial cabinet meetings, just as Jinnah did over the central cabinet meetings. In the case of West Punjab, Governor Sir Francis Mudie's interference was particularly excessive. He considered Chief Minister Nawab Iftikhar Hussain Mamdot to be incompetent and corrupt and advised Jinnah to remove him. Jinnah invited Mamdot and his rival, Mian Mumtaz Mohammad Daultana, to Karachi where Daultana did not press for Mamdot's removal and the crisis was averted. Even after Jinnah's death Mudie persisted with his campaign against Mamdot, but Liaquat refused to comply and Mudie resigned and left.[4,5]

Regarding the administration of defence and military spheres, Jinnah appointed British chiefs of the army, navy and air force and retained a relatively larger number of officers in the three wings of the armed forces of Pakistan. His financial adviser was an Englishman, Sir Archibald Rowland. India too retained British officials but in much smaller proportions and for a much shorter period.

The first central cabinet

The first cabinet of the Government of Pakistan, sworn in on 15 August 1947, consisted of the following ministers:

- Nawabzada Liaquat Ali Khan, Prime Minister (Sunni, Urdu-speaking, with roots in the Ambala division of united Punjab) and Minister for Foreign Affairs and Defence
- I.I. Chundrigar (Shia, Gujarati), Minister for Commerce, Industries and Works
- Sardar Abdur Rab Nishtar (Sunni, Pakhtun), Minister for Communications
- Raja Ghazanfar Ali (Shia, Punjabi), Minister for Food, Agriculture and Health (In December he was shifted to the Evacuee and Refugee Rehabilitation ministry)
- Jogendra Nath Mandal (Dalit, Bengali), Minister for Labour and Law
- Ghulam Muhammad (Sunni, Punjabi), Minister for Finance
- Fazlur Rahman (Sunni, Bengali), Minister for Interior, Information and Education

IQBAL FORUM

Only one Muslim Bengali, Fazlur Rahman, was appointed as a member of the cabinet. Bengalis constituted more than 55 per cent of Pakistan's population. Begum Shahnawaz has described the feeling of despair which pervaded a social gathering in Karachi when the central cabinet was announced. Fazlur Rahman was unknown in West Pakistan and was probably a minor player in East Pakistan as well. Huseyn Shaheed Suhrawardy, an Urdu-speaking Bengali politician who was considered a rival of Liaquat's, was excluded, as were some other Bengali heavyweights. Shahnawaz alleges that the cabinet represented Liaquat's yes-men.[6] She understandably could not dare blame Jinnah, without whose approval nobody could have been included in the cabinet. Begum Shahnawaz was no stranger to Jinnah's absolute authority as she herself had been expelled from the Muslim League by him for five years when she defied his orders and joined Viceroy Linlithgow's National Defence Council in 1940.

Regarding the under-representation of Bengalis, FarooqAhmad Dar opines:

> A group of Bengali politicians was disappointed as only one minister was taken from East Bengal [actually it was two because Mandal was also from East Bengal but Dar obviously is not thinking of a Hindu as representing Bengalis] and most of the outstanding leaders of the province were not included in the cabinet. They blamed that only 'yes men' of Liaquat had been included. In fact, it was the feeling of a small segment of the Bengali society and could not be considered as a reflection of the majority masses of East Bengal. During Jinnah's days there was no demand for equal cabinet members from the two wings of the country; all such demands started after his death.[7]

On what basis Dar concludes that only a small segment of the Bengali society and not the masses of East Bengal were disappointed remains unclear. Very soon a reaction to such uneven representation of Bengalis was to follow when Jinnah visited East Bengal in March 1948. More on that later. In December, Sir Muhammad Zafrulla Khan from the Ahmadi community and from the Punjab was inducted as the foreign affairs and commonwealth affairs minister. Also, Abdus Sattar Pirzada, a Sunni from Sind, was included because the Sindhis too felt

IQBAL FORUM

ignored and some resentment was expressed in Sindhi political circles. He was given the portfolio of food, agriculture and health.

Mandal and Zafrulla

The appointment of Mandal coincided with an identical appointment on the same day in India of Dr Ambedkar as the law and justice minister. Unlike Ambedkar, whose stamp on the Indian Constitution is indelible, Mandal was involved mainly in the day-to-day maintenance of law and order. A committee on the fundamental rights of citizens and minorities was appointed on 12 August 1947, but no evidence of its work, if any, is available. His was a decorative role with no involvement in the making of the Constitution.

The appointment of Sir Muhammad Zafrulla Khan as Pakistan's first foreign minister was another prerogative that only Jinnah could exercise. Zafrulla belonged to the Ahmadiyya community whose belief in Mirza Ghulam Ahmad was anathema to both the Sunni majority as well as to the Shias. As noted already, Zafrulla enjoyed the trust of Jinnah, who had appointed him to plead the Muslim League's case before the Punjab Boundary Commission. He had acquitted himself in that role with flying colours.[8] After Pakistan came into being, Zafrulla gained considerable attention with his strong stand on the Kashmir issue and his backing of Arab causes. He sat next to the prime minister in cabinet meetings, which indicated his seniority, and enjoyed a considerably free hand in foreign affairs. Regarding Arab causes, Jinnah and the Muslim League had always supported the cause of the Palestinian Arabs and opposed the creation of Israel. However, among Arabs, many considered the Congress as representative of the anti-British freedom struggle and the Muslim League a colonial ploy like the Zionist movement. On 26 November 1938, Gandhi, in his paper, *Harijan*, while comparing the suffering of Jews in Europe to the tragic and sordid treatment of the untouchables in India, took a principled stand against the establishment of Israel under the force of British bayonets in the Middle East.[9] This Arab attitude was noted by Chaudhry Khaliquzzaman when he visited Egypt in 1938 on the way to the Palestine conference held in London during 1938–39. He found that the Arab leaders were sympathetic to the Congress, while the Muslim League position was not well known to them.[10] Ayesha Siddiqa

IQBAL FORUM

had shed further light on the Pakistani efforts to win over the Arabs in her detailed article, 'A Friendship Fit for a King', published in the *Friday Times* of 28 April 2017. She refers to a note sent to London by the UK high commissioner to Pakistan from Karachi dated 1 March 1948, in which a letter written by Jinnah to the leader of the Ikhwan-al-Muslimin (Muslim Brotherhood), makes interesting reading. Jinnah wrote:

> I am writing you, the great Moslem Leader, to inform you that I am determined, by God's will, to save Pakistan from the tyranny of imperialism and the various hostile currents. I have therefore decided to follow the advice you kindly gave me in a recent letter, that my Government should assume a purely Islamic character and work, in close co-operation with the other strong international Islamic organisations which are headed by your Ikhwan Al-Muslimun society.
>
> I therefore ask you, Brother, to send me as soon as possible Ustaz Saleh El-Ashmawy, whom you had previously delegated to us as a special mission. He will be the guest of our Government. And I shall be able to study together the question of the Islamic League which was previously proposed by you . . .[11]

On my request, Dr Siddiqa very kindly shared the original note of the UK high commissioner. It is kept in Kew Gardens as file no: DO 142/476. The high commissioner in his notes on the letter mentions that the British government needs to wait for the drafting of the Pakistan Constitution before taking it for granted that the Islamic character of the administration was there to stay. In another remark he writes, 'Our latest information is that Mr. Jinnah has vetoed the West Punjab Government's Bill to applying the shariat code for matters of "statute personnel" (meaning, to the rights of the individual).'[12]

It is a source of some speculation how serious Jinnah was about making Pakistan an Islamic state the way the Muslim Brotherhood understood it, and perhaps such a gesture was meant merely to win over Arab approbation for Pakistan. On the other hand, his reported vetoing of the shariat code for personnel matters should not necessarily mean an opposition to its application to personal matters; rather, Jinnah was probably being consistent with the stand he had taken in 1937, opposing the application of the shariat law to ownership of agricultural land. Such

IQBAL FORUM

a stand in 1937 had secured him the support of the powerful landlord class, because under customary laws female heirs were not given a share in hereditary agricultural land. Now, if the Punjab government wanted to apply the shariat code to all forms of property, including agricultural land, then Jinnah probably opposed it because he felt he needed the continuing support of the landlord class. It is noteworthy that in 1937, the plea he had taken was that agriculture was a provincial subject, but now he was allegedly overruling a provincial government bill which would have made its application possible.

The Department for Islamic Reconstruction

As noted in his letter to Hassan Al-Banna, Jinnah's ambition to make Pakistan Islamic existed in some sense and he expressed that on several occasions. The only department that Jinnah established as governor-general was the Department of Islamic Reconstruction. Allama Muhammad Asad (formerly Leopold Weiss), an Austro-Hungarian Jew who had converted to Islam and become an erudite scholar of Islam, was granted Pakistan's citizenship after Pakistan's independence. On 24 December 2015, in a television talk show called *Frontline with Kamran Shahid*, the secretary of the Pakistan Archives, Orya Maqbool Jan, displayed an official document declaring its establishment by Jinnah in August 1947.[13]

The Department of Islamic Reconstruction (DIR) based in Lahore was given four tasks: (i) to help draft Pakistan's Constitution; (ii) to propose the framework of Pakistan's economic system; (iii) to propose the framework of Pakistan's education system; and (iv) to propose the framework of Pakistan's social system along Islamic lines. However, soon after Jinnah's death, the foreign minister, Sir Zafrulla, had Asad transferred to the Pakistan foreign ministry. Nevertheless, Asad's influence was reflected in the Objectives Resolution of March 1949.[14] Asad was a follower of Iqbal.

The dismissal of the Dr Khan Sahib ministry in the NWFP, 22 August 1947

The Muslim League came to power at the Centre and all other provinces of Pakistan when power was transferred in mid August 1947. In the elections held in the NWFP in 1946, the Frontier National Congress

IQBAL FORUM

won eighteen Muslim seats, while the Muslim League secured only thirteen. Yet the province was allotted to Pakistan after a referendum, which allowed only two options: the province could either join India or Pakistan. The Congress wanted a third option, namely, the creation of an independent state of Pakhtunistan. This demand was overruled by the British. The Congress government, led by Dr Khan Sahib, elder brother of Khan Abdul Ghaffar Khan, therefore boycotted the referendum. Thus, out of a total electorate of 572,798 only 292,118 cast their votes. Votes cast for Pakistan were 289,244 and merely 2874 for India. This meant that of the total votes in the NWFP, 50.5 per cent votes were cast for Pakistan.[15]

Jinnah had started saying before Pakistan came into being that the Dr Khan Sahib ministry must be dismissed because it had lost the referendum. Khan Sahib had himself made such an announcement before the referendum was held that if he loses the referendum he would resign. But he had then changed his mind. Jinnah approached Mountbatten to dismiss Khan Sahib, who promised to do so, but the British government overruled the request on the grounds that since the ministry enjoyed a majority in the legislature, therefore, no grounds existed to justify its dismissal. Sir George Cunningham, an old NWFP hand, served as governor of the NWFP till the beginning of 1946 and then returned to Britain. Jinnah requested his services but Cunningham was reluctant. Jinnah appealed to Mountbatten to persuade Cunningham to return. Mountbatten and the Home Office in London convinced Cunningham that he was needed, and he returned and took the oath of office on 15 August.[16]

Although known for his pro–Muslim League sympathies and despite being Jinnah's personal choice, Cunningham was uneasy about the constitutional propriety of the dismissal of Dr Khan Sahib's Congress ministry. He felt it had commanded a majority in the provincial legislature and there was no law-and-order situation that warranted the imposition of Section 93 of the Government of India Act of 1935 so that the NWFP be brought directly under governor's rule.[17] Allegations have been made that Dr Khan and his ministers refused to salute the national flag and take an oath of allegiance to Pakistan, and that they intended to declare an independent Pakhtunistan. Cunningham's version of events is that he met Khan Sahib, who told him that he and his ministers had

IQBAL FORUM

no intention of opposing the Pakistan Constitution or declaring the NWFP as an independent Pakhtunistan, but that they would not take part in the flag-raising ceremony because they suspected that their presence would result in trouble and civil unrest.[18] On 21 August, Jinnah rang up Cunningham, informing him that 'he had passed the necessary orders legalising the dismissal of the Ministry. A telegram on the morning of the 23rd August showed that Government of India Act had been amended by Mr Jinnah for the purpose'.[19] Cunningham complied, and on 23 August 1947 a Muslim League ministry headed by Khan Abdul Qayyum Khan was sworn in.[20]

Farooq Ahmad Dar, however, has the following to say about the dismissal of the Congress ministry:

> In spite of the legal and moral desire of Jinnah and the Muslim League, Khan Sahib's government continued functioning in the province after the creation of Pakistan. They gave no impression that the Khudai Khidmatgars had changed their mind and accepted Pakistan as a sovereign state. On the contrary, the Muslim League leadership got the impression that the party continued to indulge itself in activities which made it further controversial. Some even believed that Khan Sahib refused to take the oath of loyalty to Pakistan. Even if it is not true, it is an established fact that Khan Sahib and his party had serious ideological differences with the Muslim League and they had established links with both India and Afghanistan.[21]

Khalid bin Sayeed, who talked to several people involved in that decision and examined primary source material, spoke of a very different conclusion:

> It has been reported that the Ministry was dismissed because Khan Sahib, the Chief Minister, had refused to take the oath of loyalty to Pakistan. Thus, Lord Birdwood has written: 'For a while Dr Khan Sahib clung to his responsibilities. But on the establishment of Pakistan and his refusal to take the new oath Mr Jinnah removed him.' *Dawn* alleged that Congress Ministers in the Frontier showed disrespect 'to the sovereign flag of the State by declining to attend its hoisting ceremony'. From the

IQBAL FORUM

> evidence gathered by the author [Khalid bin Sayeed], it is quite clear that neither of these versions is accurate.[22]

It is noteworthy that even when relations between Jinnah and Mountbatten were cold, and even strained, it did not mean they could not cooperate to safeguard mutual strategic interests. Mountbatten had advised Jinnah to declare the Durand Line as the international border. Moreover, amid protests from Sardar Patel, he insisted that Pakistan receive more military aircraft than the number the Congress government was willing to give. This happened at the time of Partition, when colonial military hardware was to be divided between the two dominions created in the subcontinent.[23] The reason was that British policy and strategy—Mountbatten's friendship with Nehru notwithstanding—was to strengthen Pakistan vis-à-vis Afghanistan, whose rulers had in the past defied British hegemony.

The tribal areas

During the colonial period, the British grouped the tribal areas adjoining the NWFP, the Punjab and Baluchistan into five agencies. Through various treaties the agencies were ensured internal autonomy, while political agents, the deployment of large numbers of troops and a string of fortifications saw to it that British suzerainty remained unchallenged. Jinnah and other Muslim Leaguers were able to win most tribal leaders to the Pakistan cause and later sent a large number of tribesmen into Kashmir in October 1947 as part of the irregulars who would liberate Kashmir from the rule of the Hindu Dogras. Jinnah appreciated their support for Pakistan and services in Kashmir and decided to withdraw the Pakistan Army by the end of December 1947 from the tribal areas. Paramilitary units of the Frontier Corps, known as Scouts, were instead posted there to police the agencies and maintain law and order. Such gestures apparently resulted in the dissipation of the opposition among tribal leaders to Pakistan and they became loyal to the country.[24] It is a moot question whether amalgamating the agencies with the adjoining provinces would have been a better option. The tribal areas lagged behind in economic and social development and were drawn into the so-called Afghan jihad of the 1980s.

IQBAL FORUM

British Baluchistan

Jinnah was in Baluchistan in February 1948 to explain to the members of the Shahi Jirga, the sardars of the different tribes and representatives of the people, why he was declaring Baluchistan a governor-general-administered region. He informed them that during the British period Baluchistan had different administrative units and legal systems. British Baluchistan consisted of some areas directly administered by the British, and then there were some tribal areas as well as Kalat state and its small vassal states. He was now bringing British Baluchistan and the tribal areas directly under his jurisdiction (the future of Kalat was still not decided). This way, Baluchistan, which was financially a deficit region, would get proper support and help from the Centre, and the legal system would be reformed and modernized. He said that the direct rule of the governor-general would not mean that the representatives of the people would not be consulted and their advice not sought. On the contrary, this way, Baluchistan would benefit from the reforms that the Government of Pakistan was planning to implement for all of Pakistan. He said that the final Constitution of the nation would be framed by the Pakistan Constituent Assembly, which would declare the exact division of powers.[25]

During a press conference on 14 February 1948, Jinnah responded to a number of questions on these issues:

> Question: Why is Baluchistan being made into a Governor-General's province under reforms announced by you at the Durbar yesterday, and are you in favour of dictatorship?
>
> Jinnah: I believe it will be better off that way. Things will be done far more quickly than in the usual process of full-fledged parliamentary discussions. But it does not mean that I am in favour of dictatorship.[26]

He assured the people that the minorities would be adequately represented in the Council he was going to create for Baluchistan to advise him. In response to a question about the accession of Kalat state, he read out a letter he had received from the Khan informing him that after consulting both houses of his state assembly, the Dar-

IQBAL FORUM

ul-Awam (People's House) and the Dar-ul-Khas (House of Chiefs and Notables), he would inform him on 21 or 22 February of their considered opinion.[27] He was also asked about Kashmir, to which he replied, 'I cannot say anything on the Kashmir issue as UNO is dealing with the issue and anything in the circumstances might aggravate the situation.'[28]

The visit to Baluchistan and his interaction with the Baluch leaders was indicative of his concern that Pakistan should function as a coherent and integrated state. Such a disposition made perfect sense because a modern state needed to standardize its procedures and the existence of conflicting constitutional and legal values and practices in one polity is always a problem. In the United States, for instance, some states apply the death penalty, while others don't; this obviously has serious implications for the overall rights of citizens.

More interestingly, when Nehru had rejected the Cabinet Mission Plan, one of his pleas was that without effective central control, a sovereign state cannot exert its will. Jinnah was now doing the same and, understandably, it was not something which was liked by all the affected parties in Baluchistan. Some even accused him of being a dictator, a charge he rejected, saying that the interests of Baluchistan were served best if he directly took over the affairs of that region and helped it on the way to progress. Jinnah was determined to prevent regional and subregional interests from standing in the way of a more centralized and rationalized political and administrative system. However, the approach was not consistent since control over the tribal areas in the north had been removed. One can argue that it was a step preparatory to the annexation of Kalat, which, as we shall learn shortly, wanted to remain independent. By bringing Baluchistan directly under his jurisdiction, Jinnah armed himself with extraordinary powers to extend the control of the central government to all configurations constituting the Baluchistan region.

East Bengal (East Pakistan)

During March, Jinnah paid his first visit to East Pakistan after Pakistan became independent. It was a very hectic schedule. On 21 March, he met a delegation of the Scheduled Castes Federation. Jinnah told them that he and his government were committed to their upliftment and

IQBAL FORUM

welfare, but that he could not grant their demand of two Scheduled Caste ministers being included in the East Bengal cabinet because they had only five members out of the total of nineteen Hindu members of the Assembly. Doing so would be a case of favouritism, but he assured them that the government was looking into this matter.[29] On 22 March, he received a delegation of upper-caste Hindu members of the East Bengal Legislative Assembly and told them that 'Hindus should in spirit and action whole-heartedly co-operate with the Government [. . .] and if this spirit is created, it will be easy for the Government to discharge its functions smoothly'.[30]

Urdu as the national language and the Bengali reaction

The key issue that figured in Jinnah's decisions while in East Pakistan was that of the national language. Although Muslim separatism originated in the Urdu-speaking belt of north India, it was the partition of Bengal in 1905 and its annulment in 1911 that had created the first fissures in Bengal between the Hindu and Muslim elites and intelligentsia. East Bengal alone constituted more than 55 per cent of the total population of Pakistan. Thus, it was population-wise the biggest province of Pakistan, but area-wise it was much smaller than West Pakistan. Moreover, while West Pakistan's demography comprised four different nationalities—the Baluchs, the Punjabis, the Pakhtuns and the Sindhis, to which had been added, at the time of Partition, a sizeable number of Urdu-speaking migrants—East Bengal was home to a compact Bengali-speaking population.

Bengali was a highly developed language that had been in use in the province even when the British had adopted Urdu for northern and north-western India as the state language at the lower levels. A tiny but very influential Urdu-speaking gentry, however, was settled in Calcutta and some other urban centres of Bengal. At the time of Partition, several thousand migrants from Bihar and eastern UP had also settled in East Bengal. However, these constituted a minuscule minority in an otherwise language-wise homogeneous Bengal.

In February 1948, Prime Minister Liaquat Ali Khan stated in the Constituent Assembly that Urdu would be the sole national language of Pakistan. This was supported by Khawaja Nazimuddin,

IQBAL FORUM

a scion of the Urdu-speaking family of the Nawab of Dacca, who was chief minister of the Muslim League government in East Bengal.[31]

Public speech in Dacca, 21 March 1948

Addressing a large public gathering, Jinnah took up the reasons why Pakistan was a matter of life and death for Muslims, and that Muslims, whether Bengali, Punjabi, Sindhi, Pakhtuns, Baluch or Urdu-speaking, Shia or Sunni, were one nation because of their common bond of Islam. He then took up the contentious language issue:

> Let me tell you in the clearest language that there is no truth that your normal language is going to be touched or disturbed so far as your Bengali language is concerned. But ultimately it is for you, the people of this Province, to decide what will be the language of your Province. But let me make it very clear to you that the State language of Pakistan is going to be Urdu and no other language. Anyone who tries to mislead you is really the enemy of Pakistan. Without one State language, no nation can remain tied up solidly together and function. Look at the history of other countries. Therefore, so far as the State Language is concerned, Pakistan's language shall be Urdu. But as I have said, it will come in time.
>
> I tell you once again, do not fall into the trap of those who are the enemies of Pakistan. Unfortunately, you have fifth-columnists—and I am sorry to say they are Muslims—who are financed by outsiders.[32]

He urged the Bengali Muslims to join the Muslim League: 'Every Mussalman should come under the banner of the Muslim League, which is the true custodian of Pakistan.'[33]

Speech at the Dacca University convocation, 24 March

The declaration of Urdu as the national language and Bengali merely as the provincial language was received with considerable anger and annoyance by the Bengalis. However, Jinnah remained

IQBAL FORUM

uncompromising when he spoke at the Dacca University convocation. He proclaimed:

> Let me restate my views on the question of a State language for Pakistan. For official use in this Province, the people of the Province can choose any language they wish [. . .] There can, however, be only one lingua franca, that is, the language for inter-communication between the various provinces of the State, and that language should be Urdu and cannot be any other. The State language, therefore, must obviously be Urdu, a language that had been nurtured by a hundred million Muslims of this sub-continent, a language understood throughout the length and breadth of Pakistan and above all, a language which, more than any other provincial language, embodies the best that is in Islamic culture and Muslim tradition and is nearest to the language used in other Islamic countries [. . .] Make no mistake about it. There can be only one State language, if the component parts of this State are to march forward in unison, and that language in my opinion can only be Urdu.[34]

Student agitations rocked Dacca immediately, which resulted in police repression. A catalogue of Bengali grievances began to be formed and, in the long run, proved vitiating and pernicious to the unity of Pakistan. However, the stand Jinnah took was consistent with his position on Urdu as the exclusive language of Muslims. He had rejected outright the Congress idea of Hindustani being the national language of free and united India, with the two scripts of Devanagari and Persian-Urdu. The truth, however, was that after the creation of Pakistan the percentage of those whose mother tongue was Urdu was just around 4 per cent, but it was undoubtedly the language which linked the Muslims of northern and north-western India, from where the main leadership of the Muslim League hailed. Moreover, literate Punjabis and Pashtuns who were employed in government services were proficient in Urdu, but so were the Hindus and Sikhs of the Punjab and of the NWFP. However, for Jinnah, who himself spoke only English fluently, Urdu was the language of Muslims only and hence it had to be the national language of Pakistan.

IQBAL FORUM

Jinnah was not being unreasonable in emphasizing the necessity of a unifying national language, for both symbolic as well as practical reasons, but usually the dominant nationality, which is often also the majority nationality, imposes its language on the smaller regions and provinces. India chose Hindi after the Partition. Soviet Russia had adopted Russian, just as English and French were the official languages of the UK, the US and France respectively. Elsewhere, like in Canada, both English and French were adopted as state languages. Kemalist Turkey had taken a firm stand on Turkish being the national language, which, in the long run, alienated the 20 per cent Kurdish minority. In the case of Pakistan, the mother tongue of a tiny minority was being announced as the national language, but since the Punjabis and a smaller section of Pashtun intelligentsia were also educated in Urdu and none of the nationalities of West Pakistan were conversant in Bengali, Jinnah's stand was reflective of the balance of power which favoured Urdu. Ironically, English proved to be the language of the state for both Pakistan and India, notwithstanding their adoption of Hindi and Urdu as their national languages.

The dismissal of the Sind government

The last dismissal of a provincial government on the order of Governor-General Mohammad Ali Jinnah was that of Sind. The chief minister, Ayub Khuhro, had expressed concerns over Jinnah's decision taken on 1 January 1948 to declare Karachi as federal territory. Migrants in the thousands from the Urdu-speaking belt of north India had come into Sind, and the looting and plunder which had taken place in the urban centres of Sind had generated considerable concern among Sindhi leaders. Jinnah had praised Khuhro as the 'most efficient Minister he had ever seen' because after the attacks on Hindus and Sikhs in Karachi he had been quick to take action and bring things under control.[35] However, Khuhro and Governor Sheikh Ghulam Hussain Hidayatullah had developed serious differences. The governor had been allocating portfolios over the authority of the chief minister. Both sought Jinnah's mediation to settle their differences but nothing substantial came of it. On 1 January 1948, Jinnah without consulting Khuhro, ordered the Karachi federal territory to be separated from Sind. Khuhro protested and the Sind Assembly passed a resolution

IQBAL FORUM

against that decision. However, Jinnah was already irked by Khuhro's opposition to his decision to declare Karachi a federal territory. He issued orders to Hidayatullah to dismiss Khuhro. On 26 April 1948, on the advice of Jinnah, Khuhro was dismissed by the governor on charges of corruption and maladministration.[36]

The princely states

Neither the 3 June 1947 Partition Plan nor the 18 July 1947 Indian Independence Act clearly laid down the status of the hundreds of princely states after the transfer of power to India and Pakistan. British paramountcy had not been transferred either to India or Pakistan, which meant that these states could in principle declare themselves independent. Jinnah had been a very strong advocate of the right of princely states to remain independent. He said, as late as 17 June 1947:

> There is a great deal of controversy going on with regard to the Indian States, and I am, therefore, obliged to state the position of the All-India Muslim League so that there should be no misunderstanding as to what the Muslim League stands for, what our policy is with regard to the Indian States.
>
> Constitutionally and legally, the Indian States will be independent sovereign States on the termination of paramountcy and they will be free to decide for themselves to adopt any course they like; it is open to them to join the Hindustan Constituent Assembly, or decide to remain independent. In the last case, they enter into such arrangements or relationship with Hindustan or Pakistan as they may choose.[37]

With regard to British policy on the princely states, it was a case of sublime ambiguity. Sir Conrad Corfield, an adviser to Mountbatten, favoured the right of the princely states to remain independent, while Mountbatten was in favour of them choosing to join either India or Pakistan. Mountbatten's standpoint prevailed. The new leader of the West, the United States of America, too, was not in favour of a Balkanization of the subcontinent.[38] The British government therefore did not encourage Corfield.

IQBAL FORUM

Now, while the Congress had, towards the final stages of the freedom struggle, decided resolutely to abolish the princely states, the All-India Muslim League had no clear policy on this matter, even after British rule ended. Moreover, while India decided not to seek the accession of princely states located outside Indian territory, Jinnah, who had close relations with Indian princes, tried to court even some Hindu rulers of Hindu-majority states such as Jodhpur to accede to Pakistan. Junagarh was a tiny state in the Gujarat Kathiawar region of India. Its borders were far away from the Pakistan border. About 80 per cent of its subjects were Hindus who favoured union with India. On the advice of Sir Zafrulla, the nawab decided to accede to Pakistan.[39] On 15 September 1947, Pakistan accepted the accession of Junagarh, thus inadvertently establishing a dangerous precedent. Such accession was doomed from the very beginning, and Sardar Patel encouraged the Hindus to start agitating against the decision. The Indian government annexed Junagarh militarily and held a plebiscite, which showed that the people wanted to join India.[40] Pakistan claimed that since the ruler had acceded to Pakistan, India was illegally occupying it through military aggression. At the United Nations, Pakistan's stand on Junagarh remains unchanged.

Kashmir

The princely Jammu and Kashmir state had an overall Muslim majority of 78 per cent but it had a Hindu Dogra ruler. In the acronym for Pakistan, *k* stood for Kashmir, and given its overwhelming Muslim population, and geographical contiguity and economic integration with West Pakistan, the Muslim League was convinced it would become a part of Pakistan, although the princely states were not part of either the 3 June 1947 Partition Plan nor the Indian Independence Act of 1947. The maharaja wanted to retain his state's independence. He negotiated a standstill agreement with Pakistan, from where much of the food items and other essential supplies were traditionally acquired by his government. India did not respond. The Radcliffe Award had, however, provided a road link to Kashmir via the Pathankot tehsil in Gurdaspur district in the Punjab to India. From at least 1946 onwards, both the Congress and the Muslim League were actively vying with each other over Kashmir. Nehru, as an ethnic Kashmiri

IQBAL FORUM

Brahmin, had a strong emotional bond with Kashmir. He had a good understanding with Sheikh Abdullah of the National Conference, with his support base in the Kashmir Valley, while Pakistan was supported by Chaudhry Ghulam Abbas, supported by the Muslims of Jammu, Poonch and other areas.[41]

Ram Chandra Kak, a Kashmiri Brahmin who was the chief minister of Kashmir, advised Maharaja Hari Singh to join Pakistan, warning him that the Muslims of Kashmir would rebel if he acceded to India. The maharaja had, however, been secretly negotiating a mutually acceptable arrangement with India.[42] On 24 August, an uprising took place in a village in the Poonch district of Kashmir in reaction to firing by the Kashmir State Force on a pro-Pakistan political meeting being held there. The rebels massacred the Hindus and Sikhs in large numbers. Nearly 60,000 demobilized Muslim ex-servicemen joined the rebellion; they began to harass the Kashmir forces and disrupted traffic on the roads and bridges. Most of the Muslim personnel of the Kashmir army deserted and joined the rebels.[43] Anti-Muslim riots in turn broke out on a large scale in Jammu. Jammu's Muslims were killed in the thousands and more than half a million fled to Pakistan.[44] On the other hand, Pakistani irregulars and armed Muslim tribesmen from the NWFP entered the Valley, apparently looking for revenge and hoping to liberate Kashmir. The major column of armed men entered Kashmir from Pakistan on 21–22 October 1947. They were nearly successful in capturing the airport of the capital, Srinagar, but at that dramatic moment the tribesmen fell prey to an ancient vice common among them: looting, plunder and rape.[45] Whatever their initial reaction, the Kashmiris now turned against the intruders. Confronted by the prospect of losing his state to the invaders, Maharaja Hari Singh on 24 October requested help from India. V.P. Menon arrived in Srinagar and told the maharaja that Indian troops would be sent to his aid only if he acceded to India. The maharaja, according to India, signed the accession bill on 26 October 1947. Popular Kashmiri leader Sheikh Abdullah, a friend of Nehru and the Indian National Congress, was in jail because of his opposition to the maharaja. Nehru had him released and sworn in as the prime minister of Jammu and Kashmir.

The governor, Sir George Cunningham, was opposed to the invasion of Kashmir by tribesmen. On 25 October, Colonel Iskander

IQBAL FORUM

Mirza (later the President of Pakistan) arrived from Lahore and gave him the following background to the invasion:

> He told me all the underground history of the present campaign against Kashmir and brought apologies from Liaquat Ali for not letting me know anything about it sooner. Liaquat had meant to come here last week and tell me about it personally but was prevented by his illness, which seems to be fairly serious heart trouble. Apparently, Jinnah himself heard of what was going on about fifteen days ago but said, 'Don't tell me anything about it. My conscience must be clear.' Iskander is positive that Hari Singh means to join India as soon as his new road from Pathankot is made, which might be within three months. He has got a lot of Sikhs and Dogras into Poonch and Jammu and has been trying to shove Muslims into Pakistan in accordance with the general Indian strategy. It was decided apparently a month ago that the Poonchis should revolt and should be helped. Abdul Qayyum was in it from the beginning. British Officers were kept out simply not to embarrass them.[46]

Cunningham goes on to say that more and more tribesmen were pouring into Kashmir, but Indian troops began to land in Srinagar on 27 October. Cunningham flew to Lahore the following day to attend a conference where senior generals such as Gen. Gracey and Field Marshal Auchinleck, the supreme commander of both India and Pakistan, were also present, as were Jinnah, Liaquat and other Muslim League leaders. Jinnah made a case for the right of intervention, asserting that Hari Singh's accession to India was fraudulent—Cunningham claimed he could not understand how it was fraudulent.[47] Jinnah had wanted to send regular Pakistani troops into Kashmir but Gracey (acting commander-in-chief of the Pakistan Army while C.-in-C. Gen. Messervy was in London on leave), on the advice of Auchinleck, refused to comply and threatened to withdraw all British officers. This made Jinnah change his mind.[48]

After the Indian troops had landed, the advance of the mujahideen was halted and effective counter-attacks were launched. By November,

IQBAL FORUM

the tribesmen began to return from Kashmir, laden with loot. Cunningham regretted that the Pakistan government was permitting it. He was so demoralized that he wrote, 'I could have found half a dozen excellent grounds for resigning in the last two weeks or so, but I feel that we may be able to get the thing gradually under control again and that one must try to see it through.'[49] According to an estimate he made on 7 November, some 7000 tribesmen were in Kashmir at that time, not far from Srinagar. However, they then made contact with the Indian troops outside Srinagar and suffered heavy casualties. He noted that, because of the excesses of the tribesmen, 'many Muslims of Kashmir would have voted to adhere to India and not to Pakistan if a plebiscite had been held then'.[50] Moreover, Cunningham thought that 'the time for obtaining India's agreement to a plebiscite ended when the tribes were in ascendant in the vale of Kashmir; even the Chief Minister [Abdul Qayyum Khan] told him that those who were organising the Kashmir operations "were fed up with our tribesmen"'.[51] The tribesmen had not only indulged in looting and plundering but had also abducted women who were then sold in the brothels of Pakistan. Even Catholic nuns in a monastery were raped.[52] Interestingly, the first commander-in-chief of Pakistan, General Messervy, decided to retire. Jinnah promoted Gracey as the C.-in-C. in February 1948. Pakistan had purchased new armaments from Britain by that time. This time, Gracey, who had defied Jinnah earlier, agreed to commit Pakistani troops, and the first Pakistan formation officially entered the war in the latter half of April 1948.[53]

One of the best-kept secrets about the Kashmir fiasco is Jinnah's rejection of an offer by India to keep Kashmir if Pakistan could give up claims on Hyderabad state. Jinnah's private secretary K.H. Khurshid leaves no doubts about that. He interviewed a number of people who knew Jinnah intimately. Among them was Chaudhri Muhammad Ali. Khurshid writes:

> Muhammad Ali's impression was that until December 1947— to be exact, 22 December—India was in a mood to effect a settlement if Pakistan agreed to concede Hyderabad to India in return for Kashmir. He [Chaudhri Muhammad Ali] says he reported this to Jinnah, who did not, somehow, seem agreeable. On the question of princely states, he felt Mr. Jinnah, being the

IQBAL FORUM

clever tactician that he was, was playing for some higher stakes, but, obviously he did not succeed.[54]

Chaudhri Muhammad Ali does not make a clean breast of it in his book *The Emergence of Pakistan*, but he does obliquely allude to it when he writes that Sardar Patel initially was against including areas with a Muslim majority in India. He claims he was present at a meeting of the Joint Defence Council in Delhi where Patel told Liaquat Ali Khan, 'Why do you talk about Junagarh and Kashmir? Talk of Hyderabad and Kashmir and we could reach an agreement.'[55] He goes on to say that he felt that Patel was prepared 'if India and Pakistan agreed to let Kashmir go to Pakistan and Hyderabad to India, the problems of Kashmir and Hyderabad could be solved peacefully and to the mutual advantage of India and Pakistan'.[56]

How Jinnah reacted to that offer, Chaudhri Muhammad Ali does not say anything in his famous book. That he confided it to K.H. Khurshid is perfectly understandable because my own extensive research in interviewing people on sensitive matters is that they are dying to lift the weight from their chest but do not have the courage to do it publicly. We know now, however, that it was not Liaquat Ali Khan who spurned the offer but Mohammad Ali Jinnah.[57]

Meanwhile, on 1 January 1948, the Indian government had taken the Kashmir dispute to the United Nations. It alleged that regular Pakistani troops were fighting in Kashmir and that they should be expelled. India assured the UN that the accession of Kashmir was only provisional and that the ultimate status of Kashmir was to be determined through a free and universal plebiscite. However, both India and Pakistan took the position that the Kashmiris could choose to join either India or Pakistan. The idea of a separate Kashmiri state was overruled by both. The Security Council resolution on the Kashmir problem, which laid down the terms for the settlement, was passed on 21 April 1948. It prescribed that a plebiscite would be held under UN supervision once peace had been established. Pakistan was to see to it that the tribesmen and Pakistani nationals vacated the territories of the state before the plebiscite was held. Thereafter, the Indian government was to withdraw its own troops gradually, in stages, until only a minimum number required for the maintenance of law and order remained.[58]

IQBAL FORUM

Article B.7 of the resolution stated: 'The Government of India should undertake that there will be established in Jammu and Kashmir a Plebiscite Administration to hold a Plebiscite as soon as possible on the question of accession of the State to India or Pakistan.' A UN commission composed of Czechoslovakia, Argentina, Belgium, Colombia and the United States was set up to look into the Kashmir problem. The resolution recognized India's legal presence, resulting from the signing of the Accession Bill, in Kashmir. However, armed clashes between India and Pakistan continued and their troops remained in the state. Jinnah passed away on 11 September 1948.

Finally, a ceasefire was arranged by the United Nations, which came into effect on 1 January 1949. By that time, less than one-third of Kashmir state had come under Pakistani control. In July 1949, an agreement was reached on the ceasefire line and United Nations observers were stationed on both sides of the Line of Control to monitor it. The Cold War was lashing vigorously at that time and the US took a pro-Pakistan line. In 1950, a UN resolution was passed calling for both Indian and Pakistani troops to vacate the territories of the state, but neither side showed willingness to comply. In subsequent years, Pakistan was to reiterate its demand for a plebiscite, while India was to overrule it on the plea that Pakistani forces were occupying parts of the state and, therefore, the holding of an impartial plebiscite was out of the question.[59] Since then the Kashmir problem has defied resolution.

Hyderabad

Hyderabad state in the Deccan in south India was ruled by the nizam. Jinnah had been a frequent visitor to the state and had many admirers and supporters. A.G. Noorani makes the following observation:

> He [Jinnah] rejected the proposal Mountbatten offered him at Lahore, on 1 November 1947, for a plebiscite in all the three States—Junagarh, Kashmir and Hyderabad. Worst still, he consistently, doggedly instigated the Nizam of Hyderabad not to accede to India while refusing, with equal consistency and doggedness, to provide concrete assurances of support in the event of an invasion of the State. On 4 August 1947, shortly before leaving New Delhi for Karachi, Jinnah advised Hyderabad

IQBAL FORUM

> State to emulate the example of the martyrdom of Imam Hussain at Karbala![60]

Noorani's book is a detailed study of the invasion and annexation by force of Hyderabad by India. It was a land locked princely state located deep down in south India. A tiny Muslim elite ruled over an overwhelming majority of Hindu subjects. The author notes that feelers were sent to the Pakistan government not to support Hyderabad's decision to remain independent; in return, India would not press its case on Kashmir, but the intruders sent by Pakistan made Indian military intervention in Kashmir also unavoidable. The decision to remain independent and sign a standstill agreement with India, however, was followed by armed militia called Razakars indulging in heinous attacks on the Hindu population. In response, the Indian home minister, Sardar Patel, ordered 'police action' on 13 September 1948, two days after Jinnah died. It was a regular invasion by the Indian Armed Forces. The Hyderabad state forces and the Razakars were no match for them and fell easily. The RSS, other Hindu nationalist organizations and even Congress cadres took part in the reprisals and the main sufferers were the Muslims. According to the Sunderlal Committee Report set up by the Indian government, it gave a figure of 27,000–40,000 fatalities.[61] The nizam then hurriedly signed the accession bill to India and the hostilities ceased.[62]

The princely states that acceded to Pakistan

At any rate, none of the princely states had acceded to Pakistan when it became independent on 15 August 1947.[63] The Pakistan government assigned senior civil servants belonging to the Political Department (created by the British to maintain control over princely states) the task of obtaining the accessions. Bahawalpur was part of the Punjab province. In April 1947, Mushtaq Ahmed Gurmani had become the chief minister of Bahawalpur. A rumour circulated that Bahawalpur wanted to accede to India but India rebuffed such a move. Moreover, the nawab declared himself the Amir and Jalal-ut-Mulk ala Hazrat, i.e. the fully independent ruler of the state, on 15 August 1947. This alarmed the Pakistan government. Despite some confusion about the intentions of Gurmani, we learn that he himself brought the

IQBAL FORUM

Instrument of Accession signed by the nawab to Jinnah on 5 October 1947. Khairpur was a medium-sized Sindhi princely state. In 1947, it was in an uncertain situation as its ruler, Mir Faiz Muhammad, had been declared mentally unfit. He was deposed and his minor son Mir George Ali Murad Khan was recognized as the ruler. A board of regency comprising his close relatives was appointed on 24 July 1947. Khairpur was pressured to accede to Pakistan. Jinnah formally accepted the accession on 9 October 1947.[64]

The frontier states such as Chitral, Dir, Swat and Amb were eager to accede to Pakistan but 'it seems the Government of Pakistan did not want to accept the offers of accession by these states in haste, especially since Kashmir claimed Chitral, and Dir's accession brought to the fore brewing tensions with Afghanistan'.[65] Eventually, all four did accede to Pakistan, as Pakistan was eager not to let territorial ambiguity affect it negatively. Also, the minor principalities of Hunza and Nagar were integrated into Pakistan even when China had once claimed tribute from them.[66]

Kalat

Jinnah had been the legal representative of Kalat state in Baluchistan and had represented Kalat's right to remain independent before the Cabinet Mission of 1946. He submitted a memorandum to the effect:

> (a) That the Kalat State is an independent sovereign State whose relations with the British Government are governed by the Treaty of 1876; (b) that its Indian associations are due merely to its connections with the British Government; (c) that Kalat being an independent State, the Khan, his Government and his people can never agree to Kalat being included in any form of Indian Union; and (d) that with the termination of the treaty with the British Government, the Kalat State will revert to its pre-treaty position of complete independence, and will be free to choose its own course for the future.[67]

In April 1947, the ruler of Kalat state, Ahmed Yar Khan, expressed his intention of declaring Kalat independent but also simultaneously expressed his support for the Pakistan demand. Pakistan recognized

IQBAL FORUM

Kalat's independence in a communiqué dated 11 August 1947 as it felt that neither India nor Britain would exploit such a situation. However, from the beginning, Pakistan was determined to annex it. Negotiations between the Government of Pakistan and Kalat started in September 1947; the Khan was reluctant to sign the accession bill, so Jinnah met him in October and persuaded him to join Pakistan. The Khan was disappointed, but his hands were further weakened when the rulers of the vassal states under his suzerainty—the Khans of Kharan and Las Bela—offered to accede to Pakistan. After some hesitation, both were recognized as separate states by Pakistan on 17 March 1948 and their accession was accepted.[68]

Pakistan exerted increasing pressure on the Khan of Kalat to accede to Pakistan. Rumours that he had been seeking help from Afghanistan and a false report on All-India Radio on 27 March that he had approached India to accept its accession placed him in a very vulnerable position, and in panic, on the same day, he signed the accession bill to join Pakistan. His brother Prince Karim tried to put up resistance, but it proved futile and Pakistani troops took hold of Kalat by early April 1948.[69]

Jinnah's decisions as governor-general and the procedures under which they were taken has been the subject of considerable debate and controversy. Undeniably, he contravened the norms and procedures of parliamentary democracy, and his decisions on Junagarh, Kashmir and Hyderabad were controversial. He bequeathed precedents that would, in the long run, adversely affect political development in Pakistan. However, he was a strong leader, the man of destiny, the Mard-e-Momin (True Believer) and Mard-e-Kamil (Man of Destiny) who, like many in the past, had come forward to lead Muslims to victories and great achievements. Akbar S. Ahmed has admiringly described such a view of Jinnah in his book: the title speaks for itself—*Jinnah, Pakistan and Islamic Identity: The Search for Saladin* (2005).[70] Saladin was a Kurdish Muslim leader who successfully fought the Crusaders and liberated Palestine from European-Christian rule.

In this regard, it is worth mentioning that although Jinnah had, in his 11 August 1947 address to the Pakistan Constituent Assembly, begun by pointing out that its foremost duty will be to frame a Constitution for Pakistan and he had decided to become its legal adviser, neither

IQBAL FORUM

he nor the Constituent Assembly attended to Constitution-making during his lifetime. Pakistani historian Dr Yaqoob Khan Bangash told me that the former Pakistani foreign minister Sahibzada Yaqub Ali Khan narrated to him (Sahibzada Yaqub was the commandant of the governor-general's bodyguard) that he and Captain Ahsan (aide to Jinnah) went to see Jinnah some six months after Independence. They arrived at about 8.30 p.m. Jinnah had retired for the evening and was in his pyjamas, frail and emaciated, the rigours of the hectic Pakistan campaign and his failing health had taken a heavy toll on him. They asked him why no progress was being made in Pakistan on the Constitution, whereas India was going ahead at brisk speed with its Constitution-making? Jinnah told them that he had been making different promises to different people to win their support for Pakistan. Consequently, competing and clashing positions on the vision of Pakistan existed in the Constituent Assembly. Therefore, progress on the Constitution would take time. He said that it was now for the Pakistan Constituent Assembly to address the task of framing Pakistan's Constitution.

Death on 11 September 1948

However, Jinnah had not been in good health for a long time. His doctors in Bombay, especially Dr Mistry, a Parsi, knew he was dying because of his destroyed lungs and other complications including a heart condition. He had advised rest, but Jinnah was made of a different mettle and determination. His indefatigable and uncompromising stand on Pakistan provided him that extra energy and willpower imperative to impact history and geography in an indelible manner. Pakistan had been achieved. It was both a matter of personal vindication of his conviction that as a leader he was second to none, especially to Gandhi, as well as of his conviction since at least 22 March 1940 that India did consist of two incompatible nations which needed separate states to discover and develop their distinct geniuses. As already noted, the British conceded him Pakistan but on the terms they calculated would serve their imperial interests. He had succeeded in preventing what he believed would be permanent domination by the Indian National Congress and the Hindu caste system over two-thirds of the Muslim community, leaving the other

IQBAL FORUM

one-third to the conscience of the Indian government and his rivals, Gandhi and Nehru.

As it often happens, once an impossible goal or objective is attained, the reserves of energy and willpower upon which an individual can draw during the struggle begin to sap and ultimately hasten the debilitating ailments which had been kept at bay while the struggle was still going on. Jinnah's indomitable personality and charisma had carried him forward but now Pakistan was a fact. By the summer of 1948 Pakistan had stabilized. Jinnah undoubtedly had been pivotal to that stability—his controversial decisions notwithstanding. Ill health finally caught up with Jinnah. He had shifted to the hill resort of Ziarat in Baluchistan for rest and recuperation, visiting Karachi a few times to take part in important events. But in July 1948, his health began to deteriorate further. Col. Ilahi Bakhsh, MD, was summoned from Lahore to attend to Jinnah. He has written down his memories of that episode in a booklet titled *With the Quaid-i-Azam during His Last Days* (2011). It has a foreword by Miss Fatima Jinnah. The first edition was published in 1949. In the third edition of 2011, the author's son, M. Nasir Ilahi, writes that his elder brother Humayun had told him that:

> [T]here was an initial version of this book which the author had submitted to the Pakistan government for review (as he was a government employee), but which regrettably does not exist any longer. The author was required to delete certain passages from the book as they were considered to be politically inappropriate and sensitive. Essentially, these included *inter alia*, information based on the author's close relationship with the Quaid, which suggested that the patient was unhappy after some difficult meetings with his close political allies who he felt were departing from the cardinal concepts of the state of Pakistan that he had begun to visualize. These concepts, including in some of the Quaid's important speeches of the time, emphasized the guiding principles of equality, justice, and fair play to all citizens of the new State. It is believed that the author took the view that the Quaid's reaction to these emerging political differences, and his possible perceptions about the lack of support for them, may have been one of the factors that contributed to the onset of the Quaid's depressed state.[71]

IQBAL FORUM

Colonel Ilahi Bakhsh describes that many other doctors and medical equipment including X-ray equipment were brought to Ziarat. However, despite all efforts, Jinnah's health began to deteriorate from 6 September onwards. Even Dr Mistry flew in from Bombay on 9 September as he was going to take up an assignment at the Karachi Dow Medical College as honorary professor. A decision was taken to bring Jinnah back to Karachi. The flight was uncomfortable, and Jinnah had to be provided with an oxygen mask as he had difficulty in breathing. The ambulance at Karachi sent to fetch him broke down and another took time to get to it. Jinnah was perspiring heavily as it was hot and humid inside the ambulance, while outside a breeze was blowing. It took altogether two hours for Jinnah to be brought from the Mauripur aerodrome on the outskirts of Karachi to the Governor-General's House, only some 9–10 miles away.[72] Despite all efforts, the founder of Pakistan expired at around 10.20 p.m. on 11 September 1948.

The second eyewitness account is that of Fatima Jinnah in her book *My Brother* (1987), edited by Sharif Al-Mujahid. Fatima Jinnah died in 1967. We learn that the last sentence Jinnah uttered was: 'Fatti [Fatima Jinnah], Khuda Hafiz [. . .] La Ilaha Il Allah . . . Mohammad . . . Rasul . . . Allah.'[73]

From Fatima Jinnah we learn that the flight from Quetta to Karachi took two hours and then another two hours to get to the Governor-General's House. Jinnah apparently had given instructions not to announce his return to Karachi or have any routine protocol observed. The narrative about the ambulance breaking down is similar to that described by Bakhsh.

Funeral

The announcement of the death of Jinnah, the Quaid-e-Azam, the founder of Pakistan, plunged his people into profound grief. Apparently, two funeral rites were performed: a private one arranged by Fatima Jinnah in accordance with Ithna Ashari Shia rites and a state funeral led by Maulana Shabbir Ahmad Osmani, the Deoband scholar who, along with Ashraf Ali Thanvi and other dissenters, had supported Jinnah and the Pakistan movement. His daughter, Dina Wadia, flew in from Bombay and accompanied the cortège, as

IQBAL FORUM

did Fatima Jinnah, Raana Liaquat Ali and other female dignitaries. Barelvi, Deobandi, Wahhābi, Shias of all sorts and, according to some oral accounts, even some Christians and Hindus mixed with Muslims. It was indeed a solemn occasion of paramount national importance.

Ironically, the foreign minister, Sir Zafrulla, did not participate in the funeral prayers. The Ahmadi practice was of not taking part in funeral rites, of even parents and siblings who had not converted to the Ahmadiyya faith. Zafrulla adhered to that praxis strictly. Later, he was to explain that since Osmani did not recognize Ahmadis as Muslims, he could not possibly stand behind him in the funeral ceremony. The argument made sense but on such an occasion nobody would have stopped him if he did. That decision came to haunt the Ahmadis in Pakistan—more on that later.

Maududi too did not participate in the funeral of Jinnah but issued a statement describing the death of the founder of Pakistan a tragedy and said, 'He alone could have served as an individual who united all and was loved and respected by everyone.'[74]

Rumours, myths and reality

It is noteworthy that both books do not even remotely hint that Jinnah, during this critical or terminal period, ever regretted his struggle for Pakistan or Pakistan coming into being. Indeed, the only reliable sources for evaluating Jinnah's stand on Pakistan are his public speeches, statements and messages before and after Pakistan came into being. The last public message he delivered from his bedside was on 14 August, and in it there is not a trace of any regret for creating Pakistan; rather, the emphasis is on the familiar conspiracy against Pakistan by its enemies, which primarily refers to the Indian government.

Some people doubt if Jinnah, who was seriously ill himself, wrote the 14 August 1948 address to the nation. Rumour mills have churned out fantastic claims and counterclaims regarding the creation of Pakistan and some other public and private matters. Some can be found in books, while the others I have heard from people claiming to have heard them from very reliable sources. For example, Stanley Wolpert has taken up the Jinnah–Liaquat relationship, and quoted a

IQBAL FORUM

passage from the 1978 edition of Col. Bakhsh's book, which portrays Liaquat in a positive light:

> Downstairs in the drawing room I met the Prime Minister. He anxiously enquired about the Quaid-i-Azam, complimented me on having won the first round by securing the patient's confidence, and expressed the hope that it would contribute to his recovery. He also urged me to probe into the root cause of the persistent disease. I assured him that despite the Quaid-i-Azam's serious condition there was reason to hope that if he responded to the latest medicines which have been sent from Karachi he might yet overcome the trouble, and that the most hopeful feature was the patient's strong power of resistance. I was moved by the Prime Minister's deep concern over the health of his Chief and old comrade.[75]

In the 2011 edition, however, of Col. Bakhsh's book, that tribute to Liaquat is excluded. He is mentioned just once among those who visited Jinnah in Ziarat. Others included his confidant Ispahani, through whom Jinnah had tried to court American support for Pakistan, Raja Ghazanfar Ali Khan and Chaudhri Muhammad Ali, the latter visiting twice.[76] Wolpert has added that, however, after Liaquat left, Jinnah told his sister, 'Do you know why he has come? He wants to know how serious my illness is, how long will I last.'[77] This remark is not to be found in her book that we have referred to above. Fatima Jinnah's dislike for Liaquat and his wife, Raana, was proverbial and there are many stories about the two women quarrelling about who was the First Lady—both claimed that coveted title. Jinnah was very curt with Liaquat on several occasions and reportedly even considered him incompetent—which resulted in Liaquat offering his resignation. Also, we learn that when Jinnah arrived by train at the Delhi railway station on 23 June, on his way to Simla, Liaquat wanted to travel with him in his carriage, but Jinnah point-blank told him that he could not. K.H. Khurshid is of the view that Jinnah was affected by Liaquat holding talks with Bullabbhai Patel.[78] However, even otherwise, Jinnah was known to be very curt and rude to people, even those from within his close circle of lieutenants. Such remarks and observations are derived from books and articles and the oral

IQBAL FORUM

accounts of people who may have their own axe to grind. Another very popular controversy is about Jinnah's Islamic zeal. For example, Safdar Mahmood in his article 'Jinnah's Vision of Pakistan' quotes the following passage from a book:

> Maulana Hasrat Mohani has revealed that once he wanted to discuss a problem of immediate nature with Jinnah and he went to see him early in the morning, knowing that he was an early riser. The guard at his house led him to the waiting room and told him to wait as Jinnah was expected any moment. According to Maulana, he waited for some time and then decided to enter the next room himself in order to find Jinnah. As he entered the adjacent room, he heard a sobbing voice. The Maulana got worried and quietly peeped through the curtain on the door. He was surprised to find Jinnah prostrated on the prayer mat and weeping. He said that he hastened to return to the waiting room quietly. It is quite evident that a person who weeps while prostrating in prayer would be the one who is God-fearing and whose heart beats with a profound faith and is endowed with the blessing of the love for Allah.[79]

Mohani was a freedom fighter who did struggle for Pakistan but decided to stay in India. He was a member of the Indian Constituent Assembly. His testimony carries weight but has he been quoted accurately? Other material too can be quoted which portrays Jinnah as a true Muslim and disciple of Iqbal. M.C. Chagla mentioned the embarrassing incident of ham sandwiches being brought in for lunch by his young wife during an election meeting, which made Jinnah upbraid her for her indiscretion. But that was at an early stage of his life. However, Syed Munir Husain, who held several important positions in the Pakistan civil service, including that of the chief secretary of Baluchistan, reports the following incident from 1945 narrated to him by the Khan of Kalat:

> The Quaid-e-Azam came with his valet to stay with me . . . That day I invited sixteen leading Baloch *sardars* to meet him . . . After some rest, he came out . . . he was followed by his valet who was carrying a drink in a tray for him. As the *sardars* were waiting in

IQBAL FORUM

> an outer room to meet him, I politely suggested that he need not take the glass with him to the meeting room. He stood solemn, very angry, put on his monocle and said in great temper in Urdu: 'Whatever I am inside, I am the same outside. What businesses have you to advise me like this?'[80]

We have already noted in an earlier chapter that drinks were served when Jinnah met the Sikh leaders in Delhi in mid May 1947 and again when he and Mountbatten toasted each other's health on 13 August 1947. It is possible that Jinnah used to have his drink regularly but was a pious Muslim. Such peculiarities are not uncommon among Muslim poets and even leaders, but Jinnah's devotees go to extremes to portray him either as an ultra-modern secularist who only used Islam to liberate Muslims from the yoke of Hindu capitalists, or they go in the other direction and project a sanitized image of him as an observant and pious Muslim.

Ajeet Jawed has listed several instances of Jinnah's 'secular' convictions, such as reprimanding Raja Sahib of Mahmudabad for his pro-Islamic state views on the grounds that people would start believing that Jinnah, too, subscribed to them.[81] She also states the typical argument about the opposition he received from the JUH and its leader, Hussain Ahmed Madani, but apparently had no idea that the JUH's influence was limited to the Urdu-speaking belt of north India, whereas most of north-western India, especially the Punjab and Sind and parts of the NWFP, were preserves of their adversaries, the traditional Barelvis and pirs. I have demonstrated that he not only mobilized the vast network of Barelvis and spiritual divines in the election of 1945–46 but he was also supported by powerful Deobandi ulema. He himself on several occasions referred to Pakistan as an Islamic state and the Quran and sharia as authoritative sources for shaping Pakistan's identity and Constitution. Jawed also refers to and quotes many statements and conversations that Jinnah had with his close Hindu friends telling them that he would be their protector in Pakistan.

Another rumour Ajeet Jawed narrates is that when Jinnah heard that the Indian government was thinking of requisitioning his Malabar Hill house, he was shocked. In desperation, he pleaded with the first Indian High Commissioner to Pakistan, Sri Prakasa: 'Tell Jawaharlal Nehru not to break my heart. I have built it brick by brick.

IQBAL FORUM

Who can live in a house like that? . . . You do not know how I love Bombay. I still look forward to going back there.' Sri Prakasa asked in amazement, 'May I tell the Prime Minister that you are wanting to be back there?' Jinnah replied, 'Yes, you may.'[82] Ajeet Jawed does not tell us if Sri Prakasa informed Nehru and what his response was. We learn that the high commissioner felt that after the assassination of Gandhi, Jinnah realized that it was pointless wanting to return to Bombay. Such a conversation must have taken place shortly before the assassination of Gandhi. To express such longing for his beloved house in Bombay when millions of people had lost family and friends and been uprooted violently from their ancestral abodes provides some idea of Jinnah's complete disconnect—in fact, dissonance—with the traumatic experience of ordinary folks. There can be no denying that Jinnah was the principal protagonist of the partition demand: others reacted to it.

Another alleged statement of Jinnah that Jawed quotes is: 'I have committed the biggest blunder in creating Pakistan and would like to go to Delhi and tell Nehru to forget the follies of the past and become friends again.'[83] At another place she mentions that Jinnah told the Muslim League Council that he was still an Indian citizen: 'I tell you I still consider myself to be an Indian. For the moment I have accepted the Governor-Generalship of Pakistan. But I am looking forward to a time when I would return to India and my place as a citizen of my country.'[84]

That sounds incredible, and if anything of the sort was uttered by Jinnah, it must have been with a view to maintaining his right to property, because the Malabar Hill house had not been sold, although a deal with the industrialist Dalmia was discussed, according to rumours.

The meeting of the Muslim League Council was held on 17 December in Karachi. From the excerpts which we have quoted earlier Jinnah persuaded the Muslim delegates from India not to dissolve the Muslim League and join the Indian National Congress as Maulana Azad had advised them. Such a decision would mean the end of distinct Muslim political identity in India. Moreover, on 19 December, in an extended interview to Robert Stimson of the BBC, Jinnah had outright rejected the suggestion of the BBC correspondent that since Pakistan had been achieved the Muslim League could be

IQBAL FORUM

opened for membership to all Pakistanis and given a new name, the Pakistan League. Jinnah had argued that such a drastic change of name and membership would not be accepted by Pakistani Muslims. Continuing with other such remarks she mentions the more familiar claim of Jinnah: 'Who told you that the Muslim League brought in Pakistan? I brought in Pakistan with my stenographer.'[85] Now, if he said that, then the supposition that he was sceptical about the creation of Pakistan, let alone wanting to dissolve it, becomes extraordinarily questionable.

Having said that, one cannot discount altogether that Jinnah had confided in Sri Prakasa a human longing for Bombay and all the associations that Malabar Hill represented.

Jawed also informs that Jinnah allegedly wrote to Khan Abdul Ghaffar Khan. She quotes the letter:

> Khan Sahib I know that you are a man of character and integrity. It is honest men like you whose help I need to build up Pakistan. As it is I am surrounded by thieves and scoundrels and through them I can do little for the poor Muslims who have suffered so much [. . .] I am a very much misunderstood man. I never wanted all this blood-shed. I want peace, believe me so that I can do something for the masses [. . .] I am myself anxious to convert the League into National League, open to every loyal citizen of Pakistan. But I am being attacked by mad Mullahs and extremists who are out to create trouble for me. That is exactly why I want you and your colleagues to join the League and help me oust these dangerous elements.[86]

In all the collected works of Jinnah's speeches, statements and messages, this speech does not figure. The reference to bloodshed, thieves surrounding him, his being under pressure from mad mullahs and extremists to declare Pakistan an Islamic state and his desire to change the name of the Muslim League to National League all means that Pakistan had come into being, with rioting and mounting pressure to declare Pakistan an Islamic state. That could be any time after the 11 August 1947 speech, probably more towards the end of 1947 or early 1948. The problem is that on 22 August 1947, the NWFP ministry headed by Dr Khan Sahib, the elder brother of

IQBAL FORUM

Ghaffar Khan, was dismissed by Jinnah, who arbitrarily acquired such powers. As noted earlier, even his hand-picked governor of the NWFP, Sir George Cunningham, found that the dismissal contravened the powers he had been granted as governor-general. Jinnah had already, in March 1947, demanded that Dr Khan Sahib should resign and again in July 1947 after the referendum was won by the Muslim League. Such demands had been followed by the decision to dismiss the ministry in complete contravention of the parliamentary system. In such circumstances, writing such a conciliatory letter to Ghaffar Khan, in which he described his close colleagues as thieves, makes little sense. It is to be noted that Ghaffar Khan did join the Pakistan Constituent Assembly on 23 February 1948 but a meeting between him and Jinnah never took place and both remained estranged. The several statements and the letter to Ghaffar Khan are not to be found in the collected works of Jinnah. Ajeet Jawed alleges that they have been expunged by the Pakistan government.

Regarding Jinnah's sectarian affiliation, the confusion is proverbial. In February 2013, I visited his beloved residence in Malabar Hill, Mumbai. On 4 July 2014, I wrote a column in the *Daily Times*, 'The Houses that Jinnah Built', in which I reviewed the litigation going on about its proprietary rights. Although now kept under lock and key and in a state of neglect, its splendour must have once been considerable. It has been the subject of litigation between at least two sets of Jinnah's relatives as well as the Indian and Pakistani governments. As already mentioned, Jinnah and his daughter, Dina, were estranged after she married Neville Wadia. Under Islamic law, Sunni or Jafari Shia, a son or daughter who marries a non-Muslim cannot inherit the father's property, just as parents who remain non-Muslims are disinherited from a share in the property of their deceased Muslim children.

It is not clear if Dina Jinnah—who became Dina Wadia by marriage—left Islam, but irrespective of her personal faith, her marriage to a non-Muslim disqualified her from inheriting her father's property, if Islamic law were applied to her claims. Some years ago, Dina Wadia claimed the right to inherit her father's house on the grounds that Jinnah was an Ismaili Khoja belonging to the Aga Khani sub-sect and was not a Sunni or Ithna Ashari Shia. Her contention was that Aga Khani converts belonged to the Lohana trading caste, who follow the Hindu law of succession and that, according to their

IQBAL FORUM

practice, succession rights devolved on her as his daughter. Her lawyer Fali Nariman cited several precedents of the Indian Supreme Court which lay down that Khoja Shias are governed by Hindu customary law, in which intestate succession is to the daughter alone.

The fact remains that except for his sister Fatima Jinnah, all the brothers and sisters of the founder of Pakistan remained in India at the time of Partition. Upon Jinnah's death, Fatima claimed ownership of her brother's property, saying he had converted to mainstream Ithna Ashari Shi'ism and was not a follower of the Aga Khan. After Fatima Jinnah's death, two of her nephews Mohammed Rajabally Ebrahim and Shakir Mohammed Ebrahim claimed her property. Their contention was that Jinnah had willed the Malabar Hill house to his sister (who is their maternal aunt) Fatima Jinnah, who in turn had bequeathed the property to them. That would entail a share in the residual rights of the bungalow, valued at over Rs 3 billion. In this regard, it is worth mentioning that Jafari Shia law confers more rights on female heirs, such as daughters and sisters, in ancestral property than Sunni law, which favours male relatives.[87]

It is, however, intriguing that Jinnah did not gift his Malabar Hill residence to his daughter. He could have, but he did not. Islamic law does not preclude giving gifts to non-Muslims. It seems his public image as a Muslim leader weighed more heavily on him than any filial sentiments. Some people, including Akbar S. Ahmed who has written a lot on Jinnah and even produced a film on his life, have claimed that Jinnah converted to Sunnism.[88] I have even seen assertions that he became a follower of the Qadri Sufi order, which is one of the four main Sunni orders with large followings in the Indian subcontinent. Yet again, while in Lahore, I met a gentleman who claimed that Jinnah had joined the Chishtia Sunni Sufi order and that the initiation began more than forty years before his death. Jinnah himself never made public his sectarian affiliation and always maintained that he was only a Muslim. I have gone through his speeches in the well-known collections and selections and have not found him ever speaking about his sectarian affiliation.

However, the Ithna Ashari Shia publications that I have seen on the Internet and in print claim that Jinnah left the Ismaili Aga Khan sect. Several instances are cited as evidence. Nevertheless, I did not come

IQBAL FORUM

across any proof that he had attended the most typical Majlis-e-Aza mourning ceremony of Ithna Ashari Shi'ism. On the other hand, a few times he did participate in the Eid-i-Milad-un-Nabi celebrations, which is typically a Sunni custom. Most biographers of Jinnah mention his adoption of Ithna Ashari Shi'ism as his faith. It is possible that Jinnah simply dissociated himself from Ismailism without formally abjuring that creed. At the bottom of such conflicting claims are economic interests rather than religion. It is not surprising that upon his death people are making all sorts of conflicting claims about his sectarian affiliations.

The Pakistan government asserted the right to convert the Malabar Hill house into the Pakistani consulate in Mumbai, while according to Indian law, this property belongs to the Indian state, because since Jinnah migrated to Pakistan, he forfeited his Indian citizenship. I published that story in the *Daily Times* of Lahore. A reader, Shakir Lakhani, from Karachi commented on my article in the following words:

> This is with reference to the article, 'The Houses that Jinnah Built',[89] Dr Ishtiaq Ahmed says, 'It is possible that Jinnah simply dissociated himself from Ismailism without formally abjuring that creed.' The fact is that the followers of the Aga Khan were bound to marry within the community. Any Aga Khani Ismaili marrying a non-member of the sect was expelled (even though the Quaid was a good friend of the then Aga Khan, who was incidentally the first president of the All-India Muslim League). Mr Jinnah was then invited by both Sunni Khojas as well as the Khoja Ithna Asharis to join them. For reasons best known to Jinnah, he chose the latter community.

Shakir Lakhani's comment reveals the deep divisions among the Muslim sects and sub-sects. If marriage outside the Aga Khan sect to another Muslim meant expulsion from the community, then to believe that all Muslims were one nation was merely a rhetorical ploy. Such differences and divisions later came to haunt Pakistan. In 2004, Dina Wadia visited Pakistan. When she went to the mausoleum of her father she wrote in the visitors' book, 'May his dream for Pakistan come true.' A friend of mine, who was among the officers posted to

IQBAL FORUM

look after her security, told me he had dared to ask her about the books written on her father. He felt she was annoyed and said, 'All lies, all just lies.' Dina died at the ripe old age of ninety-eight on 2 November 2017 in New York, where she had been living as a recluse for a long time. She could have given her version of Jinnah's life and righted the wrong she felt had been done to her father, but chose not to. At any rate, there is no denying that Jinnah was one of the most extraordinary individuals whose mark on the recent history and politics of the subcontinent is indelible.

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 19

The Liaquat Interlude

Nawabzada Liaquat Ali Khan had been prime minister since 15 August 1947, but Mohammad Ali Jinnah had completelydominated the government. Jinnah's death now opened up space for him to assert his authority in an independent manner. He assumed all those powers due to a prime minister in the parliamentary system, while Khawaja Nazimuddin became governor-general, content with his role as the titular head of state. The Kashmir dispute continued to be a major concern of the Pakistan government. Liaquat and the British officers of the Pakistan Armed Forces were blamed by those in Pakistan who believed that had the war continued, Pakistan would have defeated India and annexed the whole state. Such a belief was far removed from the truth; both sides were exhausted and the ceasefire had provided an opportunity to end a war in which India was fast gaining the upper hand.[1] India had carried out military exercises near the Pakistan border in 1950. In July 1951, India carried them out again on a much bigger scale, presumably to dissuade Pakistan from any new military initiative in Kashmir. Pakistan was vulnerable to a concerted land offensive in the plains of the Punjab, while East Pakistan was virtually a walkover because there were hardly any worthwhile defensive preparations in place for that wing of the country. A strong Punjab, as the guarantor of the defence of East Pakistan, was a dubious doctrine on which the defence priorities of Pakistan were premised. However, a gross resources deficiency rendered equal attention to both East Pakistan

IQBAL FORUM

and West Pakistan well-nigh impossible. Moreover, the government faced a serious food shortage and a general problem of good governance.

The demand for an Islamic constitution

It can be recalled that on 25 January 1948, Jinnah had, in his address to members of the Karachi Bar Association, committedthat sharia would be the chief source of law for Pakistan. On 29 January 1948, the Punjab Legislative Assembly passed a bill which asserted that women were, in accordance with sharia, entitled to inherit agricultural land. In 1937, Jinnah had been pivotal in preventing such a law from being passed, but now it had finally happened. On 18 February 1948, Maududi delivered his second lecture at the Lahore Law College. He demanded that the Constituent Assembly declare that:

1. The sovereignty of God should be the basis of state philosophy and policy.
2. The sharia should be the basic law of the land.
3. All existing laws in conflict with the sharia should be repleaded and no law should be enacted in the future which conflicts with the sharia.
4. The state shall not have the authority to transgress the limits imposed by Islam.[2]

Maududi had argued that such commitments were not required to be implemented immediately but should be through gradual transformation over the next ten years. Muhammad Asad, whom Jinnah had appointed as the director of the Islamic Reconstruction Institute, invited Maududi to deliver a series of talks on Islam on the official Radio Lahore station. Asad's own ideas of Islamic constitution were similar to those of Maududi's.[3] Maududi's turnabout was indicative of his sensing that the structure of opportunity for his ideas to influence politics had been greatly enhanced by the creation of Pakistan.

Now, the passing of a bill recognizing the right of women to inherit agricultural land had created considerable consternation

IQBAL FORUM

among Punjabi landlords, who constituted the mainstay of the Muslim League rule in the province. Their worries had been exacerbated by the left wing of the League. Mian Iftikhar-ud-Din had suggested the radical redistribution of land at the time of Partition. His views were rejected by the chief minister, Nawab Mamdot, and others. He had therefore resigned as the Punjab minister for refugees and rehabilitation.[4]

However, Mumtaz Daultana, Shaukat Hayat, Iqbal Cheema and other leaders had continued to clamour for land reforms. The Muslim League Council, in a meeting dated 20 February, passed a resolution that went some way to allay their concerns. It was stated that reforms would be enacted which would draw a 'charter of rights for the tiller of the soil in the light of Islamic principles, which may remove their existing grievances and ensure friendly relations between all classes in general'.[5] The landlords succeeded in obtaining a fatwa (ruling) from conservative ulema that the zamindari system (ownership of big landholdings) was not contrary to the sharia. Speaking on 29 August 1949 in Lahore, Liaquat said that no reforms would be enacted that were contrary to the sharia, but warned the landlords that their days were numbered. For the time being, private property and hereditary privileges had been safeguarded and reforms pushed forward with promises of creating an egalitarian society based on Islamic social justice.[6] However, no progress had been made on the Pakistan Constitution.

Maududi on the war in Kashmir

Pakistan's involvement in Kashmir dates from soon after Partition in mid August 1947, but it is seen most notably from the time in October when Pakistani irregulars and tribal fighters had entered the princely state secretly, and India had immediately made that news public and a low-grade but widespread armed confrontation had ensued. In Pakistan, there were demands to call it jihad or holy war. In April 1948, Pakistan openly committed its armed forces to that war, which nevertheless remained confined to Kashmir, and began to be referred to as jihad. Abul Ala Maududi, however, took a position against that war and refused to designate it as jihad. For him, a war for territory was simply aggrandizement, unless it

IQBAL FORUM

was waged to establish the sovereignty of God on earth, including Kashmir, and was openly declared so by an Islamic state. Muslims, in his view, were not under any obligation to participate in a war waged merely to acquire territory. Until then Pakistan was formally a British dominion with British officers in commanding positions. A war being waged by such a state did not qualify as jihad according to Maududi. Regarding his views on jihad, Maududi had started serializing his views in 1927 and the completed text was published in 1930 as *Jihad fi Al-Islam*. The English translation of the concept of jihad reads thus:

> Islam wishes to destroy all states and governments anywhere on the face of the earth which are opposed to the ideology and programme of Islam regardless of the country or the Nation which rules it. The purpose of Islam is to set up a state on the basis of its own ideology and programme, regardless of which nation assumes the role of the standard-bearer of Islam or the rule of which nation is undermined in the process of the establishment of an ideological Islamic State. Islam requires the earth—not just a portion, but the whole planet—not because the sovereignty over the earth should be wrested from one nation or several nations and vested in one particular nation, but because the entire mankind should benefit from the ideology and welfare programme or what would be truer to say from 'Islam' which is the programme of well-being for all humanity. Towards this end, Islam wishes to press into service all forces which can bring about a revolution and a composite term for the use of all these forces is 'Jihad'. To change the outlook of the people and initiate a mental revolution among them through speech or writing is a form of 'Jihad'. To alter the old tyrannical social system and establish a new just order of life by the power of sword is also 'Jihad' and to expend goods and exert physically for this cause is 'Jihad' too.[7]

In October 1948, Maududi and some other members of the Jamaat-e-Islami were put in jail and were not released till 1950. Maududi had,

IQBAL FORUM

during this detention, continued with his prolific writings propagating that Pakistan should be unambiguously declared an Islamic state.

Objectives Resolution, 7 March 1949

Amid all this, pressure on the government to make a statement on the Constitution had been growing. Liaquat and his associates knew they would need to invoke Jinnah's authority and views of a democratic Islamic constitution which accorded equal rights to minorities in consonance with Islam. Barring the famous omission on 11 August 1947, of the role of Islam in Pakistan, Jinnah had always emphasized the Islamic credentials of the Pakistan he wanted and which he got because of Partition. The Pakistan Constitution had to be different from India's, because such an identity was built into the rationale of Pakistan. The members of the Pakistan Constituent Assembly were drawn from those who had been elected in 1946 to the Constituent Assembly for a united India. The Muslim League had rejected joining that Constituent Assembly. After the Partition, those Muslims who had been elected on Muslim League seats constituted the overwhelming majority. A minority included Hindus elected on Congress tickets but who had remained in Pakistan. Some of the Assembly's members hailed originally from the Muslim-minority provinces left in India, but were in the House representing either East Bengal or West Punjab constituencies.

On 7 March 1949, Liaquat presented the government's views on the Constitution. He began by reciting the Islamic formula 'In the name of Allah, the Beneficent, the Merciful' and then the text of the resolution was read out:

> WHEREAS sovereignty over the entire universe belongs to God 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;

IQBAL FORUM

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 accord with the teachings and requirements of Islam as set out in the Holy Quran and the *Sunna*;

WHEREIN adequate provision shall be made for the minorities freely to profess and practice their religions and develop their cultures;

WHEREBY 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 provision 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 honoured place amongst the nations of the World and make their full contribution towards international peace and progress and happiness of humanity.[8]

In his speech which followed Liaquat claimed that the resolution reflected the vision and aspirations of Jinnah. He asserted:

Pakistan was founded because the Muslims of the Sub-Continent wanted to build up their lives in accordance with the teachings

IQBAL FORUM

> and traditions of Islam, because they wanted to demonstrate to the world that Islam provides a panacea to the many diseases which have crept into the life of humanity today.[9]

He continued:

> It is universally recognised that the source of these evils is that humanity has not been able to keep pace with its material development, that the destructive power of the Frankenstein Monster which human genius has devised in the form of scientific inventions, now threatens to destroy not only the fabric of human society but its material environment as well, the very habitat in which it dwells.[10]

Consequently, he argued, it was imperative to establish a political order on the superior, inerrant intelligence of God Almighty. He waxed eloquent:

> We, as Pakistanis, are not ashamed of the fact that we are overwhelmingly Muslims and we believe that it is by adhering to our faith and ideals that we can make a genuine contribution to the welfare of the world. Therefore, Sir, you would notice that the Preamble of the Resolution deals with a frank and unequivocal recognition of the fact that all authority must be subservient to God.[11]

He underscored that the presumption of divine sovereignty should not be construed to mean the resuscitation of the divine rights of king's theory because the preamble of the resolution fully recognized that the authority to exercise God's will has been reposed in the people, and the chosen representatives of the people alone were empowered to interpret divine will. Moreover, in Islam, there was no place for a theocracy because it did not have ordained priests enjoying sacerdotal authority to interpret the will of God. Consequently, the establishment of a theocracy was out of the question.[12]

He went on to argue that explicitly qualifying democracy, freedom, equality, tolerance and social justice as enunciated by Islam

IQBAL FORUM

was necessary to distinguish it from both Soviet Russia's view and that of the Western powers. He remarked:

> It is a well-known fact of history that, when anti-Semitism turned the Jews out of many a European country, it was the Ottoman Empire which gave them shelter . . . Most of all, in this sub-Continent of India, where the Muslims wielded unlimited authority, the rights of non-Muslims were cherished and protected [. . .] My friends from Bengal would remember that it was under the encouragement of Muslim rulers, that the first translations of Hindu scriptures were made from Sanskrit into Bengali. It is this tolerance which is envisaged by Islam, wherein a minority does not live on sufferance, but is respected and given every opportunity to develop its own thought and culture, so that it may contribute to the greatest glory of the entire nation [. . .] Islamic social justice is based upon fundamental laws and concepts which guarantee to man a life free from want and rich in freedom.[13]

He went on to make the connection between Islam and Pakistan explicit:

> Sir, [t]he State is not to play the part of a neutral observer, wherein the Muslims maybe merely free to profess and practise their religion, because such an attitude on the part of the State would be the very negation of the ideals which prompted the demand for Pakistan, and it is these ideals which should be the corner-stone of the State which we want to build [. . .] You would remember, Sir, that the Quaid-i-Azam and other leaders of the Muslim League always made unequivocal declarations that the Muslim demand for Pakistan was based upon the fact that the Muslims had a way of life and a code of conduct. They also reiterated that Islam is not merely a relationship between the individual and his God, which should not, in any way, affect the working of the State. Indeed, Islam lays down specific directions for social behaviour, and seeks to guide society in the attitudes towards the problems which confront it from day to day. Islam is not a matter of private beliefs and conduct [. . .] There can be no Muslim who does not believe that the word of God and

IQBAL FORUM

> the life of the Prophet (PBUH) are the basic sources of inspiration. In these there is no difference of opinion amongst the Muslims and there is no sect in Islam which does not believe in their validity. Therefore, there should be no misconception in the mind of any sect which may be in a minority in Pakistan about the intentions of the State. The State will seek to create an Islamic society free from dissensions, but this does not mean that it would curb the freedom of any section of the Muslims in the matter of their beliefs. No sect, whether the majority or a minority, will be permitted to dictate to the others and, in their internal matters and sectional beliefs, all sects shall be given the fullest latitude and freedom.[14]

About the minorities, Liaquat emphasized that they would enjoy complete freedom to practise their religion and nurture their traditions and cultures. 'The rights of the non-Muslims have not been ignored. Indeed it would have been un-Islamic to do so, and we would have been guilty of transgressing the dictates of our religion if we had tried to impinge upon the freedoms of minorities,' he remarked.[15] He further assured them that their contribution to society and to public life would be welcomed and they would have no reason to feel excluded from the national mainstream.[16]

The prime minister also declared that Pakistan would be a federation. He expressed the hope that the Constituent Assembly would make every effort to integrate the various units. He remarked, 'I have always advocated the suppression of provincial feelings, but I want to make it clear that I am not in favour of dull uniformity.'[17]

He assured that there was no intention to give rights with one hand and take them away with the other. He became lyrical when he said, 'We want to build a truly liberal Government where the greatest amount of freedom will be given to all its members. Everyone will be equal before the law, but this does not mean that his personal law will not be protected.'[18] Referring to the question of social justice, he said that the intention was to build an economy on the basic principles of Islam, which seeks a better distribution of wealth and a removal of want. About political rights, he asserted that everyone would have a right to elect the government and in having a say in government policy. No one needs to fear that his freedom of expression would be

IQBAL FORUM

suppressed. People would enjoy the right of association thatentitles them to establish trade unions. He also took up the sad plight of the backward and depressed classes, i.e. the Dalits and tribal people, who were living in Pakistan. He made a pledge that adequate steps would be taken to remove the historical disadvantages they suffered from.[19] Rounding up his speech, Liaquat expressed the hope that Pakistan would serve as a model of a fair, liberal and progressive democracy based on Islamic principles and values.

The president of the Constituent Assembly, Maulvi Tamizuddin, announced that the motion had been moved and suggested that first an amendment which had been in circulation should be considered, and if that failed, then other amendments should be moved.

Prem Hari Barma (East Punjab: General) moved a motion to this effect, 'That the motion be circulated for eliciting public opinion thereon by the 30th of April 1949.'[20] Barma stressed the importance of not passing the resolution in a hurry and without taking into account the concerns of the religious minorities. He noted that it had been moved during the budget session and without prior notice due to which many members were away.[21]

Sris Chandra Chattopadhyaya (East Bengal: General) was the leader of the Congress Party in the House. He rose to support Barma's amendment. He opined that there was no need for such a theoretical document. He remarked, 'We thought religion and politics would not be mixed up. That was the declaration of Quaid-i-Azam Mohammad Ali Jinnah in this House. But the resolution before us has a religious basis.'[22]

Liaquat Ali Khan responded by saying that all the members of the Opposition (that is Hindu members belonging to the Congress Party) were in the House. Only non-Muslim members could have objections to the resolution. Therefore, it was wrong to allege that the resolution was being moved in their absence.[23]

Barma's amendment was rejected. Discussion ensued the following day and till 12 March.

Bhupendra Kumar Datta (East Bengal: General) moved another amendment: 'That the paragraph beginning with the words "Whereas sovereignty over the entire universe" and ending with the words "is a sacred trust" be omitted.' Datta went to great lengths to argue that human societies all over the world have been trying to separate religion

IQBAL FORUM

from the state in order to build a modern, democratic political order. He cited the example of India committed to becoming a secular, parliamentary democracy. He observed that mixing of religion with politics reduces religion to a power game, with every chance of it being misused. Cast in such a role, religion became counterproductive to the creation of a democratic order. That vast numbers of people believed in God and that they must please Him should not mean that out of such enthusiasm confusion is created about the role of people and the modern state.[24] He wondered if it would not be 'prudent to avoid the deification of the State that the Preamble implies'?[25] He said that while imprisoned in a West Punjab jail he learnt that there were many interpretations of Islam, and Muslims were divided on the basis of what was considered the correct message of Islam and its implementation in present times.[26]

Prof. Raj Kumar Chakraverty (East Bengal: General) proposed an amendment which retained the exclusive sovereignty of God but delegated it to the people of Pakistan instead of the Pakistani state. The reason he gave was that by identifying the state as the recipient of delegated sovereignty the state was being made superior to the people.[27] Prem Hari Barma (East Bengal: General) moved another amendment. He proposed that in the paragraph beginning with the wording, 'Whereas sovereignty belongs to God Almighty alone over the entire universe', the words 'within the limits prescribed by Him' be omitted.[28] He explained that since the limits of God will be known only to Muslims, it would alienate the non-Muslims; therefore, it would be best to refrain from making a commitment to any limitations while accepting the general position which all religions acknowledge, that God is the creator of everything and his powers are unlimited.

The Hindu members of the Constituent Assembly tabled some other amendments as well, underlining that the people rather than the state should enjoy the prerogative of delegated powers to exercise God's sovereignty. Thereafter, the president of the Constituent Assembly announced that the resolution and the amendments were open for discussion.

Dr Ishtiaq Husain Qureshi (originally from Delhi but elected from East Bengal: Muslim League), a political scientist and historian, began by extolling the Objectives Resolution as a great document for creating an ideal polity. Describing the amendments moved by the

IQBAL FORUM

Hindu members as patriotic, he urged them to discard fears about the resolution serving as a basis for majority domination. He argued:

> Sir, it has been said that politics and religion should be completely divorced from each other [. . .] They cannot be divorced from each other for the simple reason that our reason is fashioned by our faith and our faith is fashioned by our reason [. . .] To us religion is not like a Sunday suit which can be put on when we enter a place of worship and put off when we are dealing with day-to-day life.[29]

Proceeding along such lines, Qureshi reviewed Western history from the ancient to the modern periods and argued that it was the lack of faith that had resulted in the terrible slaughters and not the other way around. On the contrary, reason—tempered by ethical principles deriving from faith—was a better guarantee of peace and responsible behaviour. He urged the non-Muslims to discard all fears of Islam and Muslims because the Islamic faith does not divide human beings into patricians and plebeians or Brahmins and low castes. He gave a dictionary meaning of the word *secular* as 'non-monastic' (which, of course, is not the only meaning of the word) and asserted that since Islam did not ordain the rule of priests, an Islamic state could not be a theocracy. He then said: 'Of course if the word "secular" means that the ideals of Islam . . . should not be observed, then I am afraid, Sir, that kind of secular democracy can never be acceptable to us in Pakistan.'[30]

The next person who rose up to support the resolution was Maulana Shabbir Ahmad Osmani (from the UP but elected from East Bengal: Muslim League). The speech was delivered in Urdu. Its English translation appears in the text of the debate on the Objectives Resolution. He began with a grand critique of human failings and imperfections and how the world has suffered and groaned under the dead weight of man's arrogance and egotism. He rejected out of hand any separation of religion and politics. He referred to a letter written by Jinnah to Gandhi in 1944:

> The Quran is a complete code of life. It provides for all matters, religious or social, civil or criminal, military or penal, economic or commercial. It regulates every act, speech and movement from the ceremonies of religion to those of daily life, from the

IQBAL FORUM

> salvation of the soul to the health of the body; from the rights of all to those of each individual, from punishment here to that in the life to come. Therefore when I say that the Muslims are a nation, I have in mind all physical and metaphysical standards and values.[31]

He also quoted Jinnah's message on Eid in 1945:

> Every Mussalman knows that the Quran is not confined to religious and moral duties. The Quran is the dearest possession of the Muslims and their general code of life—a religious, social, civil, commercial, military, judicial, criminal and penal Code. Our prophet has enjoyed [sic] [enjoined] on us that every Mussalman should possess a copy of the Quran and study it carefully so that it may promote our material as well as individual welfare.[32]

Osmani then quoted verses from the Quran to establish that Allah wanted his will to prevail in the state and therefore a state established by Muslims must defer to the superior will of God. He asserted that in Islam, religion and state were integrated organically and could not be separated without defeating the whole purpose of Islam. He reiterated that an Islamic state is not a theocracy. The next point he made was a logical step built into the notion of confessional nationalism. He observed:

> The Islamic State means a state which is run on the exalted and excellent principles of Islam. It is evident that a State which is founded on some principles, be it theocratic or secular (like the U.S.S.R.), can be run only by those who believe in those principles. People who do not subscribe to those ideas may have a place in the administrative machinery of the State, but they cannot be entrusted with the responsibility of framing the general policy of the State or dealing with matters vital to its safety and integrity.[33]

Further, he dilated upon the nature of the Islamic state:

> An Islamic State is not a State in its own rights, with authority inherent in it. It is a State to which authority has been delegated.

IQBAL FORUM

> The real sovereignty belongs to God. Man is his vicegerent on Earth and discharges his obligations in this respect alone with other religious duties on the principle of a 'State within a State' and within the limits prescribed by God.[34]

He then gave the example of the Pious State (Hukumat-i-Rashda)—an ideal associated with the caliphate established by the first four successors of Prophet Muhammad (PBUH). He argued that an Islamic state does not abolish private property but ensures that capital is kept in circulation. Surplus wealth is to belong to the public treasury, on which all have equal claims. This way, an equitable distribution of wealth is maintained by the state. Such a state is based on consultation and not on the absolute or arbitrary rule of some individual or class. Non-Muslims enjoy rights granted by God, which no government can withdraw. He then remarked: 'I think Gandhiji was fully conscious of this fact when he advised the Congress Ministers of 1937 to follow in the steps of Abu Bakr and Umar.'[35]

Again he referred to Jinnah, this time to his presidential address delivered at a conference of the All-India Students' Federation at Jullundur in 1943: 'In my opinion our system of Government was determined by the Quran some 1350 years ago.'[36] He quoted a letter written by Jinnah to Pir Sahib Manki Sharif in November 1945 in which he categorically said:

> It is needless to emphasise that the Constituent Assembly which would be Predominantly Muslim in its composition would be able to enact laws for Muslims not inconsistent with the Law and the Muslims will no longer be obliged to abide by the Un-Islamic laws.[37]

What Osmani said next is most interesting: 'The critics cannot be unaware of the fact that whereas the Indian Union owed its independence to the joint efforts of Hindus and the Nationalist Muslims, Pakistan was brought into being solely by the endeavours and sacrifices of the Muslim Nation.'[38]

Osmani's views can be considered representative of the ulema's idea of state. He quoted Jinnah to bolster his claim that Pakistan had to be an Islamic state with an ideological mission to accomplish:

IQBAL FORUM

to establish the sovereignty of God in accordance with the teachings of the Quran and the praxis of the state of Medina. The distinction that only Muslims were entitled to hold key positions in the state followed logically from the idea of an ideological state. Who exactly were Muslims? He did not dwell on that issue.

The next speaker was Birat Chandra Mandal (East Bengal: General). He said that he had listened to the debate for several days and now felt impelled to express his apprehensions about the idea of making Pakistan an Islamic state. He said that nowhere else in the Muslim world was a movement to create states based on Islam going on. On the contrary, Turkey had abolished Islamic law and instead created a secular state. He asserted that the Hindus did not want to create a Hindu state. He made an observation that was ironical and intriguing: 'During the last 800 years, there has been no Hindu dominion on the face of the globe. There was Christian dominion, there was Muslim dominion, but there was no Hindu dominion on the face of the globe at least during the last 800 years. But it was our Quaid-i-Azam who created a Hindu dominion along with a Muslim dominion.'[39] He wondered if the example being set in Pakistan would not encourage Hindu pandits and Christian bishops to also demand states being created on a religious basis. He then proffered this advice:

> I would like to give you this advice in the interests of the State and not in the interests of the Hindus, Christians or Buddhists or Musalmans or Parsis. The State has no religion. Individuals might have religion [. . .] So, in the interests of the State, of which I am a humble member, I bring to your notice through the President that you will be held responsible because you are the sponsor of this Resolution [. . .] So, I tell you again and again to ponder over this Resolution before you finally adopt it.[40]

The next speaker was Mian Muhammad Iftikhar-ud-Din (West Punjab: Muslim League). Iftikhar-ud-Din was president of the Punjab Congress Party (1940–45) and then joined the Muslim League. He began by congratulating the prime minister for tabling the Objectives Resolution. He asserted that the Congress members' objections to the reference to God's sovereignty were unnecessary because the God of Islam was as merciful as that of other religions. On the other hand, he

IQBAL FORUM

said he was amused at the way some people had been trying to project the reference to a higher power, God, as something original when it was simply a recognition of the fact that the laws of nature followed a course laid down by God and therefore such an idea was neither novel nor original.[41]

On the other hand, he agreed with the Opposition and others who had objected to sovereignty being delegated to the state rather than the people of Pakistan. He noted that one section of the public—those subscribing to classical Islamic political theory—was satisfied with it and that one of 'the most important personalities in the field [i.e. Maulana Shabbir Ahmad Osmani, author] have spoken [in favour] and for me that is sufficient'.[42] However, he was worried that there were four Islamic states in the world—Egypt, Iran, Afghanistan and Iraq (he forgot to mention Saudi Arabia, which was already a fundamentalist state)—and that none had given adult franchise to their peoples.

The president of the Constituent Assembly intervened and advised him that referring to other Islamic states was not necessary. Iftikhar-ud-Din returned his attention to Pakistan and said: 'The fight in this country, is not going to be between Hindus and Muslims. The battle in times to come will be between Hindu have-nots and Muslim have-nots on the one hand and Muslim and Hindu upper and middle classes on the other.'[43]

Iftikhar-ud-Din rounded up his speech in the following words:

> Sir, I repeat, no one need object to the word 'Islamic'. But you must give the world an Islamic constitution. Had we given the world a proper Islamic constitution, a fine ideology, a new way of achieving real democracy, I think we would have performed a great task [. . .] The Islamic conception of State is, perhaps, as progressive and revolutionary, as democratic and as dynamic as that of any other State or ideology. I do hope even at this stage this House, realising its great responsibility, will incorporate those principles which will make real democracy possible. And if it fails to do that, at this stage I do hope it will do so in the actual constitution and then the world will know [what] we really meant by the Islamic conception of democracy and social justice.[44]

IQBAL FORUM

Obviously, Iftikhar-ud-Din was in a quandary. He got up to support the Objectives Resolution but simultaneously critiqued it for omissions regarding the radical redistribution of national wealth and property. His remarks on an Islamic constitution were peculiar. Nothing warranted that a Muslim League government would incorporate a commitment in the Constitution to eradicate class differences and poverty, but since the Pakistani leftists had supported the demand for Pakistan they could at most take recourse to radical rhetoric to make their presence relevant in the Assembly.

Sardar Abdur Rab Khan Nishtar (West Punjab: Muslim League), who followed Iftikhar-ud-Din, made an interesting remark:

> It is correct Quaid-i-Azam had given pledges to the minorities but Quaid-i-Azam had also given pledges to the majority. Pakistan was demanded with particular ideology, for a particular purpose and this Resolution that has been moved, is just in accordance with those solemn pledges which Quaid-i-Azam and the leaders of the Muslim League gave to the majority as well as to the minorities. We have done nothing and none of us dare do anything which goes against the declaration of Quaid-i-Azam.[45]

Sir Muhammad Zafrulla Khan (West Punjab: Muslim League) spoke next. He joined the refrain that separating religion and state was alien to Islam and militated against its integrated code of conduct covering all aspects of life. Determined not to be second to Osmani, he quoted at length the Quranic verses obligating Muslims to base the state on Islam. He remarked:

> Islam seeks to, and does, make ample provision for the beneficent regulation of all aspects of life [. . .] It embraces within its legitimate sphere not only such acts and performances to which the followers of many other religions confine the application of the word 'worship', but all aspects of individual, communal, national and international activity. It lays down and prescribes the underlying principles of international relationship, of the laws of war and peace, of state-craft, of commerce, of economic development, of social relationships and the like.[46]

IQBAL FORUM

He went on to praise the glorious standards of tolerance that Islam prescribes and Muslims had observed down the ages. He referred to the Quranic verse 'There is no compulsion in matters of faith (2: 256)'. He illustrated that point by showing how the Prophet (PBUH) offered a deputation of Christians to perform their worship in his mosque instead of doing it somewhere else. He regretted that Muslim societies had degenerated and instead intolerance was now associated with them.

Zafrulla then said something quite peculiar. He said:

> I have no doubt, however, that the constructive and statesmanlike pronouncement with which the Honourable Mover [Liaquat Ali Khan] introduced the Resolution served to allay apprehensions on that score. Since then several speeches made in support of the Resolution, notably those of Maulana Shabbir Ahmad Osmani, Dr. Ishtiaq Hussain Qureshi and my Honourable colleague, the Minister for Communications [Abdur Rab Nishtar], should have removed any lingering suspicion to which the minds of some of the Honourable Members may still have clung.[47]

By mentioning Osmani among the speakers who had authoritatively explained that non-Muslims would be treated fairly in accordance with the high standards of tolerance prescribed by Islam, was Zafrulla making amends for the folly of not taking part in the funeral prayers of Jinnah led by Osmani? He could have omitted his name, especially because Osmani had said that only those who believe in Islam qualified to be appointed to key positions in the state. The clash of beliefs between the Sunnis and the Ahmadis was well known, but Zafrulla had acted wisely by evading any discussion on who is considered a Muslim and who is not.

Nazir Ahmad Khan (West Punjab: Muslim League), a prominent lawyer from Lahore, quoted Allama Iqbal's views on the superiority of revelation over reason to buttress his support for the Objectives Resolution as a superior framework for the Constitution of the state:

> [E]xperience shows that truth revealed through pure reason is incapable of bringing that fire of living conviction which personal revelation alone can bring. This is the reason why pure

IQBAL FORUM

> thought has so little influenced man, while religion has always elevated individuals and transformed whole society.[48]

He then went to great lengths to underscore that Muslims believed in the absolute inerrancy of the Quran and its continuing authority over all spheres of life. Therefore, any suggestion that its laws were outdated or outmoded was preposterous. He remarked:

> May I remind my Honourable friends that as far back as the reign of Hazrat Umar, the second Caliph, there was a scheme of social insurance whereby every disabled or sick person, every child, every infirm man or woman, were the liability of the State [. . .] Sir, the principles are still there and all you find so progressive in the Western democracies is actually laid down as clear injunction in the Quran and the Sunna.[49]

Dr Omar Hayat Malik (West Punjab: Muslim League), another educationist like Dr Ishtiaq Husain Qureshi and Dr Mahmud Husain, was second to none in waxing eloquent on the merits of the Objectives Resolution. He remarked:

> It is for the first time in many long centuries—and certainly for the first time in modern times—that a people has [sic] risen as a people to demand and to achieve a State which is to be placed on an ideological basis, not only an ideological basis but on a particular ideology; the ideology of a revealed religion [. . .] The Resolution itself, in its various clauses, makes it clear that our State shall conform to the entire ideology of Islam. There is no reservation about it; there are no exceptions about it: all the principles of Islam all the laws of Islam shall conform to the entire ideology of Islam [. . .] It has been asked whether it will be a democracy or a limited democracy. Well, the answer is very plain: it will be a limited democracy. The people will have some power but will not have all the power [. . .] The principles of Islam and the laws of Islam as laid down in the Quran are binding for the State . . . but there is a vast field besides these principles and laws in which people will have free play . . . So, Sir, the State that we are envisaging will be a democracy of a

IQBAL FORUM

> limited form: it might be called by the name 'theo-democracy', that is a democracy limited by the word of God.[50]

Nazir Ahmad Khan again took the floor. What he said was quite revealing:

> Sir, the Members of the Opposition know very well that the Muslim-dominated Pakistan is for a specific purpose [. . .] We said openly to the whole world that we wanted to make Pakistan an Islamic State, based on Islamic principles, but my friends have put forward these amendments trying to dissuade us from this course. We achieved Pakistan after heavy sacrifices [. . .] After all these sacrifices we got Pakistan with the express purpose of founding a State on Islamic principles . . . and they [the Hindus] are now asking us to relinquish our aims [. . .] Will that not make us a laughing stock in the world? . . . I hope, Sir, the Members of the Opposition will not try to reduce us to this uncomfortable position [. . .] The Muslims of Pakistan who are 85 per cent of the people, should have freedom to found their State, according to their wishes. Is it undemocratic? . . . We want to have an Islamic State. Should not we have the freedom to express it?[51]

Mr Nur Ahmad (East Bengal: Muslim League) deplored that the Hindus had never studied Islam properly and were therefore ignorant of its dynamic character. He stressed that the fact that the world had been divided into two hostile blocs was indicative of the need to find a new basis for universal brotherhood, peace and prosperity.[52]

Dr Mahmud Husain (East Bengal: Muslim League), an academic belonging to an important UP family, was a strong proponent of the Muslim League's idea of Pakistan, while his brother Dr Zakir Husain was sympathetic to the Indian National Congress. After Independence, Zakir Husain served as the President of India.

Mahmud Husain asserted that the Objectives Resolution was a new idea in political thought. Referring to the French thinker Jean Bodin who coined the term 'sovereignty', he argued that it was meant to give recognition to the fact that the French king had effectively assumed supreme power, while that of the emperor and the Pope had declined. So it was meant to indicate the absolute power of the king over

IQBAL FORUM

his realm. Secondly, the idea of the state being supreme and therefore not subject to conventional morality derived from Machiavelli. Such ideas had generated anarchy in international relations as the state has been saddled with absolute and unlimited power internationally and internally. On the other hand, the Objectives Resolution was meant to bring morality back into politics and therefore the idea of limits to secular sovereignty being imposed by the superior morality ordained by God was the right step forward. Nowhere in the resolution had any suggestion been made to establish a theocratic state. All that had been advanced was a vision of a moral state. He concluded:

> Let us rise to the occasion and be the harbingers of a new era in the world in which neither wealth shall be the criterion of political power, as it is in the capitalistic democracies, nor will man be reduced to the position of an animal devoid of all spiritual and moral values as it is elsewhere, but where good life will be the ideal and the State will do all to realize it.[53]

Begum Shaista Suhrawardy Ikramullah (East Bengal: Muslim League), the only woman to take part in the discussion on the Objectives Resolution, began by praising Liaquat Ali Khan, though she added that making the sovereignty of God sound as if it were some miraculous antidote to the misuse of power was unwarranted. She remarked:

> I do not think that mere declaration of it is such a great achievement and justifies such orgy of praise we have been giving ourselves . . . it is eighteen months since Pakistan has been established [. . .] but there is a worsening of conditions, corruption is rife, black-marketing was rampant and misery stalks the land.[54]

Sris Chandra Chattopadhyaya (East Bengal: General), who had spoken earlier, rose up again. He complained that not only had the Muslim League struggled to get Pakistan, but the Congress had also fought for the freedom of India from British rule. The British decided to partition India and create two states. Chattopadhyaya posed the following question regarding the clause on the sovereignty of God,

IQBAL FORUM

'What are those limits, who will interpret them? Dr Ishtiaq Hussain Qureshi or my respected Maulana Shabbir Ahmad Osmani?'[55] He informed the House that he had spoken to an Islamic cleric who had told him that if the head of state is a non-Muslim, then Juma namaz (Friday prayers) could not be held in such a state.

Chattopadhyaya then said, 'Therefore, the words "equal rights" as enunciated by Islam are—I do not use any other word—a camouflage. It is only a hoax to us non-Muslims. There cannot be equal rights for us non-Muslims.'[56] Further, he elaborated that the cleric told him that no law can be changed unless an injunction is to be found in the sharia law for it. A consensus among Muslims must be achieved to change a law. He then said, 'So, if any law is to be changed, it is to be changed by the vote of the Muslims only. Where are we then? We are not Muslims.'[57] He wondered what role, if any, non-Muslims could play in the Constituent Assembly if the Constitution of Pakistan was to be based on Islam. 'Even if we have the right to vote, a non-Muslim cannot be the President of Pakistan, then what is the point in having such a voting right?'[58]

He said that while the Congress Party stood for a united India and one nation comprising all Indians, Muslims and non-Muslims, the Muslim League wanted the partition of India on the basis of the two-nation theory. He said that now that Pakistan had come into being, the Hindus have decided to become loyal Pakistani citizens. However, from the discussion on the resolution it sounds as if the Muslim League still wants to base Pakistan on the division between Muslims and non-Muslims. How can the non-Muslims ever hope to get equal treatment?

Chattopadhyaya referred to Jinnah's 11 August 1947 speech to assert that Jinnah had dissociated with the divisive two-nation theory when he said '"that in state affairs the Hindu will cease to be a Hindu; the Muslim shall cease to be a Muslim", but alas so soon after his demise what you do is that you virtually declare a State religion! You are determined to create a Herrenvolk [*master race: author*].' Then Chattopadhyaya remarked rather melodramatically: 'What I hear in the Resolution is not the voice of the great creator of Pakistan—the Quaid-i-Azam (may his soul rest in peace), nor even that of the Prime Minister of Pakistan, the Honourable Mr. Liaquat Ali Khan, but that of the Ulema [sic] of the land.'[59]

IQBAL FORUM

Liaquat responded by telling Chattopadhyaya that he had been misled by the ulema. Friday prayers were offered when the British were ruling, and that it was incorrect to say that only when the head of state is a Muslim can Friday prayers be held publicly..The prime minister then observed:

> There are some people here who are out to destroy and disrupt Pakistan and these so-called Ulemas [sic] who have come to you, they have come with that particular mission of creating doubts in your mind regarding the *bona fides* of the Mussalmans of Pakistan. Do not for God's sake lend your ear to such mischievous propaganda [. . .] They have misrepresented the whole ideology of Islam to you. They are in fact enemies of Islam while posing as friends and supporters of Islam.[60]

About Chattopadhyaya's concerns about a non-Muslim being disqualified to become the head of state, the leader of the House responded:

> Sir, my friend said that these people told him that in an Islamic state—that means a State which is established in accordance with this Resolution—no non-Muslim can be head of the administration. This is absolutely wrong. A non-Muslim can be the head of the administration under constitutional government with limited authority that is given by the constitution to a person or an institution in that particular State. So here again these people have misled him.[61]

It is noteworthy that Jogendra Nath Mandal did not take part in the debate on the resolution. That was peculiar because normally constitutional matters would very much be a part of the core brief of the law minister. At any rate, finally, all the amendments were put to vote, and all were rejected. The Objectives Resolution was adopted without any change whatsoever.

The Objectives Resolution may have appeared pompous, but it was by no means frivolous. It was perfectly in line with the ethos of the two-nation theory, with its claims that Muslims were a separate nation distinct from Hindus. Such an identity had to be given some

IQBAL FORUM

concrete shape. Since Jinnah had on 11 August 1947 omitted a reference to Islam, but subsequently brought it back in his statements, the prime minister was now making explicit the logical link between Islam and Pakistan.

If one looks at the composition of those who supported and those who opposed the Objectives Resolution, it is crystal clear that the dividing line was religion. Mian Iftikhar-ud-Din and Begum Shaista Ikramullah expressed dissatisfaction with its wording; they did not, however, call into question the ideological foundations of Pakistan which the resolution propounded. Opposition came from the non-Muslim members of the Constituent Assembly. They had no choice but to refer to Jinnah's 11 August 1947 speech to question the validity of God's sovereignty. What is crucial is that not a single Muslim—pious or nominal—asserted that Pakistan had been conceived as a secular state or that Jinnah had disowned the two-nation theory and instead embraced the secular-state model. Moreover, it would be very difficult to draw a clear line between modernists and fundamentalists because both were arguing from the premise that the authority of the Quran and the Sunnah were binding under all circumstances. Jinnah, as we know, had said many things and, while the Hindu opposition invoked his 11 August 1947 speech to make a case for a secular state, those who spoke in support of the resolution, notwithstanding some criticism and reservations, conceded the supremacy of an Islamic constitution. Jinnah was quoted amply in support of the thesis that Pakistan was an ideological state based on the principles of Islam and in which Islamic law would be binding. It is therefore important to underline that the Objectives Resolution once and for all became the framework within which the Constitution and laws of Pakistan were to be deliberated upon and based.

Later, voices alleging that the Objectives Resolution subordinated the Pakistan Constitution to the will of God and not the people of Pakistan were raised. Among them, that of Begum Shahnawaz is most interesting because she was a right-of-centre Muslim Leaguer. She has alleged that the Objectives Resolution was a radical departure from the Constitution Jinnah was working on. Apparently, he had told her that he was preparing a draft of the Constitution. However, when she asked Liaquat if such a document had been found in the Quaid's papers, the prime minister told her that he had never had access to

IQBAL FORUM

his papers. She then talked to his sister Fatima Jinnah about the draft, who kept quiet and did not say anything.[62]

Shahnawaz then says something noteworthy: 'Who had advised Prime Minister Liaquat Ali Khan to have a preamble like this type? [. . .] I could not understand how constitutional lawyers like Zafrullah and Nishtar had agreed to it or helped to frame it.'[63] Her objection was that it tacitly privileged the ulema to determine the content of sovereignty belonging to God. She goes on to claim that seventeen members of the Constituent Assembly met to discuss it. The finance minister, Ghulam Muhammad, Firoz Khan Noon and Mumtaz Daultana met her. They all agreed that it should be opposed because mentioning Islamic principles in a general sense was justified; but making them a part of the preamble of the Constitution was going too far, because that would play into the hands of the ulema such as Shabbir Ahmad Osmani. However, Nazir Ahmad Khan and Dr Omar Hayat Malik came to see her and advised her not to oppose it. Firoz Khan Noon and Mumtaz Daultana, who had privately opposed the bill, now kept quiet.[64]

In the records of the debate on the Objectives Resolution no mention of Begum Shahnawaz opposing it is entered, and presumably she, too, submitted to the pressure she faced. What is interesting is that Sir Zafrulla never claimed that he had helped frame the Objectives Resolution. On the other hand, he has claimed authorship for the 23 March 1940 Lahore Resolution, which is not corroborated by available evidence.

Did Liaquat betray the legacy of Jinnah, especially the latter's notion of a secular Pakistan? The answer has to be a clear and categorical *no*. Jinnah had steadfastly struggled for Pakistan without ever committing himself to the type of state Pakistan would be. The invocation of Islam and sharia was abundant in Jinnah's speeches, statements and messages. He always balanced them by assuring critics that such a state would be a modern type of Islamic Muslim democracy. In the discussion on the Objectives Resolution, Liaquat had managed to demonstrate that those who took part in it from the treasury benches represented modern educated academics and lawyers as well as one prominent Deobandi cleric. Sir Zafrulla's input in the debate underlined the supreme authority of the Quran and its application to both state and society in a comprehensive

IQBAL FORUM

sense. Ironically, both Osmani and Zafrulla projected the same world view, of Islam being a complete code of life, but one was a diehard Deobandi Sunni, while the other was a diehard Rabwah Ahmadi, and both communities rejected the other's credentials to represent Islam.

One can add that the idea of sovereignty belonging to God was part of the medieval Roman Catholic dispensation with the Pope claiming superiority over the secular ruler, but that position was lost in the long run and superseded by the divine right of kings, which in turn was superseded with sovereignty being reposed in the Prince by Machiavelli and then under the influence of the social contract theories into a tangible human entity—individual property-owning citizens or the whole collective. The sovereignty of God had simply been discarded by a tangible human entity.

However, even at that stage, John Locke, celebrated as the theorist of limited government, government by the consent of the ruled, the right to religious freedom and conscience as well as an expanded right to property, could connect true belief to rights. Thus, for example, in *A Letter Concerning Toleration*, published in 1689, he drew a sharp distinction between Anglican Christians and Catholics, the two main religious groups in England. He asserted that while Anglican men of property were to enjoy the right to vote and contest public office, the Catholics qualified for only religious freedom in the private sphere, with no right to contest public office. He reasoned that Catholics were loyal to the Pope and not the national Church of England: the Anglican Church, therefore, could not be trusted. He went even further. He asserted that atheists should not enjoy any rights at all because rights were granted by God and, therefore, only those who believed in God were entitled to rights.[65]

Liaquat Ali Khan and his associates who spoke in favour of the sovereignty of God were harking back to a medieval era of Western political theory but which had remained applicable to Muslim societies into the nineteenth century, when European colonial interventions ended that dispensation with their colonial type of modernity and constitutional–legal changes.

In any event, the prime minister and his team had succeeded in maintaining the charade of unanimity among Muslims on the absolute need to establish an ideal Islamic state. In that sense, they were all being loyal to Jinnah, justifying the primary claims of

IQBAL FORUM

Muslims on Pakistan and being able to quote his pledges to establish a state based on Islamic principles. It was easy to assert that only non-Muslims were opposed to the Objectives Resolution. The debate was incontrovertible proof of that. The idea that Jinnah wanted a secular Pakistan was essentially an argument the Hindu members of the Pakistan Constituent Assembly advanced because they could see clearly that despite all the rhetoric and circumlocutions, differential rather than equal rights followed from the speeches of the prime minister and Muslim members of the Pakistan Constituent Assembly. The Hindus latched on to the 11 August 1947 speech, but their arguments were demolished by the learned academics and lawyers and indeed others by referring to Jinnah's promises to Muslims; some excerpts from his speeches were also quoted to project Jinnah's commitment to Islam, Quran and sharia.

The debate on the Objectives Resolution concluded on 12 March. The same day, the Basic Principles Committee was established by Governor-General Khawaja Nazimuddin on the instruction of Prime Minister Liaquat Ali Khan. This committee had twenty-four members. It was headed by Nazimuddin, and Liaquat was its vice president. It established several subcommittees in April 1949. One of them, the board of Talimat-e-Islamia (Teachings of Islam) was formed with experts well versed in Islamic teachings, classic and modern, and was meant to advise on matters arising out of the Objectives Resolution. Syed Sulaiman Nadvi was invited from Lucknow to join the board. He was hesitant but arrived by the end of 1950. Others included Abdul Khaliq, professor of Arabic in Dacca, and Dr M. Hamidullah who was teaching at the Sorbonne and was an expert on Islamic international law. A Shi'ite, Mufti Jafar Hussain, was also included. Maulana Zafar Ahmad Ansari, formerly office secretary of the All-India Muslim League, became the secretary of the board of Talimat-e-Islamia. It deliberated on all issues raised in the Objectives Resolution and made several recommendations. Efforts to combine and harmonize classic Islamic political theory with modern Western ideas of democracy and constitutionalism proved to be intractable.[66] Outside the Constituent Assembly the ulema met in Karachi in January 1951 and came up with a twenty-two-point blueprint of an Islamic constitution, largely fashioned on Maududi's ideas and arguments. Although government was to be formed through elections, Western democracy, female

IQBAL FORUM

equality and equal rights for non-Muslims were rejected. Maududi was able to secure the signatures of the leading Brelawi, Sunni and Ahl-e-Hadith (Wahhabi) as well as Shia clerics to that document.[67] It was sent to the secretariat of the Constituent Assembly.

The exit of Jogendra Nath Mandal

We need to step back in time to get a sense of the despair that had emerged after the death of Jinnah among Hindus in Pakistan. In my book *The Punjab Bloodied, Partitioned and Cleansed* (2017), I have noted that despite Jinnah's indefatigable and uncompromising stand on Partition and Pakistan, some Hindus continued to believe that Pakistan would be a secular state. Ironically and tragically, one was a leading economist, Prof. Brij Narain of Punjab University, who argued that Pakistan would be economically feasible and supported the Pakistan demand. He was murdered treacherously by a mob seeking to kill every Hindu in Lahore. That resulted in the exit of those Hindus who were hoping that things would return to normality once the partition was completed.[68] Now, when the Objectives Resolution was moved, the law minister, Jogendra Nath Mandal, was conspicuous by his absence in the debate on it. After Jinnah's death, his position weakened considerably. The support of a Dalit before Pakistan came into being was politically vital, but not any more. Mandal wrote a letter of resignation on 8 October 1950 to Liaquat and left for India. In the letter he gave details of how Hindus, both upper caste and from the Scheduled Castes, were being discriminated against in East Bengal. As noted already, ethnic cleansing had been completed in West Pakistan except for tiny pockets in the NWFP and some concentrations in Sind's interiors. Mandal claimed that at least 10,000 Hindus had been killed in East Pakistan in mob attacks backed by police and senior bureaucracy. He alleged that the minorities had no future in Pakistan and even the civil liberties of Muslims such as Abdul Ghaffar Khan and others were not being respected. He expressed the view that he believed that Partition was only a bargaining chip for the Muslim League, but now that the government was bent upon making Pakistan an Islamic state, he felt he could not serve such a government.[69]

That it was not only Mandal but also many others who believed that Partition was only a bargaining ploy for Jinnah is not surprising,

IQBAL FORUM

because not many believed that Partition would take place, including, understandably, Jinnah. Quite simply, that decision rested entirely in British hands, and, they, after considerable ambivalence and prevarication, decided to partition India and create 'a moth-eaten Pakistan'.

Other matters

Apart from the fanfare created by the Objectives Resolution, Liaquat Ali Khan's other achievements were that he provided continuity and stability. He perpetuated Jinnah's legacy of relying on the viceregal system, albeit with the prime minister exercising autocratic powers through controversial applications of the amended Government of India Act, 1935. The Muslim League was in power at the Centre and in all provinces. Regional leaders and cliques conspired against one another for power and influence. They had joined the Muslim League to avert a Congress government coming to power in a united India. That mission accomplished, nothing substantial bound them together: the religious connection had outlived its utility. The field was open for infighting and centripetalism clashing with centrifugalism. Liaquat actively interfered in provincial affairs, playing one faction against another and, in the process, established patron–client relationships promoting individuals dependent on the Centre. In 1949, the Public and Representative Office Disqualification Act was adopted, which allowed the government to disqualify persons found guilty of 'misconduct', a term which acquired arbitrary meaning. Despite growing opposition to his rule and demands to hold a general election, no elections were held. He continued with Jinnah and the Muslim League's practice of warning about a conspiracy against Muslims by Hindus and the Congress, and now the Indian government compounded by fifth columnists within Pakistan.[70]

The Liaquat–Nehru Pact, 1950

The Kashmir war and the accompanying hostility between India and Pakistan had soured relations between the two governments. The threat of 35 million Muslims, which India could dispatch to Pakistan, still loomed large. Nehru allayed Liaquat's worst-case scenario once

IQBAL FORUM

and for all when they met in Delhi. On 8 April 1950, the Liaquat–Nehru/Nehru–Liaquat Pact was signed. It was mentioned that the two governments would ensure that citizens enjoy 'a full sense of security in respect of life, culture, property and personal honour, freedom of movement within each country and freedom of occupation, speech and worship, subject to law and morality'.[71] It was further underscored: 'Both Governments wish to emphasise that the allegiance and loyalty of the minorities is to the State of which they are citizens, and that it is to the Government of their own State that they should look for the redress of their grievances.'[72]

Nevertheless, the vulnerability of Pakistan in a war with India remained a cause of worry to Liaquat and subsequent governments. Pakistan continued to woo the Americans to co-opt it in the global containment of Soviet communism. The Truman administration had invited the Indian prime minister, Jawaharlal Nehru, for a friendly visit, but not Liaquat. Pakistani diplomats succeeded in the Soviet Union inviting the Pakistani prime minister instead. This had the necessary effect, and in December 1949 Liaquat was also invited to the United States. He arrived in May 1950. In response to a question from a reporter about how large a standing the Pakistan Army wanted to have, he said that depended on Washington's intentions: 'If your country will guarantee our territorial integrity, I will not keep any army at all.'[73] During the same trip, Pakistan supported the US position on Korea, but when a tangible request to send troops as part of the UN contingent was made, Liaquat found a way out by saying that 'as long as Pakistan felt threatened by India, he could not commit his country's limited security resources for other causes'.[74] In any event, in spite of the positive impressions, Liaquat was unable to make any breakthrough in getting the US to provide Pakistan with the economic and military aid it wanted. US foreign policy continued to give greater priority to India, while acknowledging the importance of Pakistan as well.[75]

Liaquat's assassination

In March 1951, ultranationalist military officers led by Major General Mohammad Akbar Khan, chief of the general staff, were found to be conspiring to overthrow Liaquat Ali Khan's government.

IQBAL FORUM

He was considered soft on India. They were arrested on charges of plotting a coup d'état. Ironically, leading figures of the Communist Party of Pakistan, including Sajjad Zaheer, Faiz Ahmed Faiz and Mohammad Hussain Ata, were also arrested on charges of being part of the plot. They were tried in secret, convicted and sentenced to imprisonment, but eventually released. Apparently, the communists had participated in some of the meetings of the plotters but then backed out.

However, on 16 October 1951, Liaquat Ali Khan was assassinated by an Afghan, Said Akbar, who shot the prime minister dead during a public meeting in Rawalpindi. The assassin was shot dead by a police officer. To this day, it has not been explained whether the assassination was the work of a single individual or a plot involving others that had resulted in the prime minister's death.[76] Apparently, Liaquat wanted Sardar Abdur Rab Nishtar to succeed him and had expressed such a wish on his way to the hospital to Mushtaq Ahmad Gurmani, a cabinet minister for Kashmir, but Ghulam Muhammad and Gurmani persuaded Nazimuddin to become prime minister, while Ghulam Muhammad became governor-general. Queen Elizabeth, the head of the Pakistan dominion, confirmed the appointments.[77]

With Liaquat's death, the Muslim League old guard was without a leader of national stature. Chaudhry Khaliquzzaman had settled in Pakistan after he came from India with Lord Ismay in October 1947. Suhrawardy had returned to Calcutta because he was considered a rival of Liaquat and only came back to Pakistan in 1949. Both were fish out of water. No provincial leader could claim the mantle of Jinnah and Liaquat.

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IQBAL FORUM

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IQBAL FORUM

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IQBAL FORUM

Chapter 20

Jinnah's Pakistan: An Overview



In this chapter, an overview is presented of the main events which transpired after the deaths of Jinnah and Liaquat. The Muslim League had never found an anchor in politics as an integrated party with a vision and programme for Pakistan; instead, it had grown exponentially after the 1940 Lahore Resolution, especially because of an election campaign during 1945–46, which was patently communalist and populist. Direct Action in Calcutta and the rioting and bloodshed it entailed reached its apotheosis in the Punjab in January–March 1947 and resulted in a chain of communal riots which culminated in the bloodiest partition in history, which also caused the biggest migration, primarily under duress, in history. Consequently, the Muslim League had acquired mobocratic features, while party discipline and organization remained weak and inchoate. It was a party held together primarily by a brittle conglomeration of the regional and sectarian groups of Muslims whose paramount interest was to prevent the Indian National Congress coming into power in a united India. Without Jinnah, and to an extent Liaquat, it was a rudderless and precarious cluster of faction-prone leaders.[1]

Pakistan itself was a novel state with two separate wings, with a lack of infrastructure and an industrial base, where the landlords and tribal leaders held sway over people in their areas in West Pakistan. State power, the political elite, the military and civil bureaucracy as well as financial and commercial power were all located in West Pakistan. East Pakistan was poor, very poor. The society in both

IQBAL FORUM

West Pakistan and East Pakistan was conservative, more so in the former than in the latter. Nevertheless, with the economically more advanced Hindus and Sikhs gone, enormous opportunities became available for the Muslims of Pakistan. We shall present an overview of Jinnah's Pakistan in the domestic and external spheres after Liaquat was murdered.

The domestic sphere

The domestic sphere includes administrative, political and ideological measures including those related to the Constitution of Pakistan.

The ascendency of the bureaucratic–military oligarchy

Governor-General Ghulam Muhammad revived the viceregal precedent Jinnah had established of the head of state rather than the head of the executive making key decisions, and Nazimuddin was browbeaten into becoming a tame prime minister. When Nazimuddin tried to assert his authority, he was dismissed. Ghulam Muhammad reduced cabinet government to a farce and the two main national-level institutions—the civil service, known as the steel frame of the British rule, and the military, or more precisely, the Pakistan Army—stepped in to provide continuity. Both together had been the bedrock upon which the British Indian empire rested. Now they became the civil–military oligarchy in charge of Pakistan.

The term civil–military oligarchy was coined by Hamza Alavi, who had argued that Pakistan had an overdeveloped state and underdeveloped society. Marxist theory considered the state merely an instrument of the ruling class, but Alavi had argued that Pakistan was a postcolonial state in which the structure of power was in an inverse relationship: the state—the repressive organs such as the military and police—being stronger than the 'dominant classes'. What he meant was that in Pakistan the colonial state, or rather the viceregal system, had continued. Alavi had relied on the evolution of classes and state power in Western Europe, which Marx had delineated as the norm, with some exceptions when the state became stronger than the class. In Pakistan, Alavi

IQBAL FORUM

asserted that that was the rule and not the exception. Marx had already, in his famous thesis on the Asiatic Mode of Production, described India and China as examples of the state being stronger than society. What Alavi failed to explain satisfactorily was why in India the hegemony of civilian rule was established but not in Pakistan.

Notwithstanding such limitations he correctly identified the civil service and the military as the only national-level institutions; Pakistan lacked a strong middle class, an industrial bourgeoisieand a grass-roots political party. The only effective class was that of landlords, who, during colonial rule and after Pakistan came into being, were dependent on colonial patronage. Therefore, power resided in the civil servants and the military, who, he demonstrated, became appendages of international capitalism centred on the United States. Therefore, according to Alavi, Pakistan was a postcolonial state ruled by the civil–military oligarchy.[2]

During 1951–58, the civil–military oligarchy made, and unmade, central governments six times, headed by hand-picked prime ministers who were mere pawns. Provincial elections were held in the NWFP in 1951 and the Punjab in 1952, which were won by the Muslim League. In East Bengal, the provincial Muslim League government carried out radical land reforms largely because the big landholders were Hindus, many of whom had migrated to West Bengal after the Partition. However, resentment against the declaration of Urdu as the national language and the overall economic and political domination of West Pakistan had been growing in East Pakistan. During his tour in 1952, Prime Minister Nazimuddin, himself a Bengali, had reiterated that Urdu will be Pakistan's national language. In 1954, the Muslim League received a rude shock when its East Bengal government was voted out of power by an alliance of several parties, all of them venting the grievances of the Bengalis against West Pakistani domination, neglect and deprivation. The Jugtu Front won 223 seats out of a total of 237 reserved for Muslims in a House of 309 (separate electorates inherited from the colonial period were continued in Pakistan). That Jugtu Front government, however, was dismissed on allegations that it had conspired with the Communist Party of Pakistan to harm the integrity of the country.[3,4]

IQBAL FORUM

The Constitution

After the passing of the Objectives Resolution as the preamble of the Pakistan Constitution, no notable progress had been made on it. In sharp contrast, India had framed its Constitution by 26 November 1949, which came into force on 26 January 1950. It was based on three foundational documents: the Nehru Report of 1928; the Congress Report of 1931, granting minorities the application of their religious law to their personal matters; and the Poona Pact of 1932 between Gandhi and Ambedkar, which had prevented separate electorates being granted to the Dalits in lieu of seats being reserved for them in the legislatures. Under the chairmanship of Dr Ambedkar, and with the support of the Nehru government and the Congress and leftist members of the Constituent Assembly, India was declared a federation with a strong Centre. The word 'secular' did not appear in the Constitution but most importantly no religion was accorded official status in the state. By granting equal voting rights to upper-caste Hindus and the Scheduled Castes, dogmatic Hindu theology was rejected in favour of inclusive and universal democracy, based on the equal rights of all citizens, irrespective of their caste, creed or colour. Otherwise, it was sacrilege that a Brahmin and a Dalit should have an equal vote, but that was done because the large Congress majority was committed to it.

The Indian Constitution emphasized equal respect for all religions but included provisions permitting the state to intervene and reform religious practices and customs that militated against democratic values.[5] Quite simply, India was not to be a Hindu Rashtra, as the Hindu Mahasabha and the RSS wanted, but a secular state, though that was not mentioned formally in the Constitution till 1976. About 22.5 per cent seats were reserved for Dalits and Adivasis (indigenous tribes and people) in educational institutions, legislatures and government jobs.[6] Later, the practice of untouchability was declared a criminal offence.

The framing of the Indian Constitution was watched in Pakistan with embarrassment. We know already from Dr Yaqoob Khan Bangash that Jinnah told his aides that since he had been saying different things to different sections of Muslims, it would take time for those contradictions to be sorted out. He had reposed the

IQBAL FORUM

responsibility of framing the Pakistan Constitution to the Pakistan Constituent Assembly. Liaquat had come up with the Objectives Resolution, reviving the medieval idea of sovereignty belonging to God as the hallmark of the future Constitution of Pakistan. The social contract theorists had done away with the notion of God's sovereignty and invested it in a tangible individual or collective entity—but the Objectives Resolution was a return to medievalism. As we noted, what God's sovereignty entailed in practice was understood differently by those Muslim leaders who rose to support it. But despite all the rhetoric and circumlocutions, the people of Pakistan and their chosen representatives could exercise only delegated powers on behalf of God. Sovereignty originally was vested in Allah.

As already noted, the West Pakistani domination of the state was overwhelming. The tussle for power between Bengalis and West Pakistani politicians created—among the latter, especially the dominant Punjabi–Urdu-speaking clique—tensions regarding the nature of the Pakistan federation. Later, Pakistan broke up in 1971 as East Pakistan seceded, and West Pakistan remained alone. Ethnic conflict raised its ugly head further, showing the tenuous nature of Muslim nationalism.

The dissolution of the Constituent Assembly

As noted already, the Basic Principles Committee was established on 12 March 1949, the same day the Objectives Resolution was passed. In 1952, the committee submitted its report to the Constituent Assembly. It recommended that a Muslim should be the head of state, with the Quran and the Sunnah as the basis of legal reform. More centrally, it recommended a board of experts who were to ascertain whether a law made by the legislature was commensurate with Islam. It was agreed that the approval by the Muslim members of the legislature of the recommendations of the board was necessary to pass a bill. Thus, the elected Muslim members had the last word on lawmaking. It recommended a bicameral national Parliament with parity of representation between East Pakistan and West Pakistan, though the East Pakistan population (55 per cent) constituted a majority. Opposition to it came from all directions. The *Dawn* of Karachi and Lahore's *Pakistan Times* and *Nawa-i-Waqt* criticized the idea

IQBAL FORUM

of religious experts establishing theocratic hegemony, although the report had invested the final authority on the elected Muslim members of the Constituent Assembly to make laws. Nazimuddin was forced to shelve it in January 1953.[7] At that time, the Muslim modernists were the dominant group, but the Islamists were represented as well. They started pressurizing the government to make explicit and unequivocal commitments to not only formally declare the sharia as the supreme law but also to apply it substantially and comprehensively to define and determine the powers of the government and the rights of the citizens.

The anti-Ahmadiyya riots in the Punjab, March 1953

The genie of the Islamic state, based on the ideal of the state of Medina, was out of the bottle now, however. In 1953, the Majlis- e-Ahrar (Party of the Free People/Party of Liberal Muslims), which had receded from power after the Partition, launched the Khatam-e- Nubuwwat (meaning the 'finality of the prophethood of Muhammad (PBUH)') movement. Maududi and a host of other Islamist organizations joined it. It had been festering for more than half a century, but during British rule the lid was kept on it. As noted earlier, the Ahmadiyya leadership welcomed the Ottoman defeat by holding celebrations in their holy city of Qadian.[8] The Ahmadis believed that their khalifa, Mirza Bashiruddin Mahmud Ahmad, was the caliph of true Muslims. Ahmadi literature suggested something as fantastic as believing that the British would transfer power over Pakistan into their hands.[9] Whether this derived from some belief in the messianic mission of Ahmadiyyat to take over India and spread all over the world, or it was a belief which particularly obsessed Bashiruddin Mahmud Ahmad, or perhaps British officials—especially the intelligence agencies which had been feeding the Ahmadis with such inflated opinions of their role in the world—it is impossible to say, but a minuscule community believing that India, or even Pakistan, would be left in their charge was quite incredible. The Report of the Court of Inquiry notes:

> [W]hen the faint vision of Pakistan began to assume the form of a coming reality, they felt it to be somewhat difficult permanently to reconcile themselves with the idea of the new State. They

IQBAL FORUM

> must have found themselves on the horns of a dilemma because they could neither elect for India, a Hindu secular State, nor for Pakistan where schism was not expected to be encouraged. Some of their writings show that they were opposed to the Partition, and that if Pakistan came, they would strive for a re-union.[10]

The reason given for such ambivalence on the part of the Ahmadis, the report tells us, was that their holy city of Qadian was located in Gurdaspur district, which had a barely 1 per cent Muslim majority and was expected to be given to Pakistan; but there was no guarantee that that would happen. (I have covered the background in great detail about the fate of Gurdaspur district in my book *The Punjab Bloodied, Partitioned and Cleansed*. Gurdaspur had a very slight Muslim majority—of some 85,000—in 1941, and the general understanding was that it would be given to Pakistan, but as explained earlier, Viceroy Wavell had placed its three tehsils on the eastern bank of the Ravi River, including Batala, where the village of Qadian was located, in India, and the Radcliffe Award confirmed that.)[11] Under the circumstances, the learned judges inform us, 'Apprehensions about the final location of Qadian, therefore, began to be felt, and since they believed they were Muslims they could obviously not ask for inclusion in India, the only course left for them was to fight for its inclusion in Pakistan.'[12] One can add that had they argued for Qadian to be included in India and that it was given to Pakistan, the consequences of such a mistake would have been catastrophic for the Ahmadiyya community.

Of course, we know that Bashiruddin Mahmud Ahmad had promised Sirdar Shaukat Hayat that he would pray for Pakistan and that all Ahmadis would vote for Pakistan, and evidence confirms that Ahmadi support for Pakistan was robust during the 1946 election campaign. At that time, it was not at all clear whether Pakistan would come into being, even if the Muslim League won most Muslim votes. However, once it became clear that Pakistan was in the offing, it makes perfect sense that Ahmadis were apprehensive and fearful about a future Pakistan dominated by Sunnis. However, now that Pakistan was going to be a reality, the Ahmadi spiritual leader had supported the Pakistan demand. Sir Zafrulla, who had been selected by Jinnah to plead the Muslim League's claim to territory in the Punjab, was thorough and masterly and had earned the admiration

IQBAL FORUM

of both Mr Setalvad, the counsel who presented the brief on behalf of the Congress Party, as well as the Sunni and Shia members of the Muslim League team.[13]

In any event, Bashiruddin Mahmud Ahmad shifted to Lahore after the Partition, leaving some of his devotees in Qadian. In Pakistan, he and other Ahmadis embarked upon an ambitious campaign to disseminate their faith. The khalifa made an inflammatory speech in Quetta, 'in which he openly advocated the conversion of the population of the Province [Baluchistan] and the use of that Province as a base for further operations'.[14] Ahmadi officialdom, serving within Pakistan and with Pakistani diplomatic missions, actively distributed their religious literature, projecting their beliefs as Islamic. During the Kashmir war, Ahmadis had committed a battalion of volunteers called the Furqan Battalion to the Kashmir operation.[15] It was the first case of a non-state actor based in Pakistan getting involved in a military operation outside Pakistan. The Ahmadis otherwise overruled jihad as a means of spreading Islam and had opposed jihad against the British, but had served in the British Indian Army and other branches of the armed forces in disproportionately large numbers.[16]

It is only fair to say that even Wahhabi-inspired Syed Ahmed Shaheed Barelvi had overruled jihad against the British on the grounds that the British did not prevent Muslims from practising Islam, while the Sikhs of the Punjab allegedly did. The head of the Barelvi sub-sect, Maulana Ahmed Raza Khan, had found similar arguments, as did other moderate Muslims, and some preached collaboration with them like Sir Syed Ahmad Khan.[17] However, all that was now forgotten and many of these Muslims were now heroes in Pakistan. The basic problem with the Ahmadis was their claim that the founder of their faith was a prophet.

It is worth noting that Maududi had in February 1953 sent a message to Bashiruddin Mahmud that a way out of the theological dispute could be found if he, as the head of the Ahmadiyya community, were to issue a statement to the following effect:

(a) A Muslim who did not accept Mirza Ghulam Ahmad as a prophet remained a good Muslim and was not a kafir (infidel).
(b) A Muslim who did not regard Ghulam Ahmad as a Nabi (prophet) was a true Muslim and therefore Ahmadis would not refuse to join his funeral prayers.

IQBAL FORUM

(c) The Ahmadis would not, as they did currently, refuse to give their daughters in marriage to Muslims.

Bashiruddin Mahmud refused to append his signature to the document Maududi had sent him.[18]

The anti-Ahmadi agitators, which included an alliance of several parties and organizations, with the Majlis-e-Ahrar taking the lead, announced Direct Action. Their main demand was that since Pakistan was an Islamic state, only Muslims could hold key positions in the state. Therefore, since Ahmadis held beliefs that were irreconcilable with Islam, they should be removed from key positions. Sir Zafrulla was particularly targeted in the demands for removal from office as foreign minister.[19] Governor-General Ghulam Muhammad and his oligarchy considered such demands a menace, but Prime Minister Nazimuddin, who was a pious and practising Muslim, was sympathetic. He agreed with their basic argument and remarked, 'I do not agree that religion is a private affair of the individual nor do I agree that in an Islamic State every citizen has identical rights, no matter what his caste, creed or faith be.'[20] He went on to explain that the 11 August 1947 speech of Jinnah was meant to prevent the exodus of minorities (which could cause the collapse of Pakistan if 35 million came seeking refuge in it). He argued that even in Britain the monarch was a defender of the faith and a member of the Anglican church.[21]

The agitation was nipped in the bud in Karachi but erupted into violent attacks on Ahmadis in Lahore and other places in the Punjab. Prime Minister Khawaja Nazimuddin was compelled to impose martial law in the Punjab, and the agitation was crushed. The military acted swiftly and firmly because, at that time, Ahmadis were in significant numbers among the officer corps. Lieutenant General Azam Khan was made the chief martial law administrator in the Punjab. He ordered stern action. Rioters were fired upon and, within a few days, law and order had been established. Some of the ringleaders including Maududi were tried under martial law and sentenced to death; those sentences were later commuted to clemency and they were released.

The two judges examined the existing literature on the Ahmadi issue, including the controversies and rulings from both sides. Allama Iqbal's damning rejection of Ahmadis as Muslims was mentioned but not elaborated or commented upon. It became clear to them that Ahmadi dogma and orthodoxy was no less extreme, uncompromising

IQBAL FORUM

and inflexible than that of the Mussalmans—the generic term they used for all other Muslims including the two main sects of Sunnis and Ithna Ashari Shias. In the extended question-and-answer sessions with spokespersons of different Sunni sub-sects and the Shias, the judges noted that not only did the ulema want the Ahmadis to be declared non-Muslims and therefore removed from key posts, they also believed that those Ahmadis who had not inherited their beliefs from their parents and had voluntarily converted to that faith were guilty of apostasy and should be punished with death. The respondents referred to examples from the time of the pious caliphs to argue that the offence of a Muslim converting to another religion was punishable by death.

Regarding Christians, Hindus and other non-Muslim Pakistanis, the ulema were of the view that they should be treated as *zimmi*s (dhimmis, protected minorities) and made to pay the poll tax, jizya. A Barelvi cleric, Maulana Abdul Hamid Badayuni, however, argued that since the non-Muslims had not been conquered, they could not be treated as zimmis. They should be treated as *mu'ahid*s, meaning people with whom some agreement has been made. However, since no agreement had been reached with them, they could neither be citizens, nor zimmis nor mu'ahids![22]

When the ulema were asked to define a Muslim, the confusion on that basic concept became easily manifest. The judges observed:

> Keeping in view the several definitions given by the *ulama,* need we make any comment except that no two learned divines are agreed on this fundamental. If we attempt our own definition as each learned divine has done and that definition differs from that given by all others, we unanimously go out of the fold of Islam. And if we adopt the definition given by any one of the *ulama,* we remain Muslims according to the view of that *alim* but *kafirs* according to the definition of [sic] every one else.[23]

It may be noted that the ulema were against the propagation of any other religion in Pakistan. They argued that anyone converting Muslims to another religion was involved in apostasy since Muslims could not be converted to another religion. Moreover, the ulema in principle subscribed to the doctrine that a state of war existed between Islamic and non-Islamic states. They also believed that Muslims could not be loyal citizens of non-Muslim states. Syed Muhammad Ahmad Qadri of the

IQBAL FORUM

Barelvi school and Syed Abul Ala Maududi of the Jamaat-e-Islami were agreed that India had the right to declare itself a Hindu state and treat Muslims as mlecchas (unclean foreigners) and Shudras (stigmatized low castes) in accordance with the laws of Manu.[24] Qadri and Maududi also said that in case of war, Indian Muslims were obliged not to fight against Pakistan.[25] It was also observed that those ulema and organizations which had opposed the Pakistan demand and called Jinnah Kafir-e-Azam (the greatest infidel) were leading the anti-Ahmadi agitation.[26]

Mirza Bashiruddin Mahmud Ahmad was also interrogated. He modified his ruling from 1912, declaring non-Ahmadi Muslims outside the pale of Islam, by an interpretation which underscored that while Ahmadis held steadfastly to the belief that Ghulam Ahmad was a prophet who received revelation and they were true Muslims, those who did not accept that were misguided or sinful Muslims.[27] The court, however, noted that reading the extensive Ahmadi literature of the Rabwah group suggested otherwise: that is, in the standard literature of the Rabwah Ahmadis, non-Ahmadi Muslims were considered outside the pale of Islam, or in other words, as non-Muslims.

In their concluding remarks on the ideology of an Islamic state, Justice Munir and Justice Kayani opined:

> Pakistan is being taken by the common man, though it is not, as an Islamic State. This belief has been encouraged by the ceaseless clamour for Islam and Islamic State that is being heard from all quarters since the establishment of Pakistan. The phantom of an Islamic state has haunted the Musalman throughout the ages and is a result of the memory of the glorious past when Islam rising like a storm from the least expected quarter of the world—wilds of Arabia—instantly enveloped the world, pulling down from their high pedestal gods who had ruled over man since the creation, uprooting centuries old institutions and superstitions and supplanting all civilisations that had been built on an enslaved humanity.[28]

It was also noted that once the agitation started:

> [I]n view of the emphasis that had come to be laid on anything that could be remotely related to Islam or Islamic State, nobody

IQBAL FORUM

> dared oppose them, not even the Central Government which, for the several months during which the agitation had, with all its implications, been manifesting itself, did not make even a single pronouncement on the subject.[29]

The observations of the Court of Inquiry that Pakistan was not an Islamic state but was being perceived as one by the common man because of the fascination for the state of Medina, and that the ulema had opposed the creation of Pakistan, were not entirely true. Jinnah had attracted Muslims to the mirage of an Islamic utopia by deploying Islamic imagery and reference to the Quran, the Prophet (PBUH) and sharia in general terms, while he had given a free hand to the Barelvi ulema, pirs and dissident Deobandis to propagate it with abandon. The judges were giving their opinion of what they believed was the type of state Jinnah wanted Pakistan to be. Among senior officials, some did subscribe to such a view.

In the section dealing with 'Responsibility for the Disturbances', the Munir Report blamed primarily the ulema and the Ahrar for fomenting the riots, but noted that Ahmadi propaganda and attitudes had played a key role in precipitating the crisis. The judges remarked:

> The Quetta speech of Mirza Bashir-ud-din Mahmud Ahmad in which he openly advocated the conversion of the entire population of that Province and the use of that Province as a base for further operations, was not only ill-advised but imprudent and provocative. In the same way, the direction to his followers to intensify their propaganda for the spread of Ahmadiyyat so that the entire Muslim population shall fall into its lap by the end of 1952, was an open notice of their proselytising activities to the Musalmans.[30]

It was pointed out that many prominent Muslim Leaguers whose party was in power in the Punjab were actively involved in the anti-Ahmadiyya disturbances.[31] The report also suggests that the anti-Ahmadiyya controversy was exploited by the Punjab Muslim League government and that Chief Minister Mian Mumtaz Daultana had exploited it to gain cheap popularity as a champion of true Islam in the hope that the central government of Prime Minister Khawaja Nazimuddin, which was also a Muslim League–led government, but had not backed

IQBAL FORUM

the agitation openly could be portrayed as lacking proper Islamic commitment and fervour.[32] However, the agitation was crushed and instead Daultana lost his job. At that time, the Ahmadi influence on the state was quite considerable, especially in the military.[33]

The exit of Zafrulla

The state had crushed the anti-Ahmadi agitation in the Punjab but Zafrulla continued as the foreign minister. It was the first sign that the demon of communalism, upon which the two-nation theory had sailed to shore in Pakistan, could transform into the demon of sectarianism and sub-sectarianism and inevitably render minorities and atypical groups vulnerable to majoritarian rule, including brute majoritarian mob outbursts. The inherently communalist nature of the two-nation theory thus turned inwards in the vain search for the purity of faith, and assumed greater confessionalist zeal to become the ideology of exclusion of atypical groups—which later was to assume the shape of rabid sectarianism. With the Hindus and Sikhs gone, intolerance and the demonization and dehumanization of the Other targeted the Ahmadis, who considered the Sunnis and Shias to be heretical and subversive of their faith.

In the light of the Islamic heritage and confessional ideology upon which Pakistan was based, it now became very clear that the freedom of religion, especially to convert a Muslim (Sunni or Shia) to another faith was not going to be tolerated as it conflicted with what was considered an act of apostasy. Jinnah may have omitted to mention Islam in his speech on 11 August 1947 and used his prerogative to appoint Jogendra Nath Mandal and Sir Muhammad Zafrulla Khan as ministers, but neither the speech nor such appointments were anchored in a broader elite consensus. In the Islamic heritage there was no support for any such freedom of religion, and Pakistan had been demanded and created under heavy debt to Islam. We have reviewed that at length in an earlier chapter.

On the other hand, Zafrulla had powerful backing in Britain and the United States and survived as the foreign minister for more than a year, exiting only in October 1954. The Ahmadis continued to hold high office in the state machinery. In any case, once Pakistan came into being, they identified with Pakistan and contributed impressivelyto

IQBAL FORUM

its economy and other sectors of life. Ironically, the Pakistani winner of the Nobel Prize in physics, Dr Abdus Salam, a devout Ahmadi, had to settle abroad after the sect's credentials as Muslims began to be questioned in Pakistan. Now, while for the ulema and other Islamist organizations, the Ahmadis were the casus belli threatening Muslims, on the other hand, for the pro-Western politicians and the oligarchy, the communists were the main villains of the piece. Jinnah had on several occasions during the struggle for Pakistan warned the communists who were joining the Muslim League that their designs would not be allowed to undermine the Islamic foundations of Pakistan. As governor-general, he warned them again in a speech in Dacca on 21 March 1948:

> [I] want to tell you that in our midst there are people financed by foreign agencies who are intent on creating disruption. Their object is to disrupt and sabotage Pakistan [. . .] Quite frankly and openly I must tell you that you have got amongst you a few communists and other agents financed by foreign help and if you are not careful, you will be disrupted.[34]

Events leading to the dissolution of the Pakistan Constituent Assembly

We need to step back in time to look at the developments regarding the Constitution and their repercussions for parliamentary democracy. Although Nazimuddin had not let his private convictions dictate his approach to the anti-Ahmadiyya agitation, Ghulam Muhammad dismissed him on 17 April 1953 on the grounds of incompetence and the failing economy and food crisis. He summoned Pakistan's ambassador to the United States, Mohammad Ali Bogra, a Bengali like Nazimuddin, to Pakistan and made him prime minister. On 7 October 1953, Bogra produced a formula purporting to solve the constitutional deadlock. Pakistan was to be a federation with a bicameral Parliament. The distribution of seats in the two houses was to lead to parity between the two wings of the country. In place of the Board of Experts, the Supreme Court was given the power to decide if a law was in accordance with the basic teachings of the Holy Quran and the Sunnah. It was generally received favourably, though the Bengalis had objections to parity in Parliament.[35]

IQBAL FORUM

Meanwhile, rumours were rife that Ghulam Muhammad wanted to dissolve the Constituent Assembly and had sought the help of the armed forces. On 21 September 1954, its members amended the 1935 Act, precluding the governor-general from acting except under the advice of his ministers.[36] They also approved the final Basic Principles Committees' Report based largely on the Bogra formula. A Constitution was expected to be ready soon.

On 24 October 1954, the Constituent Assembly was dissolved by Ghulam Muhammad, claiming it had become unrepresentative and had failed to produce a Constitution. The president of the Constituent Assembly, Maulvi Tamizuddin, challenged the decision of the governor-general. The Sind High Court upheld his plea, but Ghulam Muhammad appealed to the Supreme Court and appointed Sir Ivor Jennings, renowned for his expertise in constitutional theory and constitutional matters, to argue the case. He argued that Pakistan was not an independent and sovereign state but merely a British dominion. Therefore, the Constituent Assembly was not a sovereign body. On the other hand, the governor-general, as the Crown representative, could dissolve it if he felt the assembly had failed to perform its functions satisfactorily.[37] A pliable Pakistan Supreme Court, headed by Justice Muhammad Munir, the famous co-author of the *Report of Inquiry of 1954*, provided Ghulam Muhammad with a legal cover to dissolve the Constituent Assembly under the so-called doctrine of necessity. The doctrine rules that extraconstitutional matters are justified to restore law and order. A dissenting note, written by Justice Cornelius, upheld the sovereignty of the Parliament.[38]

Meanwhile Bogra also set forth a scheme for amalgamating the provinces of West Pakistan into one consolidated province. This purported to be a step for West Pakistan to integrate and consolidate, but such a move was resented by the smaller provinces of West Pakistan. Equally, the Bengalis considered it a move that strengthened West Pakistan against the compact East Bengal, but the irony was that a Bengali had initiated that idea. The Constituent Assembly was reconstituted on 28 May 1955. Bogra now began to openly challenge Ghulam Muhammad more and more. However, ill health compelled Ghulam Muhammad to withdraw. Another bureaucrat, Iskander Mirza—belonging to non-Bengali Muslim elite from Murshidabad, East Bengal, who first joined the Indian Army during colonial rule but then served in the political service and after Partition first served in India but then migrated to Pakistan—became governor-general.

IQBAL FORUM

He also developed differences with Bogra and dismissed him on 12 August 1955. Senior bureaucrat Chaudhri Muhammad was given the job of prime minister. Mirza invited the army commander-in- chief, Ayub Khan, to join the 'cabinet of talents'. Ayub agreed to join only if he could retain the post of commander-in-chief, for which term he also secured an extension.[39]

Under Prime Minister Chaudhri Muhammad Ali, the Constituent Assembly finally adopted the Constitution on 23 March 1956. Pakistan ceased to be a British dominion. The 1956 Constitution declared Pakistan an 'Islamic Republic'. It provided for a parliamentary form of government with a popularly elected prime minister as head of the government, and a President—elected by the members of the national and provincial legislatures—as head of state. A bicameral legislature, based on the principle of parity, was laid down. Both Bengali and Urdu were to be the national languages of Pakistan. Fundamental rights were guaranteed to all citizens of Pakistan. However, some specific Islamic provisions were included. Thus, for example, the President of Pakistan was to be a Muslim. All existing laws were to be brought in consonance with the Quran and the Sunnah, and no law would be made that was repugnant to Islam. The President would set up an organization for Islamic research and instruction in advanced studies to assist in the reconstruction of Muslim society on a truly Islamic basis. However, Chaudhri Muhammad Ali was not to last long. President Iskander Mirza fired him and gave the job to Huseyn Shaheed Suhrawardy, followed by Ibrahim Ismail Chundrigar and finally Firoz Khan Noon. Amid such a game of musical chairs, political instability in Pakistan had become ubiquitous and endemic.[40] Grievances had begun to emerge among the Bengali, Baluch, Pakhtun and Sindhi politicians—almost immediately after Pakistan came into being. On 5 October 1955, much to the chagrin of the nationalities which felt they were alienated from power, Iskander Mirza completed the process initiated by Bogra, of amalgamating West Pakistani provinces under the One-Unit Scheme into one consolidated West Pakistan Province with Lahore as the capital. The irony was that although during the negotiations with the Congress the Muslim League had championed a loose federation, once Pakistan came into being, it became an overly centralized state. In 1958, the Khan of Kalat made another bid to secede, which was crushed with stern military action. On 21 September 1958, there was a scuffle

IQBAL FORUM

between the government and the opposition members of the East Pakistan Provincial Assembly. It was followed, two days later, by a hand-to-hand fight, in which chairs, microphones, tables and rods were deployed. As a result, the deputy speaker, Shahid Ali, died from the injuries he sustained. Earlier, in March 1958, Dr Khan Sahib of the Republican Party had been assassinated in Lahore.[41]

Such developments culminated with the first military coup on 7 October 1958. President Mirza abrogated the Constitution, proclaimed martial law throughout Pakistan, dismissed the central and provincial governments and the national and provincial assemblies and appointed Ayub Khan as the chief martial law administrator. There were no public displays of dissatisfaction or anger. In fact, the people were visibly relieved. With the few exceptions of leftist newspapers such as the *Pakistan Times* and *Imroze* of Lahore, and some Bengali dailies of East Pakistan, the Pakistani press regarded the military takeover in a positive light. The US and British press wrote approving editorials in favour of the coup. However, suspicions about each other's intentions resulted in Iskander being ousted from office by Ayub Khan on 27 October.[42]

After consolidating power, Ayub tried to build up public support. Government officials were punished on corruption charges through dismissal, compulsory retirement, reductions in rank and other lesser punishments. Politicians and individuals were tried under the Public Office (Disqualification) Order (PODO) and the Elective Bodies (Disqualification) Order (EBDO) and disqualified from holding public office for a period not exceeding fifteen years. Also, efforts were made to weed out black marketeers and hoarders: some were arrested and punished. Simultaneously, the military regime came down with a heavy hand on opponents, especially leftists. Progressive Pakistani newspapers including the *Pakistan Times* and *Imroze* were taken over, and Mian Iftikhar-ud-Din, the main proprietor, was victimized and his shares confiscated. He died a broken man in 1962. Trade unionists and others were hounded. Ayub Khan aspired to be a staunchly pro-Western pro-capitalist modernizer. He was celebrated by Western scholars as an exemplary leader of the Third World.[43]

Ayub Khan promoted himself from general to field marshal and embarked upon reforms aiming to promote capitalist development and the modernization of agriculture with land reforms favouring active farming. The ceiling was 500 acres of irrigated land and 1000 acres

IQBAL FORUM

of unirrigated land in West Pakistan. In East Pakistan, where radical land reforms had already taken place earlier, the ceiling was in fact raised drastically, from 33 acres to 120 acres for self-cultivated land.[44] Land was allotted to military officers, in the development schemes in Sind. Generous tax incentives to industrial entrepreneurs and exporters including bonus vouchers were granted, facilitating access to foreign exchange for imports of industrial machinery and raw materials. Pakistan's rate of growth based on free-market principles exceeded that of India under Nehru, where considerable state control of the economy was exercised. However, most benefits accrued to West Pakistan. The World Bank and the International Monetary Fund helped, while the Americans were keen that Pakistan, their ally, should outdo India in economic growth to prove the superiority of the free market vis-à-vis the state-managed and planned economy of India. World Bank adviser Gustav F. Papanek pointed out that the average consumer's lot improved in the 1960s but the concentration of wealth in a few hands, notoriously known as the 'twenty-two families', including Ayub's relatives, caused widespread indignation, especially in East Pakistan.[45]

In terms of Muslim modernism and reform, Ayub's most impressive achievement was the Muslim Family Laws Ordinance of 1961. It laid down that marriages and divorces should be registered with the local government and the Union Council, the basic local-government unit. More than one marriage could be contracted only with the agreement of the existing spouse(s) and had to be referred to the Union Council. Moreover, the minimum age of marriage for girls was fixed at sixteen years. Another important reform was that grandsons could now inherit from their grandfathers, even if their father had died. Previously, according to Sunni law, the grandfather's property went to the siblings of the deceased son; the latter's children were given no share of the property that would have been given to him were he alive.[46] Some clerics opposed the ordinance, but the government stood its ground.

The 1962 Constitution

Pakistan received its second Constitution in 1962 from Ayub Khan. Before that, public opinion had been sought on the idea of the presidential system replacing the parliamentary form of government. The response, according to Ayub, was massively in favour of it. The

IQBAL FORUM

President was to be elected indirectly by an electoral college of 80,000 directly elected 'basic democrats'. Initially, the new Constitution declared the 'Republic of Pakistan', which provoked angry protests from the ulema and other conservative sections of society. The first amendment reintroduced the epithet 'Islamic'. The President was to be a Muslim. An advisory council of Islamic ideology and the Islamic Research Institute were established to advise the government in bringing all legislation in conformity with the Quran and the Sunnah. The President exercised substantive powers to issue ordinances and exercise wide emergency powers. The fundamental rights granted in the 1956 Constitution were retained largely.[47]

The political parties that had been banned were again legalized. The Convention Muslim League became the official government party. In January 1965, the first presidential elections were held. Four political parties formed the Combined Opposition Parties (COP): these were the Muslim League Council; the Awami League, with its support essentially confined to East Pakistan; the National Awami Party representing the left and nationalism of smaller provinces; and the fundamentalist Jamaat-e-Islami. Their candidate was Jinnah's sister Fatima Jinnah. Maududi, who opposed women's participation in public life, had to reverse his stand. I heard him say in an election rally and public meeting at Nasir Bagh (formerly Gol Bagh) in Lahore that just as Islam ordinarily forbade eating pork but allowed it when life was threatened, similarly, a woman could contest public office to save Pakistan from the un-Islamic Ayub dictatorship. Ayub won; his majority was larger in West Pakistan (73.6 per cent) than in East Pakistan (53.1 per cent). The Opposition complained about rigging but, by and large, the people had voted for Ayub.[48]

Ayub Khan's fall, the general elections and the break-up of Pakistan

Ayub Khan's government ran into trouble after it failed to liberate Indian-administered Kashmir in 1965. We shall look at the details in a later part of this chapter. He was forced to leave after recurring student protests and political demonstrations. General Yahya Khan succeeded Ayub. The presidential system and one unit had been abolished after the protests and the parliamentary system restored. Yahya ordered the first general election based on universal adult

IQBAL FORUM

franchise to be held in 1970. He also issued a Legal Framework Order that declared Islam the ideology of Pakistan. In East Pakistan, the regionalist Awami League won a thundering majority of 160 out of 162 seats allotted to East Pakistan in the total 300-seat Pakistan National Assembly. Negotiations between the Awami League, the military and the political leaders from West Pakistan led to deadlock. Yahya ordered military action. On 3 December 1971, the Indian Army intervened and defeated the Pakistan Army. East Pakistan broke away to become Bangladesh.[49]

Zulfikar Ali Bhutto, the 1973 Constitution and reforms

The main victor of the 1970 election in West Pakistan, Zulfikar Ali Bhutto, came to power in truncated Pakistan. The foreign minister under Ayub, Bhutto had fallen out with the former and founded the Pakistan People's Party (PPP) in 1967. He had campaigned on a leftist programme consisting of three slogans: Islam is our religion; democracy is our politics; and Islamic socialism is our economy. After coming to power, he announced land reforms which cut down possession to 150 acres (later 100 acres) of irrigated land and 300 acres of unirrigated land (that limit was removed during General Zia's rule through a ruling of the Federal Shariat Court which ruled that imposing such a limit went against the teachings of Islam). More significantly, heavy industries were nationalized, and job protection, a share in wealth up to 4 per cent, old-age pension, better medical aid and trade union rights were granted.[50]

The 1973 Constitution

For the first time, an elected Parliament adopted a new Constitution in 1973. Pakistan was to be an Islamic republic based on the parliamentary system. As previously, liberal fundamental rights were upheld. For example, Article 20, on the freedom to profess religion and manage religious institutions—subject to law, public order and morality, declares:

(a) every citizen shall have the right to profess, practise and propagate his religion; and

IQBAL FORUM

(b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.

Besides these, there was the reiteration of the clauses on the removal of all laws repugnant to the Quran and Sunnah, which were present in both earlier constitutions. However, a marked move towards greater conformity with the Islamic character of Pakistan was underscored. Not only the President but also the prime minister had to be Muslim. Further, they had to take an oath testifying to the finality of the prophethood of Muhammad (PBUH). With some exceptions, all members of the National Assembly from the various political parties signed the Constitution. Nevertheless, the ulema and the Islamist parties and organizations again revived the Ahmadiyya issue. A special committee interrogated the contemporary head of the Rabwah mission, Khalifa Mirza Nasir Ahmad, to explain his Ahmadi faith. He stuck to the belief that Mirza Ghulam Ahmad was a prophet who had received revelation from God. However, he toned down the original ruling that those Muslims who did not acknowledge Ghulam Ahmad as their prophet were outside the pale of Islam by describing them as improper or sinful Muslims. However, the National Assembly rejected such an explanation as being deceptive and misleading and stressed strongly in its ruling that any idea of a prophet after Muhammad (PBUH) was heresy.[51,52] Consequently, on 5 August 1974, the National Assembly declared Ahmadis (Qadianis) non-Muslims. The amended Article 260 (3:b) of the Pakistan Constitution categorically stated:

> '[N]on-Muslim' means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist or Parsi Community, a person of the Qadiani group or the Lahori group (who call themselves 'Ahmadis' or by any other name), or a Bahai, and a person belonging to the scheduled castes.

Such measures did not win Bhutto the approbation he thought he would gain as a champion of Islam. On the other hand, the industrial and land reforms set alarm bells ringing among status quo forces. Ironically, the reforms were interpreted by Maoists in his party and outside as an opportunity to set in motion some sort of revolutionary

IQBAL FORUM

change. Mills and factories were occupied and the management harassed and intimidated. It resulted in Bhutto ordering stern police action to smash that movement. Maududi and other anti-socialist forces decided to derive full ideological capital out of Bhutto's erratic politics. They started clamouring for greater Islamization of state and society. Bhutto responded by declaring Friday the day of rest and banned horse racing and the consumption of alcohol.

At the Centre–province level, Bhutto displayed a typical centrist tendency that had been in place since the time of Jinnah. His party formed a coalition in the Centre and was in power in the Punjab and Sind, but the NWFP and Baluchistan were headed by regional leaders. He dismissed both and ordered the Pakistan military to quell a secessionist plot hatched by Baluch leaders.

In his home province of Sind, the provincial PPP government, headed by his cousin Mumtaz Bhutto advanced Sindhi rights, declaring the Sindhi language as the official language of the provincial government. It immediately provoked an angry reaction among the Urdu speakers who controlled Karachi and the major Sindhi towns. It resulted in riots and the language question subsided with some understanding that both Urdu, the dominant language, and Sindhi would be applicable in provincial matters. Sindhis had been kept away from Karachi and other developed areas after the Partition, but with the PPP in power, both at the Centre and in Sind, a Sindhi intelligentsia began to emerge.

The erratic policies of Bhutto were aggravated by his vindictive attitude towards critics within his party—he had infamously had his Federal Security Force badly beat up the PPP general secretary, J.A. Rahim, and his son Farooq.[53] Other instances of such brute behaviour created enemies everywhere. In March 1977, Bhutto called for fresh elections, which the PPP won, but the Opposition protested that rigging had taken place on a massive scale. Countrywide protests and agitations broke out. In July 1977, General Muhammad Zia-ul-Haq captured the reins of power.[54]

Zia-ul-Haq's Islamist measures

With Zia coming to power, whatever pretence of Muslim democracy that had been maintained in the past became suspect when he

IQBAL FORUM

declared his political mission in the following words: 'I consider the establishment of an Islamic order a *prerequisite* for the country.'[55] What he meant became clear soon. He announced the imposition of the Hudood Ordinances, i.e. punishments laid down in the Quran for the offences of adultery, fornication, the false accusation of adultery, drinking alcohol, theft and highway robbery. Public hangings and whippings of some criminals took place, but those punished were from the poorest sections of society. The introduction of zakat (alms tax) in 1980 and its compulsory collection by the state was rejected by the Shias. The Islamic Revolution in Iran had emboldened them to resist what they alleged was the Sunnization of the state. They launched an agitation which resulted in police repression, but the government had to relent, and Shias were exempt from zakat. In 1953, and again during the proceedings against the Ahmadis in the National Assembly in 1974, the Shias had supported the Sunni demand that Ahmadis be declared non-Muslims. The imposition of zakat exposed the fickle nature of such unity and shared faith.[56]

Bhutto was tried on murder charges and hanged in April 1979 after a divided apex court (four to three) found him guilty. Some devotees of Bhutto, belonging to the poorest sections of society, who saw him as their benefactor, set themselves on fire to protest his hanging, but most of the leaders of his own party kept away. The Zia regime used excessive power to crush all opposition, especially the PPP. To offset the PPP in Sind, Zia encouraged the Urdu-speaking youth to start claiming they were a separate nationality—the fifth nationality of Pakistan besides the Punjabis, Pakhtuns, Sindhis and the Baluch. It was to set in motion ethnic violence, which, over the years, became endemic to Karachi and caused considerable loss of life, destruction of property and stagnation of industry and commerce.[57] On the other hand, the Islamists expanded their influence on the state. It can be mentioned that the Jamaat-e-Islami and other such parties together had never won more than 10 per cent of the vote in elections. On the other hand, since Pakistan was an ideological state, all major parties had to function within narrow parameters extending from a modernistic Muslim state to one based on all-embracing Islam that the ulema and other ideologues wanted to establish. Garnering votes on a secular state manifesto or programme from the outset was an oxymoron, a non-starter.

IQBAL FORUM

In 1982, a blasphemy law was introduced which criminalized the criticism of Prophet Muhammad (PBUH) and other prophets and laid down life imprisonment as the maximum punishment for such an offence. In 1983–84, the Ahmadis were forbidden to use Islamic nomenclature for their worship, places of worship and so on. In 1985, separate electorates were reinstituted (the 1956 Constitution had replaced them with general electorates for all Pakistanis). Non-Muslim voters were not to vote for general seats; they could vote only for non- Muslim candidates. Zia argued that such a procedure would be more effective in enabling non-Muslims to get elected and represent their interests in the legislatures, because if they contested general seats they stood no chance of getting elected.[58] In 1986, the blasphemy law was reformulated, and capital punishment was prescribed as the maximum punishment. Thus, Section 295-C of the Pakistan Penal Code lay down explicitly:

> Use of derogatory remarks etc. in respect of the Holy Prophet (PBUH): Whether by words, either spoken or written, or by visible representations, or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet (PBUH) shall be punishable with death, or imprisonment for life, and shall be liable to fine.[59]

The brief restoration of democracy

General Zia died in a plane crash in August 1988. It made possible the revival of the civilian political process and democracy. However, by that time the domination of the Pakistan Army over Pakistani internal and external politics was no longer a matter of debate. The army generals and some bureaucrats exercised virtual veto powers. Therefore, when democratically elected governments came to power after Zia (Benazir Bhutto during 1988–90 and again in 1993–96; and Nawaz Sharif during 1990–93 and again in 1997–99), they were dismissed by the establishment (also known as the deep state) on charges of corruption, without any popular protests. They did nothing to change the Islamist laws introduced by Zia. On the contrary, the blasphemy law was harsher: life imprisonment was withdrawn, and the death penalty became the only punishment for blasphemers.[60] Nawaz Sharif tried

IQBAL FORUM

to amend the Pakistan Constitution with a view to making sharia the supreme law of the land in a comprehensive manner but could not find support in the upper house of the National Assembly, the Senate.

The inherently exclusionist thrust of Muslim nationalism had transformed into confessional nationalism once the Hindus and Sikhs were gone. After Jinnah's death, Muslim modernists were successively cornered by the Islamists, because once Islam was invoked, nobody could dare challenge the government policies claiming to represent true Islam. Under Zia, Deobandi-Sunni Islam had gained his favour, but Pakistani society was predominantly Barelvi-Sunni. It created tensions which resulted in clashes between the two Sunni sub-sects, including some acts of terrorism during General Pervez Musharraf's rule.

Shia–Sunni terrorism

The Shias were wary of a Pakistan in which the Sunnis would be the majority sect, but Jinnah had won over the Shias of the Punjab and elsewhere in north-western India. Syed Khurshid Abbas Gardezi, belonging to a prominent Shia family of Multan, told me in an interview that they believed that since Jinnah was a Shia and there were other prominent Shias supporting him, including Raja Sahib of Mahmudabad, Ispahani and others, they would be well represented in the Pakistani state.[61] Also, Shias were to be found among the powerful landlords and some pirs who, some generations earlier, had been Sunnis had converted to Shi'ism. Shias were well represented in the civil service and the armed forces. Under Zia, the state had taken a pro-Deobandi stance, but Zia had resisted Saudi pressure not to send Shia officers and soldiers to Saudi Arabia on deputation services. He also would visit Barelvi shrines. However, as noted already, on the zakat issue, the brittle nature of Shia–Sunni unity had been exposed fully.

After Zia's death in 1988, sectarian extremism proliferated, and while the Sunnis denounced Shi'ism as heretical, the Shias began to recite the tabarra in several places, beginning with Shahdara, on the outskirts of Lahore, with similar events happening in Jhang, Chakwal, Sargodha, Multan and several other places. A Sunni response, terrible and crushing, came soon afterwards. Suddenly, Shia militias reportedly backed and funded by Iran and Sunni counterparts, aided and abetted by Saudi Arabia and Iraq under Saddam Hussein, began to menace

IQBAL FORUM

life in Pakistan. Shia and Sunni militias carried out the assassinations of key leaders of the opposite groups at *imambargah*s and Deobandi and Wahhabi mosques, and even at each other's funeral gatherings at graveyards. Hundreds of heinous crimes against humanity took place. Belligerent outfits such as the Sipah-e-Sahaba and later Jhangvi groups represented Sunni-Deobandi terrorism, while the Shias had the Sipah-e-Mohammad and other groups killing one another.[62]

The Afghan and Pakistani Taliban who had gone to extremes during the so-called Afghan jihad now backed the anti-Shia groups in the Punjab. In terms of numbers, resources and influence in the Pakistani state machinery and intelligence services, the Sunnis had a clear advantage. The targeted killing of Shia doctors took place in several places. The Hazaras, a Shia ethnic group, especially in Baluchistan, were killed in the hundreds. Such horrific acts of terror continued well into the first decade of the twenty-first century. Sub-sectarian terrorism between Deobandis and Barelvis also took place, revealing the ugly side of the deep divides between the Muslim sects. Sufi shrines mostly under Barelvi control, but some under Shias, were attacked and devotees were killed. Suicide bombers emerged as another scourge during this period.[63]

General Musharraf

In October 1999, General Pervez Musharraf staged the third coup in Pakistan's history. Among other things, Musharraf alleged the involvement of Sharif and his ministers in rampant corruption, and the immediate cause of the coup was Musharraf's charge that Nawaz Sharif had replaced him with a general of his choice as the Chief of Army Staff before he returned from a visit to Sri Lanka. Musharraf wanted to project himself as a modernist in contrast to General Zia. He relaxed media control, and private television channels began to provide scope for relatively open discussion and criticism. One rule applied in all cases: no criticism of the military, its spending, or its share of the national budget, was permitted. Such an understanding had developed from the time Ayub Khan (1958–69) had captured power directly. Upon coming to power, Zulfikar Ali Bhutto tried to assert his position as the head of the government but that ultimately led to his ouster and culminated in his execution in 1979. After Zia's

IQBAL FORUM

coup, nobody could dare challenge his authority or criticize the military, which for all practical purposes meant the army.

At any rate, Musharraf embarked upon some progressive reforms. In 2002, he abolished separate electorates, which Zia had reintroduced. Religious minorities could now contest general seats in any of the assemblies. Moreover, special seats were reserved for them. These were to be filled based on a 'proportionate representation system', which required all political parties, including Islamist parties, to nominate minority candidates.

More importantly, Zia's Hudood laws pertaining to fornication and rape were reformed. Under the Protection of Women (Criminal Laws Amendment) Act, 2006, the crime of rape was separated from adultery and fornication. It was brought under the Pakistan Penal Code inherited from the colonial era. Consequently, the technical requirement of four pious male Muslim witnesses testifying that they saw the culprit penetrate the vagina of a female victim was removed. Forensic and circumstantial evidence and evidence given by the victim and other females was made admissible. Now, rape was punishable with ten to twenty-five years' imprisonment or the death penalty. Moreover, punishment for fornication or consensual sex outside marriage was reduced to five years' maximum imprisonment and a fine of Rs 10,000. Adultery, however, continued to be punishable by stoning to death. The bill also outlawed sex with girls under the age of sixteen. These reforms were considered subversive by the Islamists.[64]

Moderate Islam but not secularism

Earlier in 2002, in a public address, Musharraf quoted passages from Jinnah's 11 August 1947 speech. Since the mid 1960s that speech had been excluded from the official collection of Jinnah's speeches. Musharraf asserted that Pakistan was meant to be a progressive Muslim state that granted equal rights to all citizens. Later, in an address to Muslim clerics on 18 January, he spelt out a tolerant, non-divisive approach to Islam, appealing to Islamic solidarity and compassion and debunking extremism and violence. He urged the ulema to help him disseminate a humane and tolerant image of Islam, derived from Sufi traditions. However, a rider to moderation was introduced. He dispelled speculation that Pakistan might become a

IQBAL FORUM

secular state and rejected suggestions by US congressmen that the law passed by the Pakistan National Assembly in 1974 expelling the Ahmadiyya community from the fold of Islam should be rescinded. Moreover, he stated categorically that the Hudood and blasphemy laws were an intrinsic part of the Pakistani Constitution and would remain in force, but that measures would be taken to ensure that they were not used in an arbitrary manner.[65]

Terrorism strikes at the state

The emphasis on moderate and tolerant Islam did not appeal to the extremists, who had grown exponentially because of the so-called Afghan jihad, which we will review later in this chapter. Musharraf had already earned their wrath by joining George W. Bush's war on terror. In reaction, the extremists went on a rampage of targeted as well as indiscriminate terrorism. Several attempts were made on Musharraf's and his generals' lives. Government installations and offices were attacked by suicide bombers, among whom were military, police and security personnel, and ordinary men, women and children. From 2001 onwards, the Pakistani military began to be targeted including an attack on the General Headquarters (GHQ) in Rawalpindi.[66] Several thousand people must have lost their lives. According to one study, during 2003–15, the fatalities from terrorist attacks in Pakistan were 58,816.[67] A showdown between government forces and armed extremists inside a famous Deobandi seminary, the Lal Masjid, took place in July 2007. The terrorists were flushed out by the superior forces.[68]

However, a countrywide lawyers' movement was going on at that time protesting the high-handed treatment of Chief Justice Iftikhar Ahmad Chaudhry. Justice Chaudhry had been defiant and accepted several habeas corpus pleas on behalf of individuals who had disappeared allegedly because of the punitive actions of security services. The Pakistan Election Commission announced fresh elections. Benazir Bhutto, who had been living in exile, returned. The procession bringing her from Karachi airport to the city was attacked by suicide bombers. Hundreds were killed but she survived. On 27 December 2007, she was shot dead while addressing an election meeting in Rawalpindi.[69]

IQBAL FORUM

The restoration of democracy

In February 2008, general elections were held again in Pakistan, and the PPP formed the government. Benazir's husband, Asif Ali Zardari, became President and Yousaf Raza Gilani was elected the prime minister. Terrorism escalated, claiming thousands more lives. The Punjab governor, Salman Taseer, was gunned down in 2011 by his police bodyguard, Mumtaz Qadri, who was incensed that Taseer had met a Christian woman in prison on death row for blasphemy and expressed the opinion that her case needed to be reviewed. Taseer's funeral was not attended by even some of his colleagues and party leaders, and no regular cleric was willing to lead his funeral prayers. Another assassination occurred a few weeks later on 2 March 2011, when the minority affairs minister, Shahbaz Bhatti, a Christian, was shot dead by assailants who escaped from the scene. Bhatti had been complaining of attacks on Christians. Pakistan gained international notoriety because several terrorist attacks in Europe and the United States had been traced to Pakistan, which housed young men in training camps committed to international jihad. Among them can be mentioned a series of attacks on 7 July 2005 in London's Underground and buses, which claimed fifty-two lives and left more than 700 injured. Several Al-Qaeda cadres involved in the 9/11 attacks in the US were arrested in Pakistan, where they had been hiding. Pakistan began to be described as a rogue state, a pariah state, and so on.[70] On 2 May 2011, the American special forces finally found Osama bin Laden, the head of the Al-Qaeda network, who was hiding in Abbottabad, and killed him.[71] In 2012, Gilani had to leave his seat on charges of rampant corruption. He was replaced by Raja Pervaiz Ashraf.

The persecution of minorities, women and freethinkers

Apart from the cases of alleged blasphemy, non-Muslim Pakistanis and women and Muslim freethinkers have been the victim of brute majoritarian tyranny and accentuated patriarchal misogyny from the 1990s onwards. Since 1997, the Human Rights Commission of Pakistan (HRCP) has been publishing annual reports of massive human rights violation in Pakistan. Abundant data is available of

IQBAL FORUM

the victimization of the two biggest, but extremely small, minorities of Hindus (1.6 per cent) and Christians (1.9 per cent) and Ahmadis (figures on them range from merely some 200,000 in official sources to several million claimed by the community). It has also been documented by the HRCP and women's rights organizations that greater Islamization has translated into greater hostility towards women.

Nawaz Sharif elected into power

In 2013, general elections were held and, for the first time, one elected government was voted out and a new one under Nawaz Sharif returned to power. Cricket legend Imran Khan's Pakistan Tehreek-e-Insaf (PTI) did not do as well as expected, but he alleged that Sharif had come to power through massive rigging. Imran Khan mobilized his supporters, and Islamabad was paralysed for days. Nawaz Sharif, his family and cronies earned the reputation of having broken all records of corruption which, understandably, he denied. On 3 April 2016, a financial scandal of gigantic proportions—the Panama Papers leak—became public. It provided details of illicit offshore investments and evidence of money laundering by companies, politicians and other powerful individuals. Nawaz Sharif was named in them. In July 2017, he had to step down from the prime ministership after the Supreme Court disqualified him from holding office. Shahid Khaqan Abbasi from his party, the Pakistan Muslim League (N), succeeded him in August 2017.

However, in early November, the ultra-Barelvi Tehreek-e-Labaik Pakistan, led by cleric Khadim Hussain Rizvi, launched an agitation against federal law minister, Zahid Hamid, alleging that under pressure from the West, and especially the well-connected Ahmadi lobby, he had had the temerity to change the wording of the oath that Muslim members of the National Assembly had to take attesting to the absolute finality of the prophethood of Prophet Muhammad (PBUH). Zahid Hamid had to resign on 26 November 2017. Rizvi and thousands of his followers protested before the mausoleum of Allama Iqbal in Lahore to remind Muslims that a person who defames the Prophet (PBUH) must be killed. The background was that Iqbal, in 1929, had praised Ilam Din, whom the court had found guilty of murdering Rajpal, who had published a scandalous pamphlet against the Prophet (PBUH). Softening the wording of the oath pledging absolute and unconditional belief in the finality of the prophethood of Muhammad (PBUH) was thus to be

IQBAL FORUM

punished in a befitting manner—that was the message Rizvi and his followers wanted to convey.

Zahid Hamid went into hiding. He issued a statement that he subscribed categorically to the idea of 'Khatam-e-Nubuwwat', that his love and veneration of Prophet Muhammad (PBUH) was boundless, and that he rejected all suggestions of prophethood continuing after Muhammad (PBUH). On 28 November, *Pakistan Today* even published his letter explaining that he and his family were strict Sunni Muslims.[72]

Imran Khan wins the elections and invokes the state of Medina

On 25 July 2018, general elections were held again in Pakistan. This time, Imran Khan's PTI emerged as the winner. In his first address to the nation broadcast on state television he promised to usher in a 'New Pakistan'. He referred to Prophet Muhammad (PBUH) and the state of Medina and the pious caliphs as his ideals and Mohammad Ali Jinnah as his hero and inspiration. He pledged to fight poverty and serve the poor. An economic advisory council was announced to advise the prime minister. Among those selected was Dr Atif Mian. However, Atif Mian was an Ahmadi. The government the following day excluded his name. Legally, Ahmadis could hold public office because an advisory council was not a key post in the state, but the reaction to the appointment of an Ahmadi unnerved Imran Khan and his ministers, who explained that the public reaction was too negative and that they had therefore decided not to use the services of Dr Atif Mian. The decision was indicative of the increasingly strict and narrow parameters within which Pakistan governments could manoeuvre with regard to the relationship between Islam, faith and Pakistan.[73]

Hussain Ahmed Madani and Abul Kalam Azad had warned that even if Pakistan came into being, it would degenerate into sectarian infighting, but Jinnah had dismissed them disparagingly as renegades and lackeys of the Indian National Congress. They had been proved right by what had transpired in Pakistan.

The external sphere: Pakistan's evolution as a garrison state

Mohammad Ali Jinnah had a simple, standard solution to the problems of India: divide it on a religious basis, give Hindus and Muslims their separate states, because they were two distinct and separate nations

IQBAL FORUM

who, if compelled to live together, would be drawn into a civil war causing great suffering to people. The argument was logical if it was granted that Hindus and Muslims were not only homogeneous nations in some sense, with shared solidarity and sympathy within themselves, which, once separated, would become peaceful neighbours. However, the very inception of the two states, through a gory partition and the complications, tensions and aggressions it unleashed, belied that assumption. Disputes over princely states, bitter claims to territory in the Punjab and Bengal and over the share of colonial assets came to haunt their relations.

The Partition fallout was anticipated by many, notably Gandhi. The British knew it could get massively out of hand but decided to 'divide and quit', as veteran civil servant Sir Penderel Moon had argued.[74] Doing it quickly and decisively was Mountbatten's idea, though he had convinced HMG and had been given the green signal before he had set the juggernaut rolling.

The India–Pakistan binary

On the Muslim side, too, many realized the dangers. We give just one example. Major Agha Mohammad Yahya Khan (later President of Pakistan, General Yahya Khan) said in June 1947 at the 'break- up' party at the Staff College in Quetta to Colonel S.D. Varma, the chief instructor: 'Sir! What are we celebrating? This should be a day of mourning. As a united country, we would have been a strong and powerful nation. Now we will be fighting one another.'[75] Yahya Khan's foresight proved prophetic.

Avtar Singh Bhasin has, in a ten-volume series, *India–Pakistan Relations, 1947–2007: A Documentary Study*, presented original official documents of communications between the Indian and Pakistani governments as well as reports written by Indian high commissioners to Pakistan. Not surprisingly, strained relations between the two states devolved upon them from the bitter and bloody Partition in 1947. From the outset, Pakistan accused the Indian leadership of wanting to harm it—an accusation the Indian leaders denied vociferously. Both sides point out the negative role of the national media on the other side in making baseless accusations. Although official documents from the Indian side are in far greater

IQBAL FORUM

detail, the author has painstakingly tried to include Pakistani responses and the main documents of correspondence at the highest levels of government.[76]

Given the fact that Jinnah got a moth-eaten Pakistan sharing vulnerable borders with India, both civilian and military leaders of Pakistan realized that the country was a security nightmare. A country with no industrial base and no worthwhile production of its own arms and munitions, Pakistan had to direct its scarce and very limited resources to the procurement of weapons. Its geostrategic location at the two corners of the subcontinent in the north was also sensed as an asset: to attract American support by declaring itself ready to fight communism. The dialectics of geostrategic location had to be used. Over time, such dialectics resulted in military misadventures against India, the break-up of Pakistan after an Indian military intervention accentuating the perception that Pakistan had been left beleaguered by a scheming and dangerous India, thus rendering Pakistan a garrison state. I have told that story in detail in my book *Pakistan: The Garrison State—Origins, Evolution, Consequences, 1947–2011*.[77]

However, before that, the wherewithal of a garrison state had to be acquired. As already mentioned, efforts to lobby US support for Pakistan predate its coming into being. In 1951, the first package of economic and military aid to Pakistan arrived. Eisenhower and Secretary of State John Foster Dulles were enamoured by Pakistan's monotheistic zeal. Foreign Minister Zafrulla and Foreign Secretary Ikramullah detested the 'Godless Communists'.[78] Zafrulla was Pakistan's most familiar face outside the subcontinent. His phenomenal performances in the debates on Kashmir in the United Nations and his efforts to win over Arabs to support Pakistan, pleading Arab causes, especially that of Palestine, earned him the gratitude of Arabs both in the Middle East and North Africa where freedom movements were emerging.[79]

However, Zafrulla was known to step out of his brief as Khaliquzzaman had alleged; it had generated the opposite reaction and the Indian government became less amenable to Pakistani claims and objections. Zafrulla was also a key figure in making Pakistan enter into military alliances with the West. He was the first to start claiming that Pakistan belonged to the Middle East and not South Asia. On 19 April 1953, the Indian prime minister wrote in exasperation

IQBAL FORUM

to Lord Mountbatten, 'A number of unscrupulous persons control the destiny of this unfortunate country (that is, Pakistan), and I do not quite know where they will take it.'[80] Pakistan at that stage was determined to be accepted by the US in its containment of the Soviet Union's worldwide military alliances, and Zafrulla had gained a great reputation among the Arabs for being a champion of their causes. However, Israeli academic, Dr Moshe Yegar, has written a brief review of Pakistan–Israel relations pointing out the excessively hostile language Jinnah adopted on the Zionist demand for a Jewish state in Palestine, and how that became the official policy of Pakistani politics, with Zafrulla taking a leading role in championing the Arab rejectionist stance in world forums including the United Nations. Zafrulla met Israeli ambassador Abba Eban at the United Nations on 14 January 1953. He told him:

> His government would not be able to withstand the extremists' opposition and that there was no chance for improved relations between the two countries in the near future 'despite the factthat the Pakistani government does not bear any hatred toward Israel and understands that it is a factor in the Middle East that must be taken into consideration'. For the time being, he expressed his approval of mutual visits of experts, students, and professors. He added that when the Arabs exhibited willingness to meet with Israel to solve problems, Pakistan would try to influence the Arabs toward reaching an agreement.[81]

There is no official record available of such a meeting being approved by the Pakistan government, but it is not impossible that he was given the green light to meet the Israeli ambassador. Pakistan was desperate to get American arms and economic aid, and if secretly making a friendly gesture to Israel helped in that endeavour, there was no harm in making it. However, in one case, Zafrulla, definitely without consulting the Pakistan government, signed the Treaty of Manila and thus committed Pakistan to membership of the South East Asian Treaty Organization.[82] Such a decision perhaps tallied with Pakistan's efforts to seek American patronage, ostensibly to be part of the anti-Soviet international alliance, but more immediately to procure US arms and training to assert itself against India. While

IQBAL FORUM

Zafrulla was a valued member of the pro-West bureaucratic–military oligarchy, he was disliked intensely by the Pakistani leftists. The leftist leader Mian Iftikhar-ud-Din considered Zafrulla's role as foreign minister extremely vitiating to Pakistan and Arab causes. Speaking on 18 March 1953 in the Pakistan Constituent Assembly, Iftikhar-ud-Din remarked:

> Now coming to the Ministry of Foreign Affairs, I am pleased to announce that Sir Muhammad Zafrullah is leaving us. The House will join me in congratulating Sir Muhammad Zafrullah Khan on a rumoured award of Eisenhower Prize and Churchill Medal to him for having successfully and finally committed his country, in private at least if not public, to the permanent slavery not only of British Imperialism but also of the new rising powerful imperialism of U.S.A. He has no need now to control our foreign affairs as in future we shall have no foreign affairs. Our foreign affairs will be dictated and controlled by Britain and even more so by America. Sir Zafrullah will now, I understand, be entrusted to these great powers with the task of enslaving other Islamic countries where it has been feared by the imperialists that the bracing breeze coming from revolutionary lands may again enliven the sparks and embers of independence. Sir Zafrullah will be entrusted with the task of controlling and crushing them.[83]

In 1954, and again in 1959, military agreements were signed between the United States and Pakistan to enable the latter to acquire military and economic aid. Pakistan declared unilaterally that it was the United States' most trusted ally, and that only in Pakistan in all of South Asia could American troops land any time they wanted. The Republicans were perhaps touched by such sycophancy, but overall American understanding was that India was the paramount power in Asia, and democratic and secular. Therefore, a balance was maintained by providing aid to India. By the late 1950s, the Americans understood that Pakistan had entered the anti-communist military alliances essentially to assert themselves vis-à-vis India. However, since Pakistan was providing facilities to the United States for aerial surveillance over Central Asia's Soviet republics, and other such services, it was

IQBAL FORUM

considered a useful arrangement. After the Sino–Indian border war of 1962, Pakistan and China developed a friendly equation, and the Americans were somewhat concerned, but since China's relations with the Soviet Union were deteriorating, they did not make an issue out of it.[84]

In April 1965, Pakistan deployed the American Patton tank and other advanced US military equipment in a skirmish with India in the Rann of Kutch, marshy wasteland on the border with southern West Pakistan. This was in contravention of American pronouncements that US arms were not to be used in a war with India. That same year, Pakistan sent mujahideen (freedom fighters) into Indian-administered Kashmir, where reports that Pakistan was successfully advancing in Kashmir hit headlines. On 6 September, Indian forces crossed the border and attacked Lahore. What followed were seventeen days of all-out war between the two countries. The United States imposed an arms embargo on both India and Pakistan. Both started facing serious problems of shortage of equipment and spare parts; in Pakistan, the situation was critical. The war was brought to a quick end as both sides agreed to a Security Council resolution requiring thecessation of hostilities. It is noteworthy that during the 1965 war, East Pakistan was simply a walkover for India because hardly any fighting force worth its name was maintained by Pakistan in that wing of the country. However, India prudently avoided intervention at that stage. Despite the Kashmir incursion and the war being a fiasco, the Pakistan military succeeded in boosting its image, as if they were about to win the war.[85] It hastened Ayub Khan's rule.

In March 1971, General Yahya Khan—who as a major had foreseen that India–Pakistan relations would be marred and plagued by conflict and war—ordered a military crackdown in East Pakistan against the Awami League which had won a majority in the Pakistan National Assembly on a programme that would have effectively transformed Pakistan into a confederation with two currencies, controlled the flight of capital from East to West Pakistan and virtually ended West Pakistani domination. Before the crackdown, the Awami League and its activists had started attacking West Pakistanis, killing them indiscriminately. The military crackdown met with stiff resistance as millions of Bengalis crossed the border into India, where they were provided safe haven but also training to conduct

IQBAL FORUM

guerrilla war against the Pakistani forces. The civil war culminated in war between the two countries. The Indian Army had intervened secretly in November 1971, but in early December, the war dragged on in West Pakistan, and for a few days all-out war mainly along the borders broke out in which Pakistan was conclusively defeated. This time, the Indian government knew that the people of East Pakistan had turned against Pakistan. Indian intervention thus expedited the ending of the war. President Nixon dissuaded the Indian prime minister, Indira Gandhi, from invading West Pakistan. More than 90,000 West Pakistanis, including civilians and military personnel, were captured by the Indian Army.[86]

In July 1972, Prime Minister Zulfikar Ali Bhutto and Prime Minister Indira Gandhi met in the Indian hill resort of Simla and signed an agreement which made both countries pledge not to resort to violence and war but to resolve their problems peacefully through bilateral negotiations. India released Pakistani POWs. Bhutto had scored a major diplomatic triumph. However, soon afterwards, the Kashmir issue was revived. Pakistan insisted on it being resolved considering UN resolutions, while India asserted that after the Simla Agreement, Kashmir was no longer an international issue and had to be solved through bilateral talks.[87] Later, both sides put their own interpretations on the Simla Agreement—India, that the Kashmir issue was no longer a matter of international arbitration but a bilateral issue, while Pakistan asserted that Kashmir had been recognized as the core issue to be resolved for normalization and peace between the two countries. Tension between the two states continued to remain high, with virtually no trade, and a visa regime which made it virtually impossible for most Indians and Pakistanis to visit each other's countries.

In 1974, India carried out nuclear tests, and in Pakistan Bhutto swore that Pakistanis would eat grass if necessary but would somehow acquire a nuclear capability of their own. Besides India, Pakistan had serious problems with Afghanistan on its western border. Afghanistan had opposed Pakistan's membership in the United Nations, thus initiating an extended period of mutual antipathy. The sticking point was the Durand Line, which the Afghan government did not accept as the international border. In the wake of the communist takeover of power in Kabul in April 1978, followed by the Soviet Union sending

IQBAL FORUM

its troops in the thousands to help the communists consolidate power, an Afghan resistance evolved, in which the United States finally used Pakistan as the front-line state. The military agreements of 1954 and 1959 had become dormant; now they were brought back to life. A US–Saudi-sponsored 'jihad was launched' with Pakistan as the front- line state conducting the actual military operations in Afghanistan. General Zia drew full capital out of Pakistan's involvement in the form of military and economic aid. The United States, which had been trying to prevent Pakistan from acquiring nuclear capability, had to agree to look the other way while Pakistan pursued its nuclear programme.[88]

The war in Afghanistan resulted in thousands of deaths, and hundreds of thousands of Afghans sought refuge in Pakistan and over time the figures reached 2.5 million. In 1988, Zia died in a plane crash. By that time, both the United States and the Soviet Union had agreed to end the Afghan War. During that time, Muslims from all over the world were encouraged to take part in the jihad. Several Islamist parties and factions sent volunteers. Saudi-funded religious schools mushroomed in Pakistan along the Afghan border, which produced thousands of fanatics trained to use modern weapons and kill.

After the Afghan jihad many of those militant outfits were sent to liberate Kashmir from Indian occupation. 'Non-state actors', as these groups began to be called, were supposed to be acting independently of the Pakistan military and its famous intelligence service, the Inter-Services Intelligence (ISI). In 1996, the Taliban captured power in Afghanistan. Under them, such extreme measures were taken that, by comparison, Shi'ite Iran and Wahhabi Saudi Arabia appeared to be enlightened states. That provided impetus to extremism in Pakistan, especially in targeting the Shia minority.[89]

After Zia's death, in August 1988, calls for the restoration of democracy began to be raised. By that time, the Pakistan military—or, rather, the army—had acquired a firm grip over Pakistan. Benazir Bhutto, who had been living in exile, returned. However, she still won an election, which many alleged was massively rigged by the establishment, and was sworn in as prime minister on 2 December 1988. During her time, Rajiv Gandhi visited Pakistan and hopes began to be expressed of the two countries normalizing their relations. But on 6 August 1990, Benazir was dismissed on the grounds of incompetence, jobbery and corruption.

IQBAL FORUM

What followed was an interim government and fresh elections that brought Mian Muhammad Nawaz Sharif to power. Sharif, a protégé of Zia, turned out to be assertive vis-à-vis the military. He was also thrown out on the grounds of massive corruption meant to benefit his family and friends. Another interim government took over. Benazir won the election again and was in power from October 1993 to November 1996. Again, she was dismissed on the grounds of corruption. Nawaz Sharif was elected with a massive majority and assumed office on 17 October 1997.

In the first half of May 1998 India carried out five nuclear test explosions. Pakistan responded with six of its own in the latter half of the month. The arms race between the two countries now transformed into a competition that could snuff out civilization from both countries for thousands of years, killing a large mass of their populations. However, peace overtures began to be made; on the invitation of Prime Minister Nawaz Sharif, Prime Minister Atal Bihari Vajpayee visited Lahore on a peace mission. The Lahore Accord was signed on 21 February 1999, but General Musharraf and his commanders sabotaged the peace process by secretly occupying Indian military posts in Kargil, which their troops had withdrawn from during the winter. This resulted in an angry response from India and a mini war was fought at icy heights. Evidence suggests that both sides considered committing nuclear weapons to that conflict. Hostilities ceased largely because of President Bill Clinton's initiative and influence. Later, Musharraf overthrew Sharif in October 1999, once again on the grounds of corruption. Quite simply, the deep state now openly enjoyed veto powers over Pakistan's domestic and external relations and was flexing its muscles with impunity.[90]

Following the September 2001 terrorist attacks in the United States, which were traced to Al-Qaeda, an international movement of Arabs based in Afghanistan, the United States retaliated with full force. The Taliban fell from power in November 2001. Hamid Karzai, an educated Afghan who had studied in India and was a moderate, came to power with American backing. Pakistan's premium, which had risen with the Taliban capturing power in Afghanistan, now sank. At the end of 2001, an attack on the Indian Parliament by non-state actors almost drove both countries to war. It was through pressure from the United States, the EU, Japan and other major countries that

IQBAL FORUM

it was averted. Bomb explosions elsewhere in Delhi and Mumbai and some other places in India took place as well. Terrorist attacks in posh hotels within Pakistan targeting foreigners continued. On 26 November, several posh areas in Mumbai were hit. At least 170 people were killed. Once again, war clouds loomed large, but the fact of nuclear weapons prevented war. Once again, the United States and other major powers exercised their influence and a major armed conflagration was averted.[91] Meanwhile, the Taliban and Wahhabi militants, who had established themselves in the tribal areas and the former princely state of Swat, wreaked havoc wherever they turned, and their long hand reached targets all over Pakistan, including inside the citadel of the Pakistani military, the GHQ.[92]

India and the US close ranks

In the meantime, after the disintegration of the Soviet Union, the United States and India had been making hectic efforts to come closer to one another. American policy had always been premised on the assumption that India was the major power in Asia, and it could be a counterweight to China which had been growing fast economically and militarily. The United States successfully enabled India in 2008 to obtain a waiver from the Nuclear Suppliers Group of five countries, known as the Nuclear Club, which includes the US, Russia, Britain, France and China as the exclusive states entitled to possess nuclear weapons. Membership is still not granted but it has enabled India to access nuclear material and technology, though in a limited sense. Pakistan has complained of being discriminated against in this regard. On the other hand, in the aftermath of the Sino–Indian war of 1962, China and Pakistan closed ranks. Pakistan was thus able to procure conventional arms as well as help with its nuclear weapons programme. Another angle to Pakistani foreign policy was to cultivate Saudi Arabia while distancing itself from Iran. That meant Saudi economic aid and Pakistani workers and military personnel in large numbers could find employment in the kingdom and other Gulf states.[93]

Extremism and militancy continued after the Afghan jihad ended, and the extremists turned to targets in India and Pakistan, brutalizing state and society and destroying the Pakistani economy into the dust. Almost bankrupt, Pakistan turned to China. The China–Pakistan

IQBAL FORUM

Economic Corridor (CPEC) is the biggest foreign investment in history in Pakistan. The investments, if all carried out, would be to the tune of $62 billion. It was established in May 2013 and became partly operational in November 2016, when Chinese cargo was transported overland to Gwadar Port for onward transport to Africa and West Asia. The Chinese aim to use the economic corridor to reach Europe as well. The CPEC will considerably reduce the transport expenditure incurred because of the long sea route that otherwise had to be followed. Voices have been raised asking if this means another phase in Pakistan's perennial dependency on foreign powers for military, financial and developmental purposes. Others have argued that China can help Pakistan get out of the quagmire of militancy and extremism since it needs peace and stability to benefit from its investments. Prime Minister Imran Khan has pledged to continue with the CPEC. He has also made conciliatory moves towards India, and both China and Pakistan have expressed the hope that India will join the CPEC.[94]

The rise of Hindu militancy in India

At the time of Partition, the left wing of the Congress Party had an advantage over the right wing, because Nehru as prime minister represented the left wing, while the right wing was represented by the home minister, Sardar Patel. The first cabinet was based on inclusionism and represented several shades of opinion, including Dr Ambedkar, Maulana Azad and Hindu nationalist Dr Syama Prasad Mookerjee. The Partition had dealt a blow to the Congress ambition to be the sole successor to the British Empire. It had accentuated the tendency to strengthen the Centre but the idea of a federation was adopted by the Indian Constitution. The policy to integrate the princely states was pursued with great vigour, but in the case of Kashmir and Hyderabad it required the use of force to maintain as big an India as possible. States in the north-east and Kashmir on the west were granted special constitutional coverage, but it was clear that India would brook no challenge to the territories it had acquired at the time of and soon after the transfer of power from the British. India was to be a secular, liberal democracy, which criminalized untouchability while instituting reservations for the Dalits and Adivasis. The personal law of communities was initially accepted by Nehru, who introduced

IQBAL FORUM

legislation which improved the rights of Hindu women. The Muslim minority, however, could continue to practise sharia law pertaining to personal matters.

As noted, the Hindu version of the two-nation theory is as old as the Muslim variant of it. During Partition, Hindu extremists wanted to drive all Muslims out of India but they were prevented from succeeding in that endeavour by the Nehru government. India adopted a secular Constitution and inclusive and universal citizenship, although orthodox Hindus, many of them refugees from West Pakistan and East Pakistan, nurtured rabid anti-Muslim views. Free and fair elections and a secular Constitution established the hegemony of electoral democracy, and all the parties have had to adjust to it. Nehru's long stint as prime minister (1947–64) prevented the Hindu right from coming into power but it remained a powerful lobby with support and clout in several parts of India. However, under Nehru's daughter, Indira Gandhi, who was elected prime minister in 1966, a change in strategy was notable. Instead of relying on the vote of minorities, Scheduled Castes and enlightened sections of the Indian society, Indira began to cultivate the Hindu vote. Authoritarian and often seen as vindictive, she let sycophants boost her image by pushing 'India is Indira and Indira is India'.[95] The first manifestation of such a proclivity was her blatant interference in Kashmir politics in 1983, when she ran a thoroughly communalist campaign in the elections in Kashmir and the dismissal of the elected state government of Farooq Abdullah in 1984.[96] It pleased Hindu nationalists who considered the policy of the previous governments of leaving Kashmir politics to Kashmiri leaders an act of weakness. That was resented by the politicians in the Valley, however. On the whole, she developed the image of an iron lady who had won the war against Pakistan in 1971 and was now expanding central control over Kashmir.

Later, the Congress government under Narasimha Rao, through inaction and indecision, let ultranationalist Hindus assault the Babri Masjid in north India in December 1992. In the riots which followed, more than a thousand casualties, overwhelmingly Muslim, took place. Immediately, Hindu temples were razed to the ground all over Pakistan by incensed crowds, with politicians openly taking part in the mob raids on Hindu sites. In India, attacks on Muslims spread to other parts of the country, notably Mumbai, where a Muslim terrorist

IQBAL FORUM

reprisal finally halted the one-sided attacks being launched against Muslims. Earlier, in the aftermath of Indira Gandhi's assassination by her two Sikh bodyguards, Delhi had witnessed the carnage of several thousand Sikhs. The infamous Gujarat slaughter of Muslims—while Narendra Modi was chief minister of the state—followed in 2002.[97]

Moreover, the 1947/48, 1965 and 1971 India–Pakistan wars rendered Indian Muslims vulnerable to the charge of being a 'fifth' column. In the aftermath of the so-called Afghan jihad, several Pakistan-based mujahideen groups began operating in India and Indian-administered Kashmir. These groups were able to recruit some Indian Muslims as well. Since then, there has been an intensification in the propaganda of the Hindu right, who believe that Muslims are Pakistanis and should be dispatched to their 'true' homeland. What was possible in 1947 when ethnic cleansing did take place in the Indian East Punjab and more or less all over West Pakistan was not afterwards, when the law-and-order situation had been brought under control. At most, majoritarianism can become a method of intimidating minorities, especially the Muslims. Any drastic move by India to expel Indian Muslims would mean certain war between the two nuclear-armed nations.

Regarding the Muslim minority of India, their handicap and tragedy was that many educated Muslims migrated to Pakistan after Partition. Consequently, the leadership passed largely into the hands of the ulema who remained behind. They tried to insulate the Muslims from the modernizing influences under way in society. Deobandi stalwart Hussain Ahmed Madani, who had taken a progressive stand on pluralist democracy, died in 1957. Thereafter, Deoband came under the domination of conservatives who insisted on the continuation of dogmatic Islamic laws rather than coming up with innovative reforms. As a result, the Muslims were bereft of modern leaders. On the other hand, the percentage of Muslims increased from 9.8 per cent to 14.2 per cent. It gave rise to a sensational conspiracy theory that through a baby boom Muslims would become the majority and take over India! The truth was that the Muslims lagged behind Hindus in education, economic development and social mobility. At the level of the state, Muslim Presidents, ministers and diplomats were visible, but overall the community Jinnah abandoned felt beleaguered and let down. Prime Minister Manmohan Singh of the Congress Party set up a committee to examine the situation of

IQBAL FORUM

Muslims. The Sachar Report of 2006 showed that the Muslims were a depressed community, just above the Dalits. The Muslims who had done well belonged to Ashraf families, but they too were under-represented. It recommended special education and economic inputs to alleviate Muslims but stopped short of recommending that poor Muslims should also be included in the general policy of reservation of jobs and seats which existed constitutionally for the backward castes, Dalits and Adivasis.[98]

Subsequent events were to show that Jinnah's hostage theory proved to be fundamentally flawed. If anything, the bitter divisive thrust of the two-nation theory and the aftermath of the so-called Kashmir jihad supported by Pakistan proved to be boosters to Hindu majoritarianism and ultranationalism.

He had exploited their sense of Islamic solidarity to blackmail them to acquiesce to his idea of them sacrificing themselves to enable the majority of Muslims to liberate themselves. Simultaneously, he had assured them that if they were persecuted, Pakistan would come to their rescue. That pledge proved to be a mere paper tiger.

Exceptions to the rule

If India–Pakistan animosity was the rule, then some exceptions were noteworthy. From both sides, offers of a no-war pact and joint defence were made but not agreed upon. In 1964, Nehru sent Kashmiri leader Sheikh Abdullah to Pakistan to discuss a peaceful resolution of the Kashmir dispute. However, while Abdullah was in Pakistan, Nehru died and Abdullah returned to India without any progress on Kashmir. Earlier, with the help and assistance of the World Bank and other states, India and Pakistan agreed to the sharing of the waters of the River Indus and its tributaries which flowed in the Punjab but had been divided between the two states since 1947. President Ayub Khan and Prime Minister Jawaharlal Nehru signed the Indus Waters Treaty in Karachi in 1960. The treaty has been vital to the agriculture of both states, especially Pakistan, which received 80 per cent of the waters of the rivers. Over time, tensions grew as Pakistan alleged that India had been tampering with the terms of the treaty; calls were even given to renegotiate it. India was the upper riparian as the river waters flowed through the territories of both states. International

IQBAL FORUM

arbitrations have concluded that India was not violating the treaty but that it needed to make changes in the construction of waterworks on its side; Pakistan, on the other hand, was advised to build water-storage facilities on its side.

Regarding Kashmir, as noted earlier, slow progress towards resolving that dispute were again taken up by Prime Minister Nawaz Sharif, who invited his counterpart, Atal Bihari Vajpayee, to Lahore to discuss peace and cooperation. On 21 February 1999, the Lahore Accord was signed which pledged both countries to a peaceful resolution of their conflicts and to promote trade and friendship between the two nations. That grand gesture was sabotaged by General Musharraf who masterminded an operation to capture Indian positions on the Kargil range which they usually abandoned during winter. It led to a vicious mini war in which the use of nuclear weapons were considered by both sides. Thereafter, Musharraf turned into a dove and went to Agra in 2002 to sign a peace agreement. This time, it was hawks in the Indian establishment who prevented the Agra agreement from being signed.[99] The most intriguing aspect of the Partition and the proverbial enmity between the two states is that whenever Indians and Pakistanis interact, culturally and socially, a lot of spontaneous goodwill is vividly manifest, and it cannot be explained away as state-managed. I was witness to it when as an eight-year-old, in early 1955, I watched the India–Pakistan cricket test match in Lahore. Pakistan permitted Indians to visit Lahore, and thousands came, visited their ancestral localities and homes and met friends and neighbours; old men with flowing beards were embracing one another, many were crying: Partition was then a recent event, only eight years old, like me. The same happened again in 2004, when India played Pakistan in Lahore and then at Mohali in the Indian Punjab.

In the beginning, writers and poets would meet frequently at literary festivals and meetings. The Calcutta and especially Bombay film industries were once linked to the Lahore film industry, and those linkages created a type of popular entertainment which was shared on both sides, more so on the Pakistani side because more resources were available with the Indian film industry. Music, poetry, literature, films and television programmes continue to connect people on both sides, although the virus of communalism and jingoism has inevitably found expression in the negative stereotyping of people and nations on both

IQBAL FORUM

sides. But by and large sanity and wisdom have prevailed, which casts doubt on official narratives of mutual hatred. The problem between the two nations is more at the level of state than among ordinary people, though on both sides hostile forces and extremists are always active to sabotage peace between India and Pakistan.

On the regional level, the South Asian Association for Regional Cooperation (SAARC) was established in 1985. Its members are all the states in South Asia, including Afghanistan. It aroused considerable enthusiasm and hope. The government leaders were to meet annually to discuss matters of common interest. Trade, educational cooperation and tackling the challenges of overpopulation, environmental degradation and water scarcity and other such measures was hoped to bring about peace and prosperity in the region. Many SAARC summits were held but India–Pakistan rivalry prevented any meaningful progress.

Jinnah's Pakistan

This chapter provides an overview of all the angularities that the Pakistani state displayed after Jinnah and Liaquat were gone. The fundamentalist or Islamist features that Pakistan acquired were not inevitable, and Jinnah could not reasonably have anticipated or imagined them. Such an outcome would have probably shocked him, but such a tendency or propensity was inherent in the two-nation theory and Muslim nationalism and all the Islamic ideas and images Jinnah had invoked to embellish his Pakistan as an ideological Muslim democracy. That tendency gained the upper hand because of a host of variables, internal and external, as examined in this chapter.

Hypothetically speaking, Pakistan could have consolidated as a majoritarian democracy as Israel did: democracy for Jews, the primary nation, differential rights for non-Jewish citizens and comprehensive oppression of Palestinians in the occupied territories. Pakistan could not stabilize even as a majoritarian democracy because the sectarian and sub-sectarian differences among Muslims proved to be deeply divisive and fissiparous.

Quite simply, a state based on confessional nationalism has the inbuilt tendency to discriminate through legal subterfuges those who do not share the same religion. Pakistan, however, succumbed to sectarianism within Muslims and instead of Israel's brutal suppression of Palestinians

IQBAL FORUM

on the occupied territories, in Pakistan, not only the religious minorities but also the minority Muslim sects have been subjected to persecution. That Maududi and others who had opposed Pakistan gained influence beyond their electoral popularity may not have taken place if Muslim modernism had succeeded in somehow transcending divisions and cleavages with Muslims. It was ironic, but it was not fortuitous or as some have called it a quirk of history. Maududi and the ulema were better informed about the theory and nature of state in the Islamic heritage. Therefore, the structure of opportunity favoured those wanting to establish a doctrinal Islamic state. In fact, over time, the extremists captured the initiative, and it was not Maududi or the Deobandis, but the Barelvis, after the assassination of Salman Taseer; that momentum continued into 2017 when Khadim Hussain Rizvi demonstrated his clout through mob power and street agitations against Zahid Hamid.

The two-nation theory proved to be brittle and precarious, and the more populous wing of the country, East Pakistan, seceded in 1971 after a civil war which caused hundreds of thousands of deaths. In West Pakistan, the Punjabi-dominated oligarchy came to control Pakistan. Ethnic conflict in Sind and separatist struggles in the smaller provinces were further proof that Muslim nationalism was not a bond on which Pakistan could easily be built and consolidated.

In the external sphere, no peace of the sort Jinnah had argued emerged. On the contrary, India and Pakistan became locked into an intractable imbroglio. Pakistan also became a dependency of foreign powers who acquired influence in Pakistan for the support they rendered to the country. With Afghanistan, too, Pakistan's difference deepened after the Afghan jihad. Terrorism with its internal and external manifestations greatly undermined its reputation as a responsible state in the international system.

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IQBAL FORUM

Chapter 21

Analysis and Conclusion



In the concluding chapter we analyse the four phases or stages in Mohammad Ali Jinnah's fascinating political career as leader, politician and statesman in the larger context of objective social, economic and political conditions.

Jinnah as Indian nationalist

Jinnah's political career began when as a successful and ambitious lawyer he sought a role in public life and joined the Indian National Congress in 1906. The emergence of nationalism itself was an unintended consequence of the modernization processes the British colonial system set in motion in the Indian subcontinent. Prior to the English East India Company's conquest of the subcontinent, government despotism, at times benevolent, sometimes excessively exorbitant but largely indifferent, characterized the type and style of government. The Company exploited the prevalent structural and cultural weaknesses of religion and caste and ethnicity to a century of warfare, loot, plunder and pillage which culminated in the 1857 uprising of the native soldiers of the Company against what was viewed as racist attitudes and taunts towards their beliefs and customs by the Company. The uprising was crushed but it also resulted in the end of Company rule. In 1858 the British Crown directly took charge of India setting up processes of modernization which, notwithstanding imperial objectives, brought about interconnectivity among the people

IQBAL FORUM

of the subcontinent hitherto unknown in history. The founding of the Indian National Congress in 1885 was an initiative of liberal British civil servants, who much to the chagrin of the sceptical conservative colonial establishment, believed that a platform was needed to facilitate communications between educated Indians and the state so that British authority was considered legitimate and benevolent.

However, the Congress quite early became the national organ of educated Indians who demanded greater Indian representation at all levels of administration and government and thus became the harbingers of nascent Indian nationalism. In social or class terms, it was the modern-educated upper-caste Hindus, the smaller stratum of educated Muslims of the coastal cities and the tiny but economically most advanced Parsi entrepreneurs and intellectuals who began to claim greater share in representation and power. In their public roles such leaders subscribed to liberal and secular ideas and petitioned the government to concede progressive reforms but the society by and large was conservative and custom and tradition ridden. Mohammad Ali Jinnah, born in an Aga Khani Ismaili family, was one of them. His skills and industry as a lawyer earned him a large income and his political acumen the approbation of his peers as a leader. Ideologically Jinnah was a right-of-centre Indian nationalist who knew how to make money as well as champion public causes: both being preconditions for a self-made man to aspire for public recognition and leadership. However, the 1909 Act introduced separate electorates thereby alienating the Muslim minority from other communities. Jinnah quickly adjusted to it while simultaneously retaining his leading position among the young stalwarts of the Congress. In 1913 he joined the All-India Muslim League. As a member of both the Congress and the League, Jinnah was quickly propelled to the stature of a national-level leader: a moment which culminated in the famous Lucknow Pact of 1916. Mohandas Karamchand Gandhi had returned to India a year earlier, but Jinnah was the leader who shone brightest in 1916.

Jinnah's core argument as Indian nationalism

The core argument Jinnah set forth in defence of the Lucknow Pact was directed at demolishing the assertion of the disciples of Sir Syed Ahmad Khan's British-loyalist Muslims that if the Muslim minority sought concord with Hindus it would inevitably mean permanent

IQBAL FORUM

domination of the Hindu majority. Jinnah ridiculed that possibility by asserting, 'If 70 million Mussalmans do not approve of the measure which is carried by a ballot box, do you think that it could be enforced or administered in the country?' He substantiated his stand, by arguing that India would not be governed by Hindus or Muslims but 'by the people and sons of this country'. On such a basis he demanded the 'immediate transfer of a substantial power of the Government of the country' to the people of India.

Now we turn to clues which explain how and why Jinnah left the Congress and with it also the mainstream nationalist movement. The reasons originally were both personal and strategic-tactical rather than ideological. In this regard, the first Jinnah–Gandhi meeting in 1915 furnishes an interesting insight. The occasion was planned to be a manifestation of Gujarati bonhomie between Hindu and Muslim Gujaratis. Jinnah was generous in his remarks, welcoming Gandhi to India after gaining a reputation as a civil liberties activist and leader of Indians settled in South Africa. Gandhi's response, according to Stanley Wolpert to Jinnah's warm welcome, was felt by the latter as patronizing and demeaning since he described Jinnah as a Mohammadan leader instead of an Indian leader. Another view is that Gandhi was underlining the solidarity between Hindu and Muslim Gujaratis because while both were Gujaratis, he was a Hindu and Jinnah a Muslim. Whatever the truth, it seems Gandhi's remarks did not please Jinnah. Gandhi antagonized Jinnah further in 1917 by insisting that he should speak in Gujarati instead of English at a public meeting of the Congress. He was heckled by Gandhi's supporters. That sense of slighting was aggravated when at the 1920 Nagpur session of the Congress Party Jinnah addressed Gandhi as Mr Gandhi and Maulana Mohammad Ali Johar as Mr Mohammad Ali instead of by their honorific titles as mahatma and maulana. It resulted in them shouting at him and threatening him. Jinnah walked out in protest and never returned. Was Gandhi doing all this to wrest away from Jinnah the top leadership position he had attained in the wake of the Lucknow Pact? Such an inference cannot be proved or overruled, but without doubt Jinnah most certainly took it that way. However, on both the non-cooperation movement and the Khilafat issue, their differences were not political or ideological but strategic and tactical. The British establishment disappointed Indians who had wholeheartedly supported them during World War I

IQBAL FORUM

by introducing the draconian Rowlatt Acts which permitted arrest without juries and internment without trial of suspected political offenders. No credible threat existed to British rule to make such a law a necessity. Both Gandhi and Jinnah came out strongly against the Rowlatt Bill and Jinnah's speech in the Imperial Legislative Assembly was a scathing criticism of British arrogance and apathy towards Indian aspirations for greater self-rule. Jinnah developed differences with Gandhi on how Indian frustration with the British approach on self-rule should be protested. The 1919 Act tried to mitigate the negative impact of the Rowlatt Acts, but the atmosphere had already been soured. The Act expanded the electorate and introduced diarchy but real and effective powers remained with the British governor-general and provincial governors. For both the Congress and Muslim League, it made little progress on self-rule.

Regarding the Khilafat issue, the most distorted history of that episode pervades academic and popular writings where Gandhi is described as the man who began using religion politically and especially empowered radical and conservative Muslims while Jinnah was the secular opponent of it. It is a revisionist distortion, a mere myth and nothing else. Religion was already in politics because on both sides religious revivals were taking place; Gandhi used religion to bring Hindus and Muslims into the same fold for anti-imperialist reasons—and that was the dismemberment of the Ottoman Empire and its virtual annexation by colonial powers, especially the British who also ruled India. The truth is that both Jinnah and Gandhi were sympathetic to the Muslim concern over the future of the caliphate. Jinnah famously expressed his disgust by saying that: 'First came the Rowlatt Bill—accompanied by the Punjab atrocities—and then came the spoliation of the Ottoman Empire and the Khilafat. The one attacks our liberty, the other our faith . . .' However, Jinnah was not willing to launch another non-cooperation movement in behalf of the Khilafat issue while Gandhi considered it important to win over Muslims to a united front against British imperialism.

Nevertheless, the cumulative effect of the radicalization of politics under Gandhi's influence over the freedom movement was perceived by Jinnah as a development which would eclipse his stature as the leader of the Indian nationalist movement and of the gradual, parliamentary struggle towards self-rule. And this brings us to consider what sort of a leader Jinnah was. That he was already a towering figure in Indian

IQBAL FORUM

politics was not a matter of doubt. It is possible that Jinnah considered himself the political senior of Gandhi in the Congress Party since the latter returned to India only in 1915 and came into the political limelight after the Rowlatt Bill, the Jallianwala Bagh massacre and the Khilafat movement which had generated a milieu conducive to mass politics and agitation. Such developments were understandably viewed with dismay by Jinnah, who presumably felt Gandhi was upstaging him. With Gandhi's rise the Congress was radicalized in a way Jinnah found difficult to adjust to. Hypothetically speaking Jinnah could have stayed on and opposed Gandhi. Many in the Congress Party were opposed to the Gandhian politics of mass agitation and it was possible that Jinnah could still wrest the initiative from Gandhi. However, temperamentally, it seems, he would not brook any risk to his self-perception as the leader who had both the vision and skills to lead India towards self-rule. To put it simply, he was not willing to play second fiddle to Gandhi or anyone else. That he was a Muslim and the Congress leadership was predominantly Hindu probably made him feel that Gandhi would always have an advantage over him.

It was for a combination of psychological or personal reasons and strategic and tactical reasons that Jinnah left Congress. Doing so, the option now was to try to become the main leader of the sizeable and influential Muslim minority, but it also meant that he had abdicated the leadership to Gandhi. Insofar as British rule and control over India were concerned at that stage, the differences between Jinnah and Gandhi were of no great consequence to imperialist interests.

Jinnah as a Muslim communitarian

Having dissociated himself from the Congress-led freedom movement, Jinnah entered the next stage in his political career—that of a Muslim communitarian. From the Muslim League's Lahore session of 1924 when the Lucknow Pact was openly breached, Jinnah moved further and further away from Indian nationalism. The rejection of the Nehru Report captured that trend unequivocally.

The core argument

The core argument underpinning Muslim communitarianism was that India comprised discrete nationalities. Therefore, a decentralized India

IQBAL FORUM

recognizing the rights of nationalities to maximum autonomy was imperative in order to live peacefully with other nationalities. Jinnah wanted the Indian National Congress to first concede his demands as set forth in 1927 before he would take part in the deliberations over a Constitution for India. He and the Muslim League were invited to participate in the deliberations of the committee set up to prepare the draft Constitution for India as a British dominion. His refusal to do that further eroded his chances of returning to the fold of Indian nationalism. At the same time his position triggered opposition within the Congress as continuing to accommodate his demands violated the spirit of Hindu–Muslim trust because of which the Congress had supported the Lucknow Pact despite the opposition of the Hindu Mahasabha.

In the extended analysis of the Nehru Report I have argued that it was a very reasonable and practical document for a united India. I have also shown that it was a product of deliberations in which all communities took part, which included leading Muslims. The Hindu Mahasabha, which had been founded in reaction to the AIML, understandably participated in the deliberations with a view to countering concessions being given to Muslims. Yet the Nehru Report did not concede anything to the Mahasabha's opposition and hostility to reasonable Muslim demands such as Sind becoming a separate province and NWFP enjoying the same reforms as other provinces. Had Jinnah directly participated it is entirely possible that he could have persuaded the other leaders to grant some specific concessions to Muslims because the spirit in which the deliberations took place was meant to present a united front to British arrogance and indifference to demands of self-rule for Indians. It is to be noted that Jinnah had paved the way for negotiations by offering significant concessions which had been well received by the Congress. However, refusing to participate in the deliberations unless his four demands of 1927 were first conceded, was not in line with the spirit of negotiations and mutual adjustments. By that time opinion in the Congress had turned against making concessions which did not stabilize into a working partnership. The preconditions were an ultimatum. Jinnah's absence from the deliberations of the committee created a vacuum. In politics there is no scope for a vacuum; it is always filled. The Fourteen Points of Jinnah were subsequently also rejected by the Congress.

IQBAL FORUM

One can wonder if the Congress alone should be blamed for not accepting Jinnah's ultimatum or for rejecting his Fourteen Points of 1929. One can always advance such a line of reasoning but chronologically speaking once the Lucknow Pact had been repudiated by Jinnah, the negative reactions that followed were from both sides, and with the Hindu Mahasabha ever ready to widen cleavages, the atmosphere was not conducive to confidence and trust building; in fact, uncertainties, suspicions and anxieties were accentuated. The Nehru Report had taken a stand on India as a federation with a strong Centre and reservation by agreement in proportion to the population strength of communities. By basing representation on adult franchise, it had come up with a coherent argument for rejecting one-third Muslim representation in the Centre. It was no longer willing to deviate from it. The Nehru Report enjoyed broad consensus among leading Indians of all communities.

More crucial is to consider that if Jinnah had accepted the Nehru Report, would it entail permanent Hindu rule over Muslims? Not very long ago he himself had scoffed at such a possibility as noted earlier in the book. The Muslims were a large minority with clear majorities in the north-western and north-eastern zones of the subcontinent. They were overly represented in the Indian Army and police. Alienating such a large and important minority would have spelled disaster for India. With separate electorates abolished, it would be in the interest of the Muslims of the minority provinces to join the Congress or other inter-communal parties. The 25 per cent representation was guaranteed to them for ten years and it could be perpetuated through understanding and trust.

Now, in freedom struggles waged against colonial powers, the party and leadership which leads the struggle must seek to put up a united front while the colonial power seeks to split that movement. In the struggle against apartheid the African National Congress spearheaded the struggle against white racist rule while the Inkatha Freedom Party supported by the Zulu people emerged as a separatist organization seeking special safeguards against perceived majoritarian ideology of the African National Congress led by Nelson Mandela. The African National Congress accused the Inkatha Freedom Party of being collaborationist and ethnically divisive.[1]

Considered in this light, one can understand that the Congress, as an inclusive nationalist movement seeking to bring all people into one

IQBAL FORUM

fold to assert the right to self-rule and freedom vis-à-vis the colonial government, perceived separatist movements of an ethnic or religious nature demanding special rights for their group members as a divisive factor, weakening its struggle against colonialism. The Muslim League represented forces which were against the Congress type of nationalism. I will take up only one point which surprisingly has not received much attention because apparently historians and publicists writing on that period and the events that transpired have little or no regard for political and constitutional theory. They have assumed that if a federation does not have a weak Centre then it is a unitary form of government. This is incorrect, misleading and unwarranted. A federation is simply a division of powers spatially between the Centre and federating units. Unlike a confederation, a federation is not revocable. As already noted, the most famous federation of the world—the United States of America—proved that point during the civil war between the northern states insisting on the irrevocability of the federation and the southern slave-owning states wanting to secede from the federation. The southern states were defeated, and the unity of the United States became a non-negotiable part of the American Constitution. Again, during the 1960s, the US federal government used its power and authority to abolish the race laws which, despite the abolition of slavery, still applied in the southern states. On the other hand, although the Constitution of the USSR did have such a provision for the federating units to secede, but for all practical purposes withdrawal from it was out of the question. Anybody familiar with the long rule of Joseph Stalin and his successors would understand that easily. The Soviet Union disintegrated when the Centre was no longer willing to maintain the communist system and the federation.

What Jinnah had proposed was a quasi-confederation. He wanted the Centre to only look after matters of general and common interests while vesting most powers in the provinces. For him India was home to diverse and discrete communities and nationalities, and he claimed to speak on behalf of and in behalf of Indian Muslims. Such efforts were rejected by the Congress which could claim it had produced the Nehru Report as the framework for a secular, democratic and federal Constitution on the same footing as other white British dominions after broad-based consultations and deliberations representing all Indian communities.

IQBAL FORUM

At that stage in time, Britain's core interest to maintain maximum and effective control over India remained firm and steadfast. It is reasonable to assume that through British loyalists such as the Aga Khan, Sir Mian Muhammad Shafi and Sir Fazli Hussain, the colonial authorities tried to prevent broad consensus emerging for greater self-rule. The Nehru Report had stopped short of demanding independence but even dominion status on a par with the white settler communities was too radical and drastic a demand for the British to concede.

It is important to point out that the Soviet-type conception of linguistic nationalities and nations never emerged as an alternative to the Congress's 'one Indian nation' approach. Marxist theory rejected religion as the basis of nation. It recognized language and shared culture as the legitimate basis for a nation. In India, however, religion-based nationalism emerged as communal reactions—first among pro-British Muslim gentry, which resulted in the 1909 separate electorates, then in the establishment of the Hindu Mahasabha in 1915 and later among the Sikhs in the Punjab who were granted separate electorates in 1919. The British also made communal-ethnic concessions to Europeans in Bengal and so on.

The only group which could protest comprehensive, sui generis discrimination were the Dalits. Conversions to Islam, Sikhism and Christianity had not succeeded in subverting the caste system; rather, it found replication in those religions, although there was no theological sanction for it in them. Consequently, the social stratification which emerged in them privileged those who belonged to the upper castes. The Dalit predicament was that they were nowhere in a majority but were everywhere at the lowest rung of the social order. Dr Ambedkar must have been acutely aware of that fact which explains why he never demanded a separate state for his people. The extension of separate electorates and the continuation of British rule, he perceived, was the best guarantee to mitigate comprehensive oppression at the hands of caste Hindus. However, British rule as guarantor of Dalit rights could not be taken for granted. That was the problem of the Dalits although one could make a case for them for a separate state based on historical disadvantage going long back in time. The Nehru Report had briefly reviewed the Dalit question and recommended reform of Hindu beliefs as well as educational and economic inputs

IQBAL FORUM

to help Dalit incorporation on an egalitarian social order. Ambedkar had grudgingly agreed in 1932 to give up separate electorates in return for reservations for Dalits in educational institutions and government services.

It is noteworthy that the Nehru Report had argued that with universal adult franchise and reservation of seats in proportion to population strength and other measures such as Hindustani as national language written in two scripts, a basis for Indian unity had been set forth. It had rejected the Mahasabha's opposition to Sind becoming a separate province of NWFP, being promoted to equal status with other provinces and granted identical reforms.

Considered in this light, Jinnah's communitarianism was hardly a model for establishing a viable, cohesive and coherent India. A patchwork of nationalities constituted by religion and ethnicity was a recipe for a Balkanized India. Jinnah had once been a major opponent of such a brittle and precarious India but after having left the Congress he had few other options open to him apart from returning to the Congress. In my opinion, it would not be wrong to presume that his pride and the fear that Gandhi or some other leader such as Nehru, with the support of the Hindu majority behind them, would reduce him to second fiddle prevented it. Returning to the Congress therefore did not appeal to him, even if such a possibility remained open to him. At any rate, Muslim communitarianism ultimately limited Jinnah's influence and power to the amorphous Muslim community. The community was replete with distinctions of Ashrafia and native converts, sects and sub-sects of Islam and the huge class differences between the Muslim elite and gentry on the one hand, and the vast majority of educationally and economically backward Muslims on the other.

Jinnah as a Muslim nationalist and the two-nation theory

The third stage in Jinnah's career is undoubtedly the most spectacular and crucial upon which rests his reputation as the Man of Destiny who, according to Stanley Wolpert, founded a nation state which changed not only history but also geography. Wolpert's accolade is epitomized in the hagiographical status Jinnah enjoys in the Pakistani national narrative. In typical Carlylean fashion, the focus

IQBAL FORUM

is on Jinnah's unique personality and skills which outwitted and outmanoeuvred Gandhi, Nehru and the British who were allegedly involved in a grand conspiracy against Islam and Muslims. Jinnah's liaison with the British is either underplayed or vaunted as proof of his strategic thinking. No mention is made of the roles of either Churchill or the British military—the British establishment in general—being the mastermind which created Pakistan to serve as a front-line state in the containment of Soviet communism. Instead the partitions of Bengal and the Punjab to give Jinnah a moth-eaten Pakistan are assailed as a conspiracy involving Mountbatten, Nehru and Patel. Some British writers have even looked for salacious details about the alleged Nehru–Lady Mountbatten liaison as a crucial factor to explain the process leading to the Partition. This study shows the limits such influence could have had. The Radcliffe Award was, on the whole, even-handed, and in the case of the Punjab, it as at least 99 per cent in accordance with what the Muslim League had demanded.

The political triangle of the partition endgame

The third phase in Jinnah's leadership—as the champion of Muslim nationalism—should be understood as a triangular contest for power: Britain was the hegemon directly ruling India. It represented the status quo, which meant direct rule over India. The INC as the biggest political party with mass support was the main challenger to British hegemony, and the AIML, the leading communal party of Muslims, was the challenger to the Congress. Britain wanted to retain physical control over India; the Congress wanted British rule to end; and the Muslim League wanted India divided on a religious basis between Hindus and Muslims if the British left. Jinnah as the supreme leader of the Muslim League argued and campaigned for the Muslim League.

Now, if the hegemon wants to maintain the status quo it must defeat the bid of the main challenger to displace it. Its ability to do so by political means may require it supporting the challenger to the main challenger. The main challenger can try to form an alliance with *its* challenger (let's call this challenger 2) and together they can try to compel the hegemon to leave. Alternatively, challenger 2 can spurn the main challenger's overture and instead enter an alliance with the hegemon to prevent the former from realizing its goal.

IQBAL FORUM

If, however, circumstances change fundamentally, and the hegemon cannot maintain the status quo and must relinquish power, it can either grant the demand of the main challenger or its opponent. In such circumstances the hegemon would try to achieve a settlement on its terms: which means trying to secure its strategic interests.

Keeping this triangle in mind, we look at *how* Jinnah as the supreme leader of the AIML fought his case for Pakistan and *what* he won and *why*.

Events that transpired during the third phase

At the beginning of the third stage British policy remained steadfast: it was to retain direct rule and effective control over India; even if for the sake of expediency and exigency granting self-rule to India figured in their statements. Equally, the Indian National Congress was determined to win freedom which since 1929 was about independence—dominion status as demanded in the Motilal Nehru Report being superseded by the demand at Lahore in 1929 for Purna Swaraj or complete independence for India. Jinnah's communitarianism had not secured him a deal of his liking with the Congress.

It is reasonable to assume that the British were willing to help him against the Congress when roughnecks in March 1929 drove out those Muslim Leaguers from the meeting in Delhi who were willing to accept the Nehru Report. Jinnah then entered with his supporters after having talked to Sir Mohammad Shafi, and thus the Nehru Report was rejected. No clear proof that the police or intelligence services backed that action is available, but earlier in Bombay when Jinnah was a champion of the Congress–League concord, the police did through Seth Sulaiman Mitha disrupt that meeting. It should not be surprising if similar interference of the authorities was at play in Delhi. Khaliquzzaman who is the source of this information does not go into details.

However, the first evidence that Jinnah directly sought to cultivate British sympathy against the Congress was the June 1929 letter he wrote to Prime Minister Ramsay MacDonald advising him to grant India dominion status and thus pre-empt the Congress's efforts to win

IQBAL FORUM

Indian independence which, he warned, enjoyed the sympathy of the Indian people. His advice to the British prime minister does not seem to have been seriously considered because although the Labour Party was more receptive to Indian concerns, the British establishment as a whole remained unconvinced about India qualifying for dominion status.

At that stage, the British presumably had limited interest in Jinnah. They had at their disposal loyalists such as Sir Aga Khan, Sir Fazli Hussain and Sir Mohammad Shafi as well as hundreds of princes and community and regional leaders. Jinnah did not play a leading role at the round-table conferences The Communal Award of 1932 followed by the Government of India Act of 1935 made no mention of an Indian dominion. Moreover, the federal part of the 1935 Act was subject to the princely states accepting it, which was practically impossible to obtain. The strategy was to continue countering the Congress's ambition to create an integrated India by extending constitutional recognition to the religious and ethnic heterogeneity present in Indian society and to dichotomize their Indian empire into two incongruent systems of control: directly administered provinces and the princely states under paramountcy through treaty. Such thinking rested on an imperial ideology which assumed that Indians were incapable of exercising responsible government on a par with the white colonies; and that without India ruled demonstrably through extravagant displays of glory and pageantry, the empire was a crown without a jewel.

The Congress's blunders and Jinnah's embrace of communalism

Jinnah did not return to India after the round-table conferences but set up a legal practice which apparently was very lucrative. But a hyperactive person like him found a quiet political life in London too boring and was persuaded to return to India by his admirers. Nehru's 1936 presidential address at Lucknow announcing a campaign to end the misery of the peasant by abolishing the privileges of big landowners, combined with a socialist vision of India inspired by the Soviet Union, rang alarm bells throughout India. Jinnah countered that in 1937 by taking the position on the private member's bill introduced

IQBAL FORUM

in the Central Legislative Assembly that the Muslim Family Law could not apply to agricultural land because agriculture was placed in the provincial list in the 1935 Act.

In the meantime, the election of 1937 had confirmed the Congress's popularity all over India, but in the Muslim-majority provinces, except for NWFP, regional parties had won the reserved Muslim votes. It had exposed the Muslim League as a party of the gentry mainly from northern India and that too of only a section of the Muslim gentry. The UP Congress's decision backed by Nehru not to include Muslims in the ministry elected on the Muslim League ticket unless they resigned and joined the Congress, followed by the announcement of the Muslim mass-contact campaign, would have ordinarily unnerved a lesser leader; but Jinnah was made of a different mettle. He maintained his calm and appeared willing to cooperate with other parties while simultaneously allowing dissenting Deobandi ulema to use the Islamic card during the by-elections which followed afterwards. His stature as the most important Muslim leader was greatly enhanced when he convinced heavyweights Sir Sikandar Hayat of the Punjab and Chowdhury Fazlul Haq of Bengal to join the Muslim League. The message he now began to convey was that the Congress juggernaut was out to ride roughshod over Muslim interests: one, to liquidate the Muslim League; two, to carry out land reforms which would hit hard at large landholdings and strengthen the position of poor peasants and tenant cultivators; and three, the Congress and Hindu Mahasabha were one and the same thing and the future of Islam and Muslims was greatly endangered in an India dominated by the Hindu Congress.

He had confided in June 1937 to Bombay Governor Brabourne that this type of strident and unabashed communalism underlining divisions between Hindus and Muslims would henceforth be his chief tool to attack the Congress. The Pirpur and Shareef Reports, highlighting the alleged anti-Islamic and anti-Muslim policies of the Congress ministries of 1937–39 and his own indefatigable campaign against the Congress Party, proved to be a great propaganda success. As already noted, the complaints and accusations were greatly exaggerated if not entirely unfounded. His correspondence with the Congress leaders during that period showed that he was not willing to reach a settlement with them unless they conceded that the Muslim League was the only representative of Indian Muslims and that the Congress represented merely Hindus and

IQBAL FORUM

that too upper-caste Hindus. Such preconditions for a settlement were impossible for the Congress to agree to, and in my view that is exactly what he had calculated. It is not clear if the British were involved in these moves of Jinnah, but it's unlikely they would have minded Indian leaders remaining divided and polarized in rival camps.

World War II and Jinnah's meteoric rise as leader

The decisive breakthrough for Jinnah as a counterweight to the Congress was the outbreak of World War II. The Congress Party's decision not to support the British in the war unless power was transferred to Indians followed by the ill-fated Quit India movement of August 1942 resulted in the Congress leadership, national, regional and even at middle levels, being put behind bars. These were colossal blunders. Indian nationalism embracing the whole of India; the Nehru Report, followed by the Karachi declaration on fundamental rights; the resolution ensuring minorities safeguards to their personal affairs; and the Poona Pact of 1932 were its commitments to assert its credentials as a party of all Indians, but Jinnah countered such moves of the Congress by contemptuously dismissing them as sinister strategies to hoodwink minorities and the depressed castes. Within the Congress, opposition existed to both these decisions while ultra-radicals such as Subhas Chandra Bose were willing to go in for an armed revolution. Gandhi made Bose resign the presidentship of the Congress but himself became the mouthpiece of radical nationalism and was responsible for the controversial decision to launch the Quit India movement. The princes, the Hindu Mahasabha, the Sikh Akali Dal and the Communist Party of India sided with the British.

However, the most important ally the British won was Jinnah and the Muslim League which supported the war effort and backed it up with the recruitment drive for troops but demanded that after the war Muslim aspirations would be given proper recognition. The PUP, which hitherto had been the mainstay of troop recruitment, now had the Muslim League as a competitor without outreach beyond the Punjab. The British virtually ditched the PUP to instead patronize the AIML. Viceroy Lord Linlithgow admitted that Jinnah's offer of help proved crucial to retaining effective control over India. A Congress–League united front against Britain during the war could have proved fatal to imperial control of India.

IQBAL FORUM

The core argument of the two-nation theory and Muslim nationalism as ideology

Jinnah, the arch gambler and who relished the idea of politics as a game of chess, now upped the ante by launching the polarizing two-nation theory and Muslim nationalism as the rationale for the partition of India to grant the Indian Muslim nation the right of self-determination in regions where they were in a majority. In his presidential address of 22 March 1940 Jinnah underlined all that divided and alienated Hindus and Muslims, warning that any attempt to make them live together in one state was doomed and could explode into a civil war. The next day the Lahore Resolution demanding the creation of Muslim states was moved and passed.

The two-nation theory itself had been around since at least the second half of the nineteenth century, and during the twentieth century it had been set forth by influential Hindus and Muslims. Allama Iqbal and Choudhary Rahmat Ali had already been talking about a Muslim state in north-western India and one would imagine that British intelligence found all such schemes interesting but the man who leveraged it at the right time and right occasion was Mohammad Ali Jinnah. As already noted, both the Congress's Indian nationalism and the Muslim League's Muslim nationalism were social constructs. At the level of society things were far more complicated and complex. The Hindu caste system stood in the way of vertical solidarity among Hindus; and while the sense of community was stronger among Muslims, class and a Muslim variation of caste compounded by sect and sub-sects existed among Muslims too. Therefore, neither an Indian nation nor a Muslim nation were uncontroversial or unchallengeable social constructs. The resolution of conflicting nationalisms rested with the British, however. As already stressed several times, the British had no plans to grant India independence, but a war was going on and the Indians had to be placated with pronouncements which suggested that radical self-rule in the form of a dominion was the objective of British policy and that it would be honoured after the war.

Jinnah and the Congress

One need not overstress that from 22 March 1940 onwards Jinnah never flinched even once in his uncompromising, patently

IQBAL FORUM

communalist approach towards the Indian National Congress. He attacked Hinduism's soft belly, the caste system, with unrelenting punches portraying Gandhi as a dogmatic Hindu who believed in the caste system and was a totalitarian dictator. We have seen that Gandhi had made several overtures to Jinnah for a resolution of their differences and his letter of 16 January 1940 to Jinnah advising him to lead Muslims, Dravidians of the south and the Scheduled Castes to form an alternative nationalist party to upper-caste-dominated Congress, was one example which Jinnah spurned, thereby alienating both the Dravidian leader Naicker and the Dalit leader Dr Ambedkar. However, the better-known examples are the 1944 failed Jinnah–Gandhi talks and several other efforts of Gandhi to persuade Jinnah not to insist on the partition. Jinnah also rejected overtures from Rajaji, Subhas Chandra Bose and Maulana Azad. His correspondence with Nehru during 1938–39 is indicative of an unwillingness to agree on a settlement with the Congress except on his Fourteen Points and other related conditions. This is not to deny that the Congress leaders considered Jinnah a turncoat but that is beside the point. His contemptuous words for the Congress rulers were all directed at rejecting any settlement within a united India.

Jinnah and minorities: The Sikhs, Dravidians and Dalits

Although Jinnah had on several occasions made the division of India sound fair: 200 million Hindus getting three-fourths of India while 90–100 million Muslims getting one-fourth, he gave different signals to the Sikhs and the Dravidians of southern India. To the Sikhs he offered a Sikh state if they could show him where its boundaries would be drawn. Implicitly it meant the few Sikh princely states because otherwise the Sikhs were not in a majority anywhere in the Punjab, not even in the princely states. To the Dravidians he pledged support for demanding a separate state in the south. Both ideas—about a Sikh state and a Dravidian state were originally set forth by Choudhary Rahmat Ali.

What was Jinnah willing to bargain with the Congress?

As already demonstrated, after 22 March 1940 Jinnah never hinted, even obliquely, that he was prepared to agree to a power-sharing

IQBAL FORUM

deal with the Congress. Let me quote verbatim Ayesha Jalal from whom originates the myth of a power-sharing Jinnah: 'From the late nineteen-thirties his [Jinnah's] main concern was the arrangements by which power at the centre was to be shared once the British quit India.'[2]

This study demonstrates with direct quotes of Jinnah that he was not looking for any bargain based on power-sharing. Jinnah, as Farooq Ahmad Dar has argued, and which I have shown, rejected all overtures of the Congress to share power once he declared that he wanted separate states for Muslims.

There was, however, another sort of bargaining that he set forth. He famously said that any bargaining which kept all the sixteen annas which made up a rupee in the hands of the Congress was no bargain at all. The only settlement between the Congress and the Muslim League would be a deal which left four annas out of sixteen, one-fourth of India, with the Muslim League where it wanted to establish Pakistan. The four annas or one-fourth of a rupee Jinnah wanted to keep for himself in the bargain included the whole of Bengal and the Punjab, NWFP, Sind and British Baluchistan at least. That by promising to support the Dravidian leader Naicker to demand a separate state for his people in southern India the argument of three-fourths given to India was contradicted was never a problem for Jinnah because primarily his focus was on his one-fourth being given to him. The Congress opposed that and in alliance with the Sikhs in the Punjab and the Hindu Mahasabha in Bengal confronted his partition deal with one that encroached upon his one-fourth and took away the non-Muslim-majority areas of those two Muslim-majority provinces.

Jinnah and Muslims

While Jinnah could with deadly efficacy deliver punch after punch into the Hindu soft belly of caste, his even greater achievement was to successfully project the facade of a homogeneous Muslim community. British administrative measures such as the census reports, which included all those who declared themselves Muslims as one Muslim community, as well as the 1909 Act which instituted separate electorates and structurally separated the 'Muslim community' from

IQBAL FORUM

other communities of India, served as the basis for the objectification of Muslims as a homogeneous nation upon which rested his two-nation theory. Such a strategy certainly demonstrated his political acumen and genius. However, such objectification was not without complications. Abul Kalam Azad and Hussain Ahmed Madani, two learned Muslim theologians, had warned that sectarian divisions would come to haunt Pakistan, and they did. While Jinnah treated Azad with outright contempt, calling him a poster boy of the Congress, Iqbal denigrated Madani as an ignoramus who was neither a scholar of Islam nor Arabic.

A demonstration of nationwide opposition to the Lahore Resolution took place in Delhi in April 1940 in which a host of parties and organizations such as the Jamiat Ulema-e-Hind, the Majlis-e-Ahrar, the Khaksars, sectarian parties such as the All-India Shia Conference and working-class parties and organizations such as that of the weavers known as *momin*s rejected the demand for Pakistan and supported the Congress; but the Muslim League juggernaut, with British patronage, had been unleashed in full blast and nothing could prevent its march onwards. On 8 March 1944 at Aligarh University Jinnah informed British and American correspondents that the foundations of Pakistan were laid when the first Hindu converted to Islam because thereafter, he was ostracized by the Hindu community. Therefore, there was nothing common between Hindus and Muslims. This idea figured frequently when he justified the division of India before international audiences.

More important was that from 1943–44 onwards when a challenge to Sir Khizr Hayat Khan Tiwana's leadership emerged in the PUP, the landowning barons sensed that PUP was a sinking ship because the British were treating Jinnah like a prince. They, one by one, decamped and joined the Muslim League. Anecdotal evidence that British deputy commissioners encouraged the Unionists to join the Muslim League exists, but I have not been able to find more reliable proof of that. In any case, after 1940 it was clear that Pakistan, if it was established, would be in the north-western and north-eastern provinces where Muslims were in a majority. Jinnah was able to assure most Shias of the Muslim-majority areas and the Ahmadi leaders that Pakistan would be a non- sectarian state.

IQBAL FORUM

The Muslims of the Hindu-majority provinces

The Achilles heel in Jinnah's two-nation theory was that its consummation into statehood inevitably split the same nation into two: one-third of all Muslims would be left in India unless a complete exchange of population took place between Hindu India and Muslim Pakistan. The stance Jinnah took in April 1940 at Delhi was to argue that the Muslims of the Hindu-majority provinces were fated to live outside Pakistan, but they should, in the best traditions of Islamic solidarity, not stand in the way of their co-religionists achieving liberation from the permanent Hindu yoke. He famously told Muslims at Kanpur, in the middle of India, on 30 March 1941 that he was willing to let 2 crore Muslims be martyred to liberate 7 crore Muslims (his figures were wrong since out of nearly 90 million, 35 million were left behind in India at the time of Partition). He backed that up with the medieval hostage theory as a deterrent to India persecuting Muslims since Hindus and Sikhs would be living in Pakistan.

It was, to say the least, a very peculiar utilitarian argument. Utilitarianism is an ethical-moral principle premised on the greatest good of the greatest number being the measure of the outcomes or consequences of moral choices. The idea was originally set forth in the eighteenth–nineteenth century by the English thinker Jeremy Bentham. He was of the view that laws should be enacted which would benefit society most. Consequentialism therefore typifies utilitarian moral philosophy. Jinnah had probably come across such an argument during his training as a lawyer and used it in his legal practice. However, a fundamental principle of sound utilitarianism is that to arrive at a defensible moral decision the best choice is made among a range of options.

Considering that Muslims were to be found all over India and concentrated in the north-western and north-eastern zones and, more importantly, overly represented in the Indian Army (38–42 per cent) and police (73 per cent in the Punjab alone and elsewhere in India nearly 50 per cent), the chances that a permanent Hindu Raj would happen, was not a rational possibility. Jinnah himself had discounted that when he was an ardent Indian nationalist, and the Congress ministries of 1937–39 as evidence suggests were not anti-Muslim or anti-Urdu. The Congress's defiance in the form of hoisting the tricolor

IQBAL FORUM

Congress flag and lowering of the Union Jack and other such gestures were directed at the British, but Jinnah and the League propaganda machine latched on to them to propagate the notion that Congress rule meant upper-caste Hindu rule and this was successfully being spread throughout India. We have already referred to source material including a statement of Viceroy Linlithgow that the allegations of Muslim persecution were essentially unfounded. Nobody in his wildest dreams could imagine Linlithgow to be a Congress sympathizer.

Divested of all the rhetoric in simple logical terms the demand for the partition of India meant essentially the partitioning of the Muslim community. Once upon a time, Jinnah had made the Punjab and Bengal sacrifice their majority to obtain excessive weightage for the Muslims of the minority provinces. That earned him the title of ambassador of Hindu–Muslim unity embodied in the Lucknow Pact of 1916. Now, he was taking a diametrically opposite standpoint and the process of Othering, which in literature on ethnic conflict is the description applied to politicians and ethnic activists bent upon highlighting differences and contrasting irreconcilable characteristics between communities, was being deployed by him to justify partition of Muslims to create a separate Pakistan in which they were in a majority. Othering and contrasting differences between groups involves their stereotyping either as all good or all bad. Invariably, such politics generates suspicions, fear and discord and creates volatile and explosive situations.

Jinnah and the Muslims of the Muslim-majority provinces

Notwithstanding the contradictions between demanding Pakistan on behalf of 90 million Muslims and limiting it to only some 60 million of them, Jinnah's utilitarianism argument held an appeal for the Muslims of the majority provinces. As noted already, Hindus, and in the Punjab both Hindus and Sikhs, were educationally and economically more advanced than Muslims. While the original financiers of the Muslim League, the big landlords of northern India along with other Muslims in general of the minority provinces, were to face the adverse consequences of the partition, the Muslim landlords and peasantry of north-western India and the Muslim peasants of Bengal stood to gain most from the creation of Pakistan. A bill to

IQBAL FORUM

cancel the outstanding debts to moneylenders had been passed in the Punjab Assembly, but it did not become law because the assent of the governor had been withheld. Needless to say, jobs and promotions of Muslim employees in government services also greatly increased. The Muslim bourgeoisie, which had at most achieved commercial levels of production in Bombay, Calcutta, Kanpur and other such places (while industrial production was in the hands of Hindus and Parsis), were promised a far more favourable environment in comparison to making headway within a united India.

Muslim League leaders; cadres; students, some coming from Aligarh University; Muslim communists sent by the Communist Party of India to convert the demand for Pakistan into class-liberation slogans; clerics; spiritual divines, some real, others feigning, pooled their genius to project Pakistan as liberation from economic exploitation and caste oppression to an ideal Muslim/Islamic state where material justice and spiritual bliss would be realized in accordance with a narrative generation after generation of Muslims had heard of the unique achievements of the Muslims who lived at the time of the Prophet (PBUH) and his exalted companions. Jinnah himself evaded categorical commitment regarding the establishment of an Islamic state. However, he let others freely indulge their fantasy and in the Punjab, Sind, Bengal and NWFP Islamic slogans and imagery were used profusely. Pir Manki Sharif had demanded that Jinnah should give him a categorical commitment that Pakistan would be a full-fledged Islamic state and the ulema would be constitutionally authorized to act as guardians of Islam. Jinnah had referred to his five-point demand to that effect but typically worded his reply in a vague manner, asserting that since the Pakistan Constituent Assembly would consist of a predominant majority of Muslim legislators, it was understood that they would make laws in accordance with Islam.

The British as the ultimate arbiters of the future of India

Thus far we have studied Jinnah in a proactive role, as the charismatic leader. However, the final decision about the future of India rested with the British. The chess game he played over the future of India was not one which he could win hands down because it was not a game where theoretically all players had an equal chance to win. The British enjoyed a sui generis position in that game. They alone

IQBAL FORUM

could decide the outcome, no matter how smart Jinnah or his rivals Gandhi, Nehru and others were. The British in turn were not entirely free. They wanted to retain effective control over India even after transferring power to Indians; however, the Americans made it clear that that game had to end. American anti-colonialism was also a doctrine of free trade and free markets and the colonial monopoly's hold over Asia and Africa stood in the way of the new world order that the UN Charter had proclaimed. Great Britain had won the war but had been reduced to penury with its industry smashed, acute food shortages and mass unemployment. Churchill and his ilk resented the American pressure to leave India, but they feared the Soviet Union infinitely more. Moreover, in the arch-conservative mindset typified by Winston Churchill Great Britain was entitled to remain a great power and that was incomplete if all links with India were severed. Consequently, they were determined that even if power was transferred to Indians it would be on their terms.

The Cabinet Mission

It was in this context and light that the Cabinet Mission Plan needs to be analysed. It was sent with the mission of safeguarding British financial, economic and military interests in India. The preferred solution was a decentralized India in which the Centre's powers were limited strictly to defence, foreign affairs and communications and just enough powers to raise revenues for those functions.

4 April and 16 April 1946 communications to Jinnah

As noted in the chapter on the Cabinet Mission, Pethick-Lawrence told Jinnah on 4 April 1946 that, 'If Mr Jinnah could not convince the Delegation of the defensibility of Pakistan, he was rather driving the Mission into the solution of handing over authority to a United India.' Jinnah retorted, 'if he had not convinced the Delegation he could not do so. He could not agree to anything which would derogate from the sovereignty of Pakistan.' The delegation also met leaders of other parties and it was clear to them that an agreed settlement on the future of India was not possible. In this regard, Wavell's February 1946 Demarcation Plan needs to be brought into perspective. He had

IQBAL FORUM

recommended that Gurdaspur district on the eastern side of the Ravi should remain in India. Jinnah was informed about that possibility on 16 April 1946; he was also informed that Calcutta could not be given to Pakistan but if agreed India and Pakistan could use it jointly. Therefore, the 16 May 1946 Cabinet Mission Plan did not contain too many surprises for Jinnah. The demand for Pakistan was rejected because it would leave a very high number of minorities in both states and would entail the partition of Bengal and the Punjab. On the other hand, his insistence that India comprised two nations, of Hindus and Muslims, was accommodated in the three groups the Plan recommended. Group A comprised Hindu-majority provinces, and Groups B and C consisted of Muslim-majority provinces. It was also recommended that those groups and individual provinces could after ten years reconsider their membership of the Indian union. The wording was less categorical than granting them the right to secede, but it too was something Jinnah could find palatable. From the Congress point of view, such ideas and the ambiguity about the status of hundreds of princely states were a recipe for instability and for the Balkanization of India. The princely states were required to surrender only defence and foreign affairs and continued with the internal autonomy they enjoyed under British paramountcy. Jinnah agreed to that but there was no way the Congress would agree.

The Congress insistence on an effective Centre was legitimate. As I have argued earlier a federation with a strong Centre is not the same as a unitary political system. Unitary is also used as a synonym for single state. Under the UN system all states are treated as unitary states irrespective of whether they are a federation or have a unitary form of government. For multi-ethnic, multi-linguistic, multicultural states especially of the size and complexities such as that of India it is an absolute necessity that the federation has an effective Centre to ensure coordinated and coherent domestic and external policy. The one cannot function without the other being in sync. The Nehru Report was not an exercise in abstract theorization but a very carefully discussed and deliberated model for modern state and nation-building. I have shown that the British were primarily interested in securing their interests in South Asia once they had transferred power. India as a colony provided opportunity for employment for British citizens who held important posts in the civil and military sectors. Moreover,

IQBAL FORUM

British investments and their overriding ambition to remain a great power was dependent on ensuring that the Indian Army and bases were accessible to them. Therefore, the military establishment wanted a treaty to be signed with India to that effect.

Jinnah, as an astute politician, must have realized that his ability to extract a deal on his terms was well-nigh impossible. Such a realization most certainly must have dawned on him on 4 April if not earlier when he was told that the delegation could opt for a united India unless he could convince them about the defensibility of a Pakistan consisting of two separate wings and with both Bengal and the Punjab deprived of their non-Muslim districts. Jinnah could not muster up any sound arguments because such a Pakistan would be a security nightmare. In his interviews with American and British correspondents he had been lobbying support for Pakistan warning that its rejection could plunge the subcontinent into civil war. Such threats had not dissuaded the British from trying to keep India united on their terms. Jinnah's last public stand rejecting the Cabinet Mission Plan was on 5 June, but the next day on 6 June in the meeting held in camera of the Muslim League Council, he urged the delegates to accept the plan arguing that Pakistan remained the goal and destiny of the Muslims of India.

Any reasonable and fair analysis of the events and details that transpired after the Cabinet Delegation arrived in India and began talks with Indian leaders would reject as unwarranted and grossly misleading the suggestion that Jinnah wanted a power-sharing deal between Hindus and Muslims in a united India. Jinnah was simply in no position to get a Pakistan on his terms. He did finally get Pakistan, but one that the British establishment, especially the British military, calculated would be amenable to the containment of the Soviet Union, but of that later.

Wavell

I have demonstrated that it is questionable if Viceroy Wavell was fair in his evaluations of the role of the rival native protagonists involved in the negotiations conducted by the Cabinet Mission and Wavell. The Congress rejected the Cabinet Mission Plan of 16 May and the second plan of 16 June on 25 June, but the Muslim League accepted

IQBAL FORUM

it yet refused to join the Constituent Assembly. Both sides remained unwilling to compromise on foundational ideology: the Congress could not agree that it was only a Hindu organization while Jinnah wanted the Congress to accept that it was one and also that the Muslim League had to be recognized as the sole party of Muslims with the exclusive right to nominate Muslims to the interim government.

For Wavell it was imperative that an interim government was formed, but when Gandhi told Cripps that he would exercise his influence to make the Congress agree to a national government being formed by Jinnah who could freely choose his ministers, Wavell overruled Jinnah being appointed as prime minister. He wanted to retain effective control in his hands as laid down in the 1935 Act. Therefore, the possibility of Jinnah forming the government with the Congress's support was sabotaged by Wavell. This has not been highlighted in the literature available on this subject. Instead, attention and blame has been apportioned to Nehru's impetuous press conference in Bombay on 10 July where he declared the Congress would enter the Constituent Assembly unfettered by past agreements and frame a Constitution which best suited Indian national interests.

Jinnah's call for Direct Action and the subsequent spread of the contagion of horrific large-scale communal violence remained unpunished by Wavell. In the past Gandhi, Nehru, Azad, Patel and other Congress leaders were sent to prison upon giving such calls but this time the viceroy took a long time to acknowledge that the trouble was initiated by the Muslim League. Jinnah had of course urged for peace and spoken against violence and for Wavell and the British in general that was enough not to proceed with any legal action against him. It must be said in defence of Wavell that he had already expressed doubts about Britain's ability to hold on directly to India for long, and the Breakdown Plan of 27 December and the Demarcation Plan of 7 February 1946 were a realization of that. He had begun to doubt the loyalty of Indians after many who were captured by the Japanese joined the INA and fought against the Allied forces. Then, the uprising of naval ratings in February 1946 was further proof of the eroding capability of Britain to effectively control India. Most of the British and native troops were still abroad and many of those who returned were retired and sent home. For the former field marshal viceroy,

IQBAL FORUM

the writing was on the wall and taking stern action against Jinnah could result in a violent Muslim reaction as Jinnah had been warning; hence there were practical reasons why Wavell was not willing to take action against Jinnah.

In any case, Wavell was still determined to establish an interim government with himself as the head of the government. It was agreed to by London. Wavell created a sensation by inviting Nehru to form the government. One reason could be the reports he had received from his British colleagues that an interim government without the Congress would create more problems than solve them. Therefore, he urged Nehru to invite the Muslim League to join the government. Finally, in October 1946 Jinnah after considerable wrangling agreed to let the Muslim League join it. However, it was a parody of the cabinet form of government. The ministers worked at cross purposes. Finance Minister Liaquat Ali Khan's famous budget attacking the business community and industrialists was ostensibly a radical programme in favour of taxing the rich in favour of the poor, but the Muslim League's own strength lay in the landlord class for which nothing substantial such as land reforms was included. As expected, the Congress considered it subversive and it was not surprising that Patel and other right-wing Congressites linked to non-Muslim big bourgeoisie exerted pressure on Nehru and his left wing in the interim government to think in terms of a partition as the only way to rid India of Jinnah and the Muslim League.

Mountbatten

The choice of Lord Louis Mountbatten as the last viceroy of India is a subject of many books laced with controversy and scandal. We have looked at the circumstances under which he was given the task to transfer power to Indians in a way that India, united or partitioned, remained in the British Commonwealth. The goal and objective were still a united India but linked to Britain through treaty, including provisions for mutual defence agreements, which would include use of bases and the Indian Army, in case of a major conflict—for example, a movement southward by the Soviet Union. That the Soviet Union had been devastated during the war with 27 million Soviet citizens dead, its industries in ruins and its ability to launch military action

IQBAL FORUM

far away in South Asia severely curtailed, was no rational reason to believe in a Soviet bid towards the subcontinent, but British obsession about Russian, later, communist expansion in that direction was too deep-rooted. Mountbatten's overt brief to transfer power and his covert brief to ensure that India remained linked to Britain through treaty, united or divided, was to be the framework in which he was to bring British direct rule in the subcontinent to an end.

The appointment of Mountbatten obviously did not please Jinnah. His leftist leanings and his pro-Congress sympathies and friendship with Nehru were known. Not surprisingly, Jinnah's first meeting with Mountbatten reflected mutual antipathy. Such personal dislikes apart, the transfer of power had to conform to some consistent standard and the British were very particular about maintaining their reputation as fair and neutral arbiters. So, if India could be partitioned because a minority wanted to secede and form a separate state in areas where it was in a majority without the majority having the right to reject it, then the same could apply to Bengal and the Punjab, Mountbatten told Jinnah. That logic was unassailable as Mountbatten asserted, and he was right. Jinnah in sheer desperation talked about Bengalis and Punjabis being one people and splitting them a grave injustice to their identity but that contradicted his core argument set forth in the two-nation theory that Hindus and Muslims were two separate nations.

Now the chickens were coming home to roost. His demands for a corridor through more than a thousand miles of Indian territory between West and East Pakistan was hugely irrational and the famously realistic and practical Jinnah who considered abstract thinking and idealism a waste of time, was now using straw man arguments. The problem was that Jinnah was obsessed with having India partitioned and mustered up arguments by asserting that once two communal nation states were created, peace would prevail in India. But his rhetoric and demagogy was thoroughly and irreversibly laced with emphasis on the incompatibility and hostility between Hindus and Muslims; moreover, after the outbreak of communal violence in Calcutta in mid August 1946, to believe that the partition would be peaceful and result in peaceful relations between India and Pakistan was patently questionable. The warnings from the Punjab especially were very clear: a bloodbath was in the offing.

IQBAL FORUM

There is no denying that the budget prepared by Liaquat Ali Khan for the interim government had greatly antagonized Patel and the Congress right wing. After 8 March 1947, when the Congress passed a resolution supporting the Sikh demand for the partition of the Punjab, its leaders were now reconciled to the idea of Partition and wanted an optimal deal. That is why Nehru and others spearheaded the campaign opposing the emergence of a united Bengal, insisting that Bengal should be partitioned as well with West Bengal joining India. It is worth noting that Sir Khizr Hayat Khan Tiwana had suggested that another dominion could be created: that of a united Punjab. However, British strategic thinking was premised on two dominions and that is what finally emerged in the form of the 3 June 1947 Partition Plan. Just as Jinnah wanted as much territory as he could get for Pakistan, the Congress leadership was equally determined to maximize the territory of the Indian dominion. Security considerations coupled with acrimony deriving from failed negotiations over the future of India, meant that no side was willing to let go an inch of land they could get out of the partition of India, Bengal and the Punjab.

Meanwhile, in London the British military had reversed its position on the partition. Whereas on 11 May 1946 Auchinleck had concluded that a united India was preferable and therefore Pakistan should not be created—primarily to preserve a united Indian Army to prevent perceived Soviet expansion towards Asia—one year and one day later the lobby in favour of Partition came to the diametrically opposite conclusion. The memorandum of 12 May 1947 was positive towards Partition on the grounds that while India might choose to follow an independent foreign policy, Jinnah was agreeable to remaining in the Commonwealth and therefore if Pakistan came into being, the British should demand access to Karachi port facilities, Pakistani air fields and bases and Muslim manpower. Mountbatten went even further and succeeded in convincing both Nehru and Jinnah to remain in the Commonwealth.

Bringing the date forward drastically from June 1948 to mid August 1947 must be blamed on Mountbatten, though before announcing it he had gone to London and convinced his superiors that it was in their best interest to transfer power and achieve a fait accompli. One can understand that he did not anticipate that communal riots of the magnitude which broke out at the time of Partition and continued for several months thereafter would take place because the main leaders

IQBAL FORUM

had assured him of their cooperation, but against such assurances were the reports from the Punjab that communal rioting was on the increase all the time. His belief in his ability to get things done as he wanted proved completely misplaced.

Jinnah made the situation worse by suddenly deciding to become Pakistan's governor-general. Mountbatten tried to dissuade him, but Jinnah was impervious to all arguments about a more orderly and coordinated transfer of power being possible if a united chain of command oversaw the situation. Yet on 4 August Mountbatten maintained a neutral position. He wanted Pakistan to get more fighter aircraft than the overall proportion of 70:30 because of the volatile situation in the tribal areas on the border of Afghanistan. He even advised Jinnah to declare that the border with Afghanistan (the Durand Line) was the international border. The reason is that Mountbatten was still thinking in terms of the overall British military mindset that the NWFP needed to be pacified to discourage any Soviet temptation towards South Asia. However, once power was transferred to the two dominions and Mountbatten was sworn in as the governor-general of India, he was expected to uphold the best interests of India. About the Radcliffe Award and Mountbatten bringing about changes in it because of the alleged influence of Edwina Mountbatten and Nehru, I need not say much. Both on Gurdaspur district and Calcutta the Cabinet Delegation had made clear to Jinnah that Pakistan might not get them.

Saddled with the idea of a confessional nation, Jinnah successfully blasted the Congress's counter notion of an inclusive, territorial nation, attacking its soft underbelly represented by the caste system. With such conceptual weaponry and arsenal, he outwitted and outmanoeuvred Gandhi, Nehru and others. Only, the limits of his extraordinary charisma and skills were set by the British who gave him a Pakistan which was a security nightmare—warning him that if he insisted on getting Pakistan, he would get it in a very different size and shape. While bolstering Pakistan as a front-line state against the Soviet Union was the decision on which the British establishment finally agreed and granted independence, the same establishment was fully conscious of the fact that annoying India too much could force it into the arms of the Soviet Union. Also, not long ago the British had been the main architects of the dismemberment of the Ottoman Empire. Why would they now want to create a powerful

IQBAL FORUM

Muslim state in South Asia which might develop its own ambitions to revive militant Islam? Churchill, who one can safely assume was the main backer of the idea of creating Pakistan, was on record having declared Islam not as a moribund culture but one aspiring for power and revival. Therefore, Pakistan had to be the weaker of the two dominions. Mountbatten had warned Jinnah about it but the latter was determined to have India partitioned to create Pakistan and thus vindicate the two-nation theory and redeem his own role in history.

To sum up, Jinnah's most celebrated third phase as champion of the two-nation theory and Muslim nationalism, was essentially an argument to justify the partition of India. The underlying logic, the language, rhetoric and demagogy employed by Jinnah to justify and legitimize the partition of India was based on Islam as the foundation of national identity. As argued, this meant that Pakistan, the nation state he created by changing history and geography, would have to give recognition to the foundational ideology upon which it had been demanded and won.

On the other hand, Ayesha Jalal and her followers have advanced the untenable thesis that after 1939 Jinnah strove for a power-sharing deal with the Indian National Congress on the basis that Muslims were a nation and that similarly Hindus too were a nation. Therefore, when the Cabinet Mission Plan was accepted by Jinnah and rejected by the Congress, Jinnah's 'real intention' to be willing to agree to a power-sharing deal was affirmed and it was the Congress which ditched the idea of a united but decentralized India. She asserts, 'Since 1940, Jinnah had maintained an immaculate silence on the inner meaning of the Pakistan demand.'[3] True. She describes how successfully Jinnah let different Muslims imagine Pakistan according to their own light. She informs us that Jinnah wanted the whole of Bengal and the Punjab but did not want to leave the Muslims in the Hindu-majority provinces unprotected.[4] She then makes this startling remark:

> Undivided provinces and protection for minorities could only be achieved inside the framework of an [sic] union with an effective centre where the League had an equal say.

This, we are told, he wanted to ensure by insisting that Muslims were a nation and therefore entitled to 50-50 share at the Centre.[5] So, according to Jalal, Jinnah wanted an Indian union with a

IQBAL FORUM

'Pakistan' granted the whole of Bengal and the Punjab and an equal share in an EFFECTIVE CENTRE (emphasis mine). He calculated that the Congress would not accept such parity; and on such a basis she informs us, 'It was only by pressing for even more than he had been offered that Jinnah hoped to persuade Congress to accept the Mission's proposed all-India federal scheme as a lesser evil.'[6] This, according to Jalal, was Jinnah's real intention.

As I have pointed out in the first chapter and subsequently in the chapters dealing with the two-nation theory and Jinnah's championing of Muslim nationalism as the ideology underlying the demand for Pakistan, from 22 March 1940, Jinnah never, even once, showed any interest in a united India and in a power-sharing deal with Hindus and Muslims as equal nations sharing power at the Centre. Jalal omits all those speeches, statements and messages where ad infinitum he reiterates that the Lahore Resolution means the division of India into Hindustan and Pakistan. In fact, on several occasions, Jinnah actually rejected with contempt suggestions that the Pakistan demand is a tactic to extract from the Congress a greater share for Muslims in a united India. It is intriguing that not until now has anyone undertaken a proper study to scrutinize if Jalal's thesis was plausible in the light of the existing literature available in the public regarding Jinnah's speeches, messages and statements. On the other hand, many scholars have questioned it, and in the public there is a visible discomfort with the assertion that Jinnah did not want Partition but the Congress did. What about the consequences of keeping the idea of Pakistan as ambiguous as possible so as to let the highly variegated Muslims—divided deeply on belief and sect, degrees of modernization and traditionalism—indulge their fantasies about what Pakistan meant to them? The truth is that Jinnah did not just let the ulema and pirs project Pakistan as an Islamic state where sharia would be the source of law; he said it in as many words on several occasions. Terms and expressions such as 'Islamic state', or that the foundations of Pakistan were laid when the first Indian converted to Islam, or the constant Othering of Hindus and Muslims as not only two separate but hostile nations who could live in peace only if neatly separated and saying that the Muslims in the Hindu-majority provinces must be willing to make the ultimate sacrifice to enable Pakistan to come into being, were all his words.

IQBAL FORUM

Those words had served to mobilize the disparate Muslim community of India to support Pakistan (notwithstanding that voting rights were restricted to some 10–12 per cent of the population of India). The rhetoric and demagogy Jinnah employed had become part of the mass consciousness, which no amount of charisma could wish out of existence. On the other hand, the fact remained that the Congress did not easily fall prey to Jinnah's celebrated tactics. As I show, they remained steadfast in what they wanted and agreed only to the Pakistan that Jinnah called 'moth-eaten'.

I have shown that Gandhi had proposed in 1944, and Wavell had tacitly approved (and in his 7 February 1946 Demarcation Plan had indicated where the border between India and Pakistan be drawn), the shape of future Pakistan, but Jinnah would not agree to anything but his maximalist demand to have India partitioned with Bengal and the Punjab as a whole given to Pakistan. Jinnah's celebrated intransigence overruled all compromises until he realized to his peril that the British may leave India on the terms the Congress wanted. Only on 6 June 1946 he accepted the Cabinet Mission Plan, which the Congress would not agree to because it proposed an emasculated Centre with most powers vested in the provinces, which, after ten years, could reconsider if they wanted to remain in the Union, and the princely states retaining virtually all those powers they enjoyed under British paramountcy. It was a recipe for disaster. One can safely argue that had Jinnah accepted Gandhi's offer of 1944, the Partition riots of 1947 perhaps could have been prevented or kept to a minimum.

Jinnah as Pakistan's all-powerful head of state

Undoubtedly Jinnah's leadership charisma, his single-mindedness and boundless energy had been pivotal to the redrawing of the map of India, but equally the power of the word or idea as an independent force which once it becomes part of mass public consciousness acquires a life of its own is equally true. Jinnah invoked Islamic principles and imagery, borrowed from Iqbal and Choudhary Rahmat Ali to create a powerful discourse in favour of a separate Muslim state. Now when the state had been established what was his core argument about its distinctive identity and ideology? The evidence suggests that he had not seriously thought beyond winning the state. To win Pakistan

IQBAL FORUM

he had made all sorts of varying promises. He realized that such a strategy had evoked conflicting hopes and aspirations. As noted earlier, Pakistani historian Dr Yaqoob Khan Bangash told me in an email communication that Jinnah had admitted when he spoke to his aides, Sahibzada Yaqub Ali Khan and naval officer Syed Ahsan, that since he had made different promises to different people about the type of state Pakistan would be, he believed it would take some time before that was sorted out, and that he had left that task to the Pakistan Constituent Assembly.

An ad hoc core argument as governor-general?

Given the absence of clear and sustained thinking on what sort of a state Pakistan would be, Jinnah had to improvise some basic argument upon which he could base his role as governor-general. In such circumstances, the refugee crisis, the dearth of basic infrastructure for running the government and the acute paucity of economic resources, and the perceived vulnerability to Indian aggression furnished the basis for Jinnah to argue that Pakistan's survival was gravely threatened. Not surprisingly, his proverbial suspicion about the Congress leaders conspiring against him and the Muslim League, now metamorphosed into an argument that India was hell-bent on destroying Pakistan. In one sense then it became a core argument which was reflected in his speeches and decisions.

Notwithstanding the fact that the dreaded influx of millions of Indian Muslims had not taken place, the assassination of Gandhi at the hands of Hindu extremists had finally made Jinnah concede that his arch-rival was a great leader and not just a great leader of Hindus. However, the scramble over the princely states and armed hostilities in Kashmir with India presumably convinced Jinnah about the righteousness of his belief that the Congress was still conspiring to harm Pakistan. Thus, as already noted earlier in his last communication on 14 August recorded in Ziarat for Pakistani Muslims he typically warned them:

> Disappointed in their efforts by other means to strangle the new State at its very birth, our enemies yet hoped that economic manoeuvres would achieve the object they had at heart. With all the wealth of argument and detail, which malice could invent

IQBAL FORUM

> or ill-will devise, they prophesied that Pakistan would be left bankrupt. And what the fire and sword of the enemy could not achieve, would be brought by the ruined finances of the State. But these prophets of evil have been thoroughly discredited. Our first budget was a surplus one; there is a favourable balance of trade, and a steady and all-round improvement in the economic field.

Riding the tiger: Islam and Pakistan

Despite all the rhetorical skills and clever political tactics of Jinnah to evade explaining what sort of state Pakistan would be, the fact was that Pakistan was by default an ideological state grounded on a confessional basis: religion was the basis of nation and that too a religion whose most coveted and revered political characteristic was the state of Medina. Jinnah was on record repeatedly stressing that Muslims had their distinctive law, culture, history and way of life. He had on some occasions described Pakistan as an ideological state warning the communists who had joined the Muslim League that they should desist from trying to use the Muslim League to propagate their ideology because the Muslim League had an Islamic ideology to guide its politics and policies.

Already at the banquet for the Mountbattens, Jinnah had countered Lord Mountbatten's example of Emperor Akbar as a paragon of a just ruler with the example of Prophet Muhammad (PBUH) as the exemplar par excellence of the ideal ruler. Nevertheless, the absence of the mention and discussion of Islam in the polity in Jinnah's 11 August 1947 speech had startled even his closest associates while in political circles speculations about the implications of such omission became a subject of concern. His close associate Shabbir Ahmad Osmani demanded commitment to create an Islamic state and the same demand was made by Maududi in his lectures at the Lahore Law College. Jinnah laid to rest all speculations when on 25 January 1948 while addressing the Karachi Bar Association he expressed annoyance over people wondering about the principles which would shape the Constitution of Pakistan by declaring that 1300 years ago that issue was solved and the Pakistan Constitution will be framed in the light of the Islamic sharia.

IQBAL FORUM

His letter to the head of the Egyptian Muslim Brotherhood, the subsequent setting up of the Department of Islamic Reconstruction under Allama Muhammad Asad in Lahore, and the speech at the inaugural ceremony of the founding of the State Bank of Pakistan urging bank officials to craft an Islamic alternative to Western capitalism and Soviet communism were efforts to reaffirm the Islamic identity of Pakistan. That he hoped that the Islamic polity which would emerge from such efforts would be a modern state representing ideal Muslim democracy which treated women and non-Muslims as equals was consistent with the way he had argued for Pakistan and mobilized support across the barriers of sect and language and region. The same continued when he was governor-general. Almost invariably his public statements and messages were addressed directly to Pakistani Muslims or the Muslim nation. He almost never used phrases like 'My dear Pakistanis'. On the other hand, as governor-general, he almost always reminded the Muslims that it was their bounden duty to treat non-Muslim Pakistanis very well. Such reasoning was perfectly consistent with the underlying logic Jinnah had developed in the seven years before Pakistan came into being. His arguments were directed towards Muslims whose support he needed and solicited. Apprehensive minorities were told that they would be treated well but it was Muslim support he sought. Now that Pakistan had come into being, he continued to address essentially Pakistani Muslims with a view to maintaining the unity of Pakistan when he urged them to back up his efforts to mobilize support from Muslims for his project.

One can wonder what would have happened if the Hindus and Sikhs had remained in Pakistan as the 3 June 1946 Plan had laid down. West Pakistan would have more than 21 per cent Hindus and Sikhs and there would be nearly 23 per cent Hindus in East Pakistan. Would that demographic complexion compel a more inclusive terminology to evolve? Perhaps, but the 7 March 1949 Objectives Resolution had found a way out by reposing sovereignty in God while pledging that non-Muslims would enjoy full religious freedom and could even enjoy political rights to the extent of a non- Muslim becoming the prime minister. That in the long run, the idea of sovereignty of God facilitated incremental increase in discriminatory constitutional and legal provisions derived from the fact that the structure of opportunity was biased in favour of those forces which

IQBAL FORUM

wanted Pakistan to incorporate more rather than less Islamic features in the Constitution and law.

Jinnah's decisions which gravely undermined the parliamentary system of government

What Jinnah's fourth phase also brought out was that he could use his power and authority in grossly arbitrary ways. A favourite lament which one hears in Pakistan is that India could stabilize as a democracy because Prime Minister Jawaharlal Nehru was at the helm of affairs for seventeen long years to steer India away from disturbances and upheavals, while Pakistan's bad luck was that Jinnah died too soon after Pakistan had come into being. Had he lived that long, Pakistan too could have become an ideal Muslim democracy.

The facts belie such analogy. Khalid bin Sayeed in his book *Pakistan: The Formative Phase* was the first scholar to dare provide details of how Jinnah flouted his office, acquiring powers not permissible under the parliamentary system of government. Jinnah presided over cabinet meetings and had the last word on all decisions while Prime Minister Liaquat Ali Khan signed the documents formally. His dismissal of elected governments of NWFP and Sind were the most egregious examples of a governor-general flagrantly overstepping his office. The declaration of Urdu as the national language of Pakistan deepened the sense of deprivation and alienation of the Bengali majority of united Pakistan which had already developed a grievance because in the first federal cabinet only one Bengali, Fazlur Rahman, a little-known political figure, had been included. Allen McGrath titled his book *The Destruction of Pakistan's Democracy*. The seeds of destruction, according to McGrath, were laid by Jinnah. He goes over the same details as Khalid bin Sayeed regarding the role of Jinnah. He demonstrates that viceregal supremacy established by Jinnah was perpetuated by Liaquat Ali Khan who as prime minister continued to rule autocratically. Governor-General Malik Ghulam Muhammad completed that process by dissolving the Pakistan Constituent Assembly which was about to adopt the first Constitution of Pakistan. That later the military began to call the shots directly and since then its will overrules that of civilian governments I demonstrate in *Pakistan: The Garrison State*. Therefore, the belief that had Jinnah

IQBAL FORUM

lived longer Pakistan would consolidate as a democracy can always be debated.

Jinnah and the princely states

Jinnah faltered gravely in his dealing with the question of princely states. He had argued on behalf of the princely states on their right to remain independent. On 11 August 1947, when Kalat declared itself independent, Pakistan accepted that, but in late March 1948, the Khan was cajoled into signing the accession bill to join Pakistan and Pakistani troops marched in. In September 1947, Jinnah accepted the accession of Junagarh, far removed from the India–Pakistan border and hundreds of miles within India, to join Pakistan, because the Muslim nawab ruling over a large Hindu majority had decided to join Pakistan. That established a precedent which contradicted his stand on Kashmir. He tried to woo even Hindu-majority princely states ruled by Hindu maharajas to join Pakistan. Such an irrational approach derived from his basic political goal: to bring about the division of India and get as much territory as possible out of India for Pakistan. The opposite happened. It made him commit major blunders over Kashmir and Hyderabad.

Chaudhri Muhammad Ali, in his interview to K.H. Khurshid, admits without any circumlocution that Jinnah spurned an offer from Patel to let Pakistan keep Kashmir if it did not support the Nizam of Hyderabad's resolve to declare his state independent. His view that Jinnah was playing for some higher stakes suggests that Jinnah's inner circle was aware of his connections with Churchill and other conservative British politicians who one can imagine had promised him much more than was given him. Churchill's defeat in the 1945 election may have weakened Jinnah's ability to extract concessions but neither Churchill nor anyone else would have been able to grant him his demands which were contrary to imperial ambitions and geostrategic thinking. As already argued the British preference was an arrangement under the Cabinet Mission Plan but opinion and assessment had changed about its usefulness, and the British military and others had concluded that the creation of Pakistan was the better bet to continue to exercise overlordship in South Asia. The borders of Pakistan, which Wavell had recommended in February 1946, were the brainchild of V.P. Menon who was given that task by Wavell and not Mountbatten

IQBAL FORUM

as is alleged by some. This has been demonstrated in an earlier chapter. Wavell, however, had hoped to use that plan to discourage Jinnah from demanding Partition because Pakistan, according to that scheme, was militarily indefensible, but the Cabinet Mission Plan failed to achieve that objective. At that stage, the thinking shifted in favour of a weak and vulnerable Pakistan which Sir Francis Tuker and others had favoured and which on 12 May 1947 enjoyed the support of the British military and other senior officials of the India Office.

Ironically, however, although Jinnah acquired extraordinary powers as governor-general, his ability to make decisions over Pakistan's military involvement were limited. Thus, for example, Auchinleck overruled his decision to commit the Pakistan military directly to a war with India over Kashmir. According to Chaudhri Muhammad Ali:

> The refusal of Field Marshal Sir Claude Auchinleck, who held supreme command over Indian and Pakistani armed forces at the time, to allow Pakistani troops to march into Kashmir was the first shock to Mr. Jinnah, and it was after that his health began to deteriorate, never to recover.[7]

The ultimate irony was that General Gracey, the officiating commander-in-chief of the Pakistan Army, who refused to obey his orders was promoted to commander-in-chief ostensibly by Jinnah but since Pakistan was merely a dominion and one seeking British patronage, orders to appoint Gracey as commander-in-chief most probably were issued by London. The mitigating or face-saving factor was that Gracey had agreed to let the Pakistan Army fight India openly from April 1948 onwards but by May 1948 the Indians were driving the Pakistanis back. Both sides dug in and a stalemate had occurred. A ceasefire was agreed soon after Jinnah died.

Marketing Pakistan as a front-line state against Soviet communism

As already noted, Jinnah had been trying to cultivate American patronage since before the British transfer of power. His overtures had failed because in American strategic thinking a united,

IQBAL FORUM

democratic, secular India was a better option than a divided South Asia. Jinnah, however, continued with his efforts, and his interview to Margaret Bourke-White and his meeting with American diplomats in Karachi, his message to the American people—all were premised on the calculation that Britain was a spent force and the United States of America the rising leader of the Western world. Jinnah was unabashedly anti-communist. All his life he had defended the right to private property of the privileged classes and was himself a phenomenal example of wealth he had acquired through hard work and a keen sense of reading market trends in the form of buying and selling of stocks.

Jinnah's Pakistan after him

Since Jinnah had won Pakistan in the name of the Muslim nation, and the Muslim nation had been mobilized to support him because they hoped to realize their material ambitions and their spiritual aspirations in a state of their own, it was not surprising that Islam became the core characteristic of the foundational ideology of Pakistan and thus the framework within which the Constitution, laws, the rights of citizens as well as relations with India had to be agreed. As argued, the idea of a Muslim nation had animated Muslims to support a separate state of their own, and even if Jinnah did want to sever that connection and make Pakistan a secular state it was well-nigh impossible to do that simply because he had changed his opinion. As we know, the 11 August 1947 speech was meant to prevent the exodus of minorities as it would entail millions of Muslims heading towards Pakistan. The problem was that the idea of a homogeneous Muslim nation was a myth. The divisions between Muslims began to surface soon after Jinnah died. During his lifetime nobody dared to question him, and he used his prerogatives as freely as he felt he needed to serve the best interests of Pakistan.

The Objectives Resolution was by no means a betrayal of Jinnah's secular vision as the Hindu members complained: it was a manifestation of the overwhelming majority view that Jinnah promised them a Pakistan which would embody Islamic principles in letter and spirit. However, the deliberations of the Pakistan Constituent Assembly exposed divisions over the role of Islam in Pakistan. The

IQBAL FORUM

modernists wanted Islam to provide the moral basis of democracy; the conservative and fundamentalist Muslims—the Islamists—wanted Pakistan to be an Islamic state modelled on the example of the state of Medina. Shabbir Ahmad Osmani, Abul Ala Maududi and other Islamists began to clamour for the resuscitation of the pristine ideal Islamic state. In 1951 a twenty-two-point programme drafted by Maududi for Islamization of state and society was agreed by clerics and ideologues of all Sunni sub-sects and Ithna Ashari Shias. In 1953 they launched the campaign to have the Ahmadis removed from key positions on grounds that they held beliefs heretical and subversive to cardinal Sunni–Shia belief in the finality of prophethood of Muhammad (PBUH). That the spiritual head of the Rabwah branch of Ahmadis, Mirza Bashiruddin Mahmud Ahmad, had provided ample grounds for such a reaction by urging his followers to convert the whole of Baluchistan to the Ahmadi faith needs to be brought into the picture. Quite simply if Pakistan was a state created for Muslims the question *Who is a Muslim* was inextricable from the definition of a Muslim. While the Munir Report observed that even Sunni and Shia ulema excluded one another from the category of Muslims, the overriding chasm between them and Ahmadis was over the status of the prophethood of Muhammad (PBUH) and the claim of Mirza Ghulam Ahmad to be a prophet, even one not laying claim to be the bearer of a new law but a restorer of true Islam.

Beginning with the 1956 Constitution and continuing to the 1962 and 1973 Constitutions the commitment to bring all laws in conformity with Islam and the reservation of key offices for Muslims moved in the Islamist direction though modernist ideas of fundamental rights were retained. The declaration of the Ahmadiyya community as non-Muslims, followed by the adoption of Hudood laws, imposition of zakat by General Zia and the introduction of the blasphemy law indicated an incremental but cumulative movement towards Islamism. Beating was nothing more than vain delusions.

The Maoist effort to provide Pakistan with class justifications was the most bizarre. As already noted, the Congress was backed by the big Indian bourgeoisie, or industrial class, which wanted the Indian market to sell its products. However, it changed its mind later, most notably after the budget prepared by the finance minister, Liaquat Ali Khan, which heavily taxed business and commerce, while it had nothing to

IQBAL FORUM

say about land reforms or taxes on the landowning classes. That was in spring 1947. However, it is a travesty of Marxist theory and analysis to thereby conclude that the Muslim League was the representative of the rising, weaker Muslim bourgeoisie unwilling to accept the domination of the non-Muslim big bourgeoisie. I have gone to great lengths to step-by-step trace the evolution of the partition logic and process and if at all one is to apply Marxism intelligently and honestly, the evidence points to the Muslim League primarily catering to the interests of the landowning classes of West Pakistan. The landlord class and the powerful ulema championed a communal ideology harking back to a golden past. On the other hand, no doubt Jinnah and the Muslim League had appealed to the Muslim commercial bourgeoisie to support Pakistan, where it would find virgin territory to prosper and grow. However, the Muslim bourgeoisie was by no means a class which enjoyed either economic or political clout; rather, it was a class which was nurtured to establish itself only after Pakistan came into being. Moreover, a sizeable middle class and an organized mass party was absent in the case of Pakistan. The Muslim League was a collection of factions and cliques which did not share a strong national consciousness. Islam, the religious faith, which connected them to one another, was the only bond they shared but it was tenuous and ridden with doctrinal disputes and conflicts.

Moreover, the founding of Pakistan as a special state of the Muslim nation provided the structure of opportunity for striving to make Pakistan a state of true Muslims. Thus, it was the elected members of the Pakistan National Assembly who voted overwhelmingly to declare the Ahmadis non-Muslims. Reaching an illiberal and undemocratic decision through democratic procedure, was only possible in Pakistan because if the state was founded for the Muslim nation the membership of such a nation could only be granted based on the individuals and groups holding beliefs compatible with true Islam. Such reasoning followed inescapably from the confessional nature of the two-nation theory. Jinnah may have believed that by appointing Sir Muhammad Zafrulla Khan he had established a precedent his successors would adhere to without questioning it. However, this proved illusory.

One must grant Jinnah could not have anticipated that once Hindus and Sikhs were gone the two-nation theory would turn inside viciously to find out who believed in true Islam and who did not, and that would inadvertently sharpen latent divisions within the so-called

IQBAL FORUM

Muslim nation causing fierce and violent conflicts to erupt. Jinnah was against secular, territorial, non-communal nationalism, but he was no advocate either of a theocratic Islamic state presided over by clerics or Islamist ideologues.

Jinnah's Pakistan was conceptually a theonomy or rather a nomocracy

In conceptual terms, the only way to describe and define the ideological foundations of Pakistan is that the supremacy of divine law limited the freedom to establish a modern secular democracy. In that sense it was a case of a theonomy. However, the Muslim modernists including Liaquat Ali Khan and others while subscribing to the 'sovereignty of God' reposed the right to interpret divine will in the members of the Pakistan Parliament. In that sense, then what was fundamental and non-negotiable was the supremacy of law, but it was left to elected parliamentarians to interpret it instead of the ulema. Therefore, the term nomocracy is a better description of the idea of both the supremacy of sharia law and the right of legislators to interpret it in the light of the overall context of the modern times. This modernist position in favour of a nomocracy continues to characterize the Pakistani Constitution though in legal matters over time more and more concessions were made to theonomic ideas about what the supremacy of law entails. Therefore, one must be cognizant of the fact that since the sharia is considered revealed and therefore inerrant, it imposes restrictions on the right of the representatives of the people to freely interpret the will of God. Within such parameters, the Pakistani nomocracy based on the 'the rule of law' is conceived in Pakistan.

Therefore, while Pakistani Muslims or for that matter Muslims in general correctly distinguish between theocracy in which a priestly class has the monopoly to interpret divine law and to rule, the conventional Islamic approach is to acknowledge the supremacy of the sharia but repose the right to interpret it in Muslims. In Saudi Arabia and Iran nomocracy leans more towards Islamic experts having the last word in interpreting the will of God; nomocracy in Pakistan leans more towards a modernistic interpretation of the sharia. One can say that Jinnah, Liaquat and other modernists culturally and intellectually were

IQBAL FORUM

in favour of a Muslim nomocracy rather than an Islamic theonomy. What can most certainly be discarded as unfounded and unwarranted is that the two-nation theory and the demand for Pakistan was about a secular-democratic Pakistan. The argument that it was a state for Muslims and not Islam is rhetorical and superficial. Nationalism based on descent, race, religion or sect and so on invariably privileges the primary nation of birth or faith and the group over the individual. The rise of the BJP in India is a good comparative case study, though the Indian Constitution constrains it from explicitly incorporating Hindutva cultural nationalism, which the erstwhile Indian Congress leaders had rejected.

The India–Pakistan imbroglio

Jinnah's argument that separating Hindu India and Muslim Pakistan would usher in peace in the subcontinent was another flawed idea. Instead Yahya Khan's prophecy that the partition of India would mean India and Pakistan fighting one another proved to be true. Bitter disputes over the division of colonial assets, territory and princely states meant that from the outset both states were going to experience great difficulty in establishing normal friendly, neighbourly relations. Three wars, and a mini war at the inhospitable Kargil heights when both were armed with nuclear weapons showed abundantly that the partition of India was not going to result in the peace Jinnah predicted.

Also, since the Partition did not mean an exchange of population on a religious basis, the tiny Hindu community in Pakistan (hardly any Sikhs stayed on in Pakistan) and the relatively much larger Muslim minority in India were greatly disadvantaged. The zeal to Islamize Pakistan impacted negatively on all religious minorities—Hindu women especially were subjected to forced conversions to Islam—while in India it gave birth to the conspiracy theory that Muslims were a fifth column: they were Pakistanis masquerading as Indian citizens. They ought to be dispatched to Pakistan. Of course, sane voices on both sides have been raised against such negative stereotyping but on the whole India–Pakistan relations are a continuation of the two-nation theory proving a self-fulfilling prophecy.

On the other hand, the few times Indians and Pakistanis have met freely during cricket matches and other sport events or visited each

IQBAL FORUM

other's country the experience has belied the stereotyping and amazingly warm receptions have been given and friendships formed. It is at the level of state where relations between the two nations have been marred by zero-sum games between the Indian and Pakistani establishments, and set in motion an arms race which claimed scarce resources which otherwise could have been available to invest in human resource development, fighting climate change and environmental degradation. Should India be blamed more than Pakistan or vice versa for the bad relations between them? The question is moot. There is, however, no doubt that if Jinnah and the Muslim League had not demanded the partition of India to create Pakistan and the British not granted it, the leaders of the Indian National Congress would not have agreed to it.

Jinnah's role in history

In the light of the above analysis of Jinnah's long political career we are now able to conclude that Jinnah as the Hero or Man of Destiny in Carlylean terms fits the bill abundantly because his boundless energy surmounted apparently insurmountable obstacles. However, in my view, he was not the case of Carlyle's saint but of a man motivated by an ambition to power, albeit power to do good as he understood his calling. Such a conviction meant conflating his ambition to leadership with the objective good of Muslims. Nevertheless, the Carlylean theory of Heroes as Makers of History has wide appeal for people fond of reading autobiographies and biographies and ascribing them the honorific designation of saints or the demeaning status of evil geniuses.

In Machiavellian terms, Jinnah no doubt outwitted Gandhi and his close lieutenant Nehru by describing differences between Hindus and Muslims as too fundamental and therefore too unresolvable ever to be bridged over by higher moral principles or abstract political theory. This idea he had expressed vividly and graphically on 10 March 1944 at Aligarh University when he told British and American correspondents that Hinduism and Islam were diametrically opposite world views and Hindus and Muslims were estranged from the day the first Indian became a Muslim and was ostracized by Hindu society. Such a description had been theorized in detail on 22 March 1940 at Lahore, and thereafter the two-nation theory and Muslim

IQBAL FORUM

nationalism had become the basis of Jinnah's politics to advance the case of partition to create Pakistan.

Did such a categorical indictment of Hindus as a hostile nation correspond to the objective conditions prevalent in twentieth-century India? The evidence was mixed but Jinnah was not the type of leader who would subordinate his assertions and arguments to the objective evidence. He held a deep grudge against Gandhi and contempt for Nehru, his chief rivals. They had not conceded his demands for keeping India united in a shape he thought was appropriate for such unity, a loose federation of nationalities with the Centre only given charge of general issues and problems. Consequently, if he had not been treated fairly, then how could such people be trusted with the destiny of millions of Muslims whose best interest he represented? Such must have been Jinnah's state of mind. Accordingly, he used all tactics and strategies to outwit and outmanoeuvre his opponents and rivals and succeeded in getting Pakistan. That the British outwitted him and outmanoeuvred him in the endgame leading to Partition and the establishment of Pakistan was the ultimate irony because the Machiavellian way of doing politics presupposes that the cleverest and most cunning would win in the end. Jinnah's success was half success: he was rewarded with a moth-eaten Pakistan.

In terms of Sikandar Hayat's interpretation of Max Weber's theory of charisma and authority one can wonder if Jinnah's case of a charismatic leader was really of the second variety: the harmonization of the mystical and irrational nature of charisma with rationalized and organized mass politics of the modern age in which material benefits rather than emotional and metaphysical goals attract people to such a leader. The evidence suggests that Pakistan evolved on a trajectory which successively drove it towards the dogmatic type of Islamic state though one can agree that such development was an unintended consequence of Jinnah's two-nation theory and Muslim nationalism.

Regarding the Marxist idea that 'men make their history, but they do not make it just as they please, they do not make it under circumstances chosen by themselves, but under circumstances directly found, given and transmitted from the past', one can grant that it captures succinctly the balance between the efforts of men and the consequences and outcomes of their actions. However, in classic

IQBAL FORUM

Marxist thinking the emphasis is on collective effort and the role of leaders is downplayed. It was Georgi Plekhanov who tried to put into perspective within a Marxist framework the role of the leader in the making of history. According to him, subjective individual human agency and the objective forces operational in the movement of society are dialectically interdependent. A man of exceptional talent and competence can grasp the contradictions present in an existing situation and on that basis, provide leadership to resolve the contradictions. However, argued Plekhanov, individuals cannot and do not create general causes. Those are inherent in a situation; individual effort or leadership can at most make a difference in a general trend or ongoing process. In other words, Plekhanov acknowledged that the talent and qualities of an individual can and do make a difference but only in amenable social and political conditions. The influence of a charismatic individual can vary from one of insignificance to one who is absolutely decisive—depending on the overall balance of social forces. However, Plekhanov remained faithful to the fundamental Marxist assumption that in the last instance the economy determined the outcomes of political ideas and actions.

The role of the economy in deciding, in the last instance, the outcome of political ideas has great significance in understanding the importance of Jinnah's vision. The indebted agricultural classes, including the landlords of West Pakistan and the peasantry of both East Pakistan and West Pakistan, saw in the creation of Pakistan a possible escape from the debts to the Hindu and Sikh moneylenders. Also, the Muslim intelligentsia or salariat felt their chances of promotion would be greatly increased and so did the smaller Muslim bourgeoisie which had mainly commercial interests in the port cities of India.

However, I have argued that a broader view of the objective conditions is needed to evaluate the role of an individual in history. Variables such as concerns about security and identity can under some circumstances assume greater importance. Politics and political outcomes are about power and power games. They consist of actions and reactions, intended and unintended consequences, ad hoc measures, as well as well-thought-out tactics and strategies. Conspiracies, real or imagined, also exist as do activities of

IQBAL FORUM

intelligence services which are not available in official documents but can be crucial, even decisive in determining the direction of politics. Therefore, political outcomes can be quite unpredictable, especially when state authority is waning and concerns and fears about an uncertain future exacerbated. Such a situation emerged after the war and assumed alarming proportions after the British government announced on 20 February 1947 its decision to transfer power to natives latest by June 1948.

On the other hand, if the Indian National Congress had categorically rejected the partition of India and the British had opposed the partition, Jinnah stood no chance of getting Pakistan. As noted, the decision to partition India and to create Pakistan was reached because the volatility, insecurity and violence which was surrounding the negotiations over the future of India sealed the fate of an India united and under Congress rule in accordance with their ideology and programme. The big non-Muslim industrial bourgeoisie too reconciled to the partition of India. It was in these circumstances that the INC reconciled to the partition of India. Finally, British strategic interests too were served by the creation of Pakistan. Therefore, in Plekhanovian terms, a situation existed in which the balance of power and the general conditions in which Jinnah's exceptional leadership could trump that of Gandhi and Nehru.

Moreover, in Carr's terms, Jinnah was a leader who, like Lenin and Cromwell, helped to shape the social forces which carried him to historical greatness. He was not like Napoleon and Otto von Bismarck, who were ordinary generals but whom social forces, over which they had little control, propelled forward.

As I have argued, we need to include the independent or autonomous role of ideas once they enter the public realm and transform mass consciousness. Having won Pakistan by invoking Islam and describing Muslims as a distinct and separate nation, these ideas constrained Jinnah's freedom to manoeuvre freely and extricate the idea and demand for Pakistan from Islam and the concomitant historical heritage and legacy of the state and politics of Muslims not only in the subcontinent but worldwide. In the case of his successors who lacked his stature and charisma, extricating the idea from the Islamic legacy was even more difficult, if not impossible. Under the circumstances, Munson's notion of the structure of opportunity, the

IQBAL FORUM

inbuilt attitudes and habits of the Muslim peoples to build a state and nation on Islamic principles and values was greatly enhanced.

Having said this, there is no doubting that Jinnah was one of the most fascinating political leaders of the twentieth-century Indian subcontinent. His successes and failures and his role in history will continue to generate controversy.

Notes

1. Ishtiaq Ahmed, *State, Nation and Ethnicity in Contemporary South Asia* (London and New York: Pinter Publishers, 1996, 1998), p. 24.
2. Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan* (Lahore: Sang-e-Meel Publications, 1992), p. 4.
3. Ibid., p. 186.
4. Ibid., pp. 186–87.
5. Ibid., p. 187.
6. Ibid.
7. K.H. Khurshid, *Memories of Jinnah*, ed. Khalid Hasan (Karachi: Oxford University Press, 1990), p. 83.

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IQBAL FORUM

Index

Abbasi, Shahid Khaqan, 670
Abbasid caliphate (750–1258 ce), 464, 467
Abdullah, Farooq, 682
Abdullah, Sheikh, 304, 582, 684
Abell, Mr, 360, 380, 398–400
Abu Bakr, 172, 211, 463, 620
Adhikari, Dr, 279, 280, 345
Afghan jihad, 573, 666, 668, 678, 680, 683, 687
Afghani, Jamaluddin, 470
Afghanistan, 121, 450, 588, 589; demand for Pakhtunistan, 515; opposed Pakistan's membership in the United Nations, 677; Pakistan, relations, 687; United States' military operations, 678; Taliban, 666;—fell from power, 679
Africa Inkatha Freedom Party, 699
African National Congress, 699
Afzal, M. Rafique, 5, 88, 494
Aga Khani Ismaili Shias, 47, 121, 599–601, 694
Ahle-Hadith, 81, 634. *See also* Wahhabis
Ahmad, Khalifa Mirza Nasir, 661
Ahmad, Mirza Bashiruddin Mahmud, 65, 82, 474–75, 646–51, 733
Ahmad, Mirza Ghulam, 81, 82, 474–75, 568, 648, 651, 661, 733
Ahmad, Nur, 626
Ahmad, Sultan, 251
Ahmad, Ziauddin, 277
Ahmadis (Qadianis), Ahmadiyyas, 11, 65, 81–83, 89, 221, 474–74, 568, 593, 646–51, 653–54, 670–71: of Kashmir, 305, 474–75; anti-Ahmadiyya riots in the Punjab, March, 1953, 646–53; opposed jihad against British, 648; and Constitution of Pakistan, 1973, 660; being treated as non-Muslims in Pakistan, 661–64, 668, 733; and Pakistan, 303–6; Rabwahs, 82, 304, 305, 474, 632, 651, 661, 733; and Sunnis, clash, 624, 649
Ahmed, Akbar S., 600
Ahmed, Fakhruddin Ali, 175
Ahmed, Sultan, 221
Ahrars, 303, 315

IQBAL FORUM

Ahsan, Captain, 590
Aiyer, C.P. ramaswamy, 434
Akali Dal, 336, 391
Akbar, 33, 34, 108, 233, 507, 727
Akbar, Said, 637
Akhand Bharat, 200, 250, 268, 534, 548
Alam, Dr, 219
Alavi, Hamza, 493, 642–43
Alexander, A.V., 337, 344, 345, 357
Ali, Abdulla Yusuf, 463
Ali, Asaf, 300, 390, 396, 406
Ali, Begum Maulana Mohammad, 219
Ali, Chaudhri Muhammad, 86, 87, 90, 91, 491, 534, 536, 548–49, 584–85, 594, 656, 730–31
Ali, Chaudhary Rahmat, 122–24, 144, 214, 216, 220, 335,.439, 476, 708, 709, 725
Ali, Khan Bahadur Maulvi Mahmud, 175
Ali, Raana Liaquat, 593, 594
Ali, Shahid, 657
Ali, Shaukat, 68, 86, 87, 187, 518
Ali, Syed Ameer, 41, 71, 470–71
Ali, Syed Zakir, 219
Aligarh movement, 471
Aligarh Muslim University (AMU, formerly Muhammadan Anglo-Oriental College), 50, 247, 277–79, 316, 737
Alipur Sharif, 311, 317
All India Radio, 43; Mountbatten announces Partition Plan, 442–46
Allied Forces, 290, 314, 718
All-India Conference of Indian Christians, 95
All-India Depressed Classes League, 343
All-India Kashmir Committee, 474–75
All-India Khilafat Committee, 65, 72, 95
All-India Momin Conference, 233, 345
All-India Muslim Majlis, 234
All-India Muslim Parliamentary Board, 234, 345
All-India Muslim Students' Federation, 251
All-India Shia Conference, 233
All-India Sikh Federation, 335
All-India Students' Federation, 620
All-India Trade Union Congress (AITUC), 95
Alling, Paul, 552
All-Parties Conference, Delhi, 1925, 89–90
All-Parties Conference, 1928, Motilal Nehru Report, 95–99, 108–12, 127, 129, 139, 146, 179–80, 356, 501, 644, 697–702, 704, 707, 716; All-Parties Convention, Calcutta, December 1928, 107–9, 110; All-Parties Muslim Conference, Delhi, 30 December, 1928, 109–11; an analysis, 99–106; in summation, 107;
All-Parties Shia Conference, 303, 345
Al-Qaeda, 217, 669, 679
Amb, West Pakistan, 539, 588
Ambedkar, Dr., 130, 141, 200, 202, 283, 341, 343, 380, 568, 681, 701–02, 709; Gandhi–Ambedkar Poona Award (Poona Pact), 1932, 146, 148, 381, 544, 644, 707; position on Pakistan, 241–44. *See also* Dalits; Scheduled Castes
American Broadcasting Corporation, 405
American War of Independence, 1776, 31

IQBAL FORUM

Amery, Lord Leo, 194, 221, 236, 245, 271–72, 289–90, 297, 337
Amtul Salaam, 201
Anand, Som, 68
Aney, M.S., 98
Anglo-Indian Association, 95
Anglo-Indians, 59, 63, 64, 95, 99, 102, 145, 240, 355, 383
Anglo-Muhammadan law, 52
Anjuman-us-asifa (Anjuman-ul-Asifa), 311
Anjum-e-Watan Baluchistan, 234
Ansari, Mukhtar Ahmed, 42, 68, 87, 91, 96, 98, 140
Ansari, Shaukat, 42
Ansari, Zafar Ahmed, 542, 633
Arab caliphates, 467–68
Arab revolt, 1916, 65
Arabs, 32, 673, 674; in Palestine, 210, 568–69, 673
Archbold, A.J., 50
Arya Samaj, 81, 89, 94, 118–19
Aryan–Dravidian distinction, 249
Aryans, 232
Asad, Allama Muhammad (formerly Leopold Weiss), 543, 570, 608, 728
Ashraf, Raja Pervaiz, 669
Ashrafs, Ashrafia, 34, 118, 319, 471, 684, 702
Asia Minor, 68, 71, 469
Asiatic Mode of Production, 643
Ata, Mohammad Hussain, 637
Atatürk, Ghazi Mustafa Kemal Pasha, 70–71, 187, 469, 501. *See also* Turkey
Atif Miyan, 671
Atlantic Charter, 1941, 253, 295
Attlee, Clement, 272, 301, 346, 359, 380, 388, 390, 406, 416, 423–25, 440; announced British withdrawal from India, 416–17
Auchinleck, Claude, 8, 330, 376–77, 381, 446, 528, 548, 583, 731; memorandum against Pakistan, 11 May, 1946, 413–15, 433, 721
Aurangzeb, 34, 35, 108, 190, 204, 233, 469
Australia, 100, 142, 336, 376, 406, 433, 550
Awami League, 659, 660, 676
Axis powers, 252, 253, 273, 290
Ayyubi, Salahuddin (Saladin), 468, 589
Azad Muslim Conference, 233–35
Azad, Abul Kalam, 42, 90, 98, 174, 218, 343, 345–46, 386, 555, 671, 681, 718; and Cabinet Mission, 338, 357; and Congress, 163–64, 233, 239, 260, 285, 298, 300–1, 358–60, 364, 367, 372, 400, 406; and Cripps Mission, 358; and Jinnah, 11, 163–64, 186, 235–36, 355, 531, 597, 709, 711; and Khilafat movement, 68–69, 71; and Nehru, 164, 373, 374, 400; Lord Wavell sends invitation to join interim government, 357–59
Azad, Prithvi Singh, 343
Aziz, Shah Abdul, 469

Babri Masjid demolition, 682
Babur, Zahiruddin Muhammad, 33
Badayuni, Abdul Hamid, 542, 650
Bahadur Shah Zafar, 37
Bahawalpur, acceded to Pakistan, 538, 587–88
Bakhsh, Col. Ilahi, 591–92, 594
Balkanization of India on religious and ethnic grounds, 123, 220, 434, 580, 716
Baluchistan, a Muslim-majority province, 91, 92, 108, 109, 110, 122, 131, 144, 181, 222, 239, 270, 286, 288, 309, 344,

IQBAL FORUM

353, 430, 443–45, 446, 449, 519, 538, 553, 573, 574–77, 588, 591, 595, 648, 662–63, 666, 733; British Baluchistan, 309, 331, 433, 446, 538, 574, 710; Muslim Students' Federation, 309
Bangash, Yaqoob Khan, 590, 644
Bangladesh, 22, 645
Banna, Hassan, 570
Bansi Lal, 127
Barelvi ulema, Barelvis. *See* Sunni
Barelvi, Abdullah, 42
Barelvi, Maulana Ahmed Raza Khan, 65, 470, 648
Barelvi, Syed Ahmed Shaheed, 469–70, 648
Bari, Maulana Abdul, 68
Barma, Prem Hari, 616, 617
Basic Principles Committee, 633, 645, 655
Battle of Gallipoli, 70
Beck, Theodore, 118
Becker, Mary Louise, 90
Bengal, 167, 173, 214, 218, 234–35, 259, 485; Anglo-Indians, 59, 64; communal violence, 2, 391–92, 415–16, 520, 540, 545, 564, 641, 718; and East India Company, 35, 36, 470; famine, 1943, 272–73, 290, 541; and Jinnah, 251, 254, 272–73, 281–82, 284–90, 300, 307, 319–20, 333–34, 484; Krishak Praja Party, 234; Muslim-majority, 2, 54–55, 59, 86–88, 90–92, 110, 145, 154, 239; Muslim League, 92, 107, 251, 282, 300, 320; and Nehru Report, 97, 99, 101–2, 108, 110; Partition, 1905, 49, 51, 60, 123, 281, 576; Partition, 1947, 4, 222, 331–35, 344, 350, 372, 382, 422–23, 424, 427–28, 433–38, 440, 443–46, 483, 486, 497, 505, 703, 716, 721;—Jinnah's stand on, 430–33; provincialelections, 1936–37, 154–55; provincial elections, 1946, 319–20, 321, 333–34; Quit India movement, 261; separate electorates issue, 108, 110, 131, 145. *See also* Direct Action; East Bengal; West Bengal
Bengali Muslims, 55, 59, 86, 90, 123, 281–82, 300, 320, 343
Bengalis in Pakistan, 487, 499, 567, 577, 643–45, 654–55, 676
Besant, Annie, 66, 98
Bevin, Ernest, 406, 423
Bhabha, C.H., 390, 396
Bharatiya Janata Party (BJP), 98, 736
Bhatti, Shahbaz, 669
Bhavnani, Nandita, 533
Bhopatkar, L.B., 344
Bhutto, Benazir, 664, 668, 678
Bhutto, Mumtaz, 662
Bhutto, Zulfikar Ali, 7, 677; the 1973 Constitution and reforms, 660–62; was tried and hanged, 663
Bihar, 37, 261, 320, 428, 443; communal violence, 219, 391–94, 397–98, 400, 420–21, 498, 522; Congress Ministry, 162, 172, 175, 185, 391–92; language issue, 118; Muslim minority, 54, 99, 220, 351; Muslim migration from, 533, 540, 576
Birdwood, Lord, 572
Birkenhead, Lord, 92, 95
Birla, G.D., 151, 236, 385, 389, 400, 418, 545
Bismarck, Otto von, 18, 740
Blair, Tony, 217

IQBAL FORUM

blasphemy law in Pakistan, 664, 668, 669, 733–34
Bloch, Joseph, 18
Bodin, Jean, 626
Bogra, Mohammad Ali, 654–56
Bohras, 33, 41, 47, 276, 303, 465
Bolitho, Hector, 1, 489–90, 554
Bolshevik revolution, 60, 94, 261, 515
Bombay Non-Brahmin Party, 96
Bombay Workers' and Peasants' Party, 96
Bose, Sarat Chandra, 357, 390, 426, 484
Bose, Subhas Chandra, 2, 96,98, 107, 128, 136, 174, 183–84, 261, 330, 357, 390, 426, 517, 707, 709
Boundary Commission, 443–44, 448–49, 527; Bengal Boundary Commission, 444, 449–50; Punjab Boundary Commission, 449–50, 492, 568. *See also* Radcliffe, Cyril (Radcliffe Award)
Bourke-White, Margaret, 514–15
Brabourne, Lord, 170–72, 190, 706
Brahmo Samaj, 81
Brar, Digambar Singh, 452
Bright, John, 276
Brij Narain, 634
British: annexation of India, 52; annexation of Sind, 121; colonial system, 23; and Congress, 4, 8–9, 11, 20, 31, 41, 73, 112, 134, 137–38, 142, 144–46, 149, 194, 203, 207, 214, 221–22, 231, 235, 236–41, 252, 262–63, 265, 271–72, 275, 310, 337, 342, 344–46, 349, 363–67, 385–89, 400, 402–4, 590, 713; Commonwealth, 133, 142, 302, 339, 350, 352, 365, 374, 376–77, 400, 413–14, 425–26, 431–32, 434, 506, 531, 719; Conservative Party, Conservatives, 101, 126, 142, 236, 301, 413; constitutionalism, 31, 492; diminishing ability to control India, 415–16; divisive policy, 54–55; electoral history, 301–2; goods boycott, 69; imperialism, 150, 171, 188, 261, 264, 675, 696; intelligence 9, 10, 112, 144, 214, 220, 274, 708; interests in South Asia, 9, 374, 377, 399; Labour Party, 124–25, 143, 146, 301, 342, 390, 413, 425, 431, 434, 448, 705; officialdom, 565–66; and partition. *See* British and Partition of Indian subcontinent; response to Indian expectations, 58–61; rule, 36, 42, 68, 83, 137–38
British and Partition of Indian subcontinent, 8–9, 20, 23, 295, 344, 378, 390, 400, 403, 413–54, 627, 672, 740; burnt and destroyed several documents before transfer of power to India and Pakistan, 9, 23, 109, 221, 252, 338, 349, 374–75, 382, 417, 423, 425, 430, 432–33, 441, 443, 445–46, 448–49, 453, 496–97, 506, 524, 533, 536, 580, 681, 720, 722, 731; discussion on future policy, 405–6; and ethnic cleansing in both Punjabs, 510; military's memorandum on Partition, 433–34; support to Jinnah and Pakistan, 8, 413–15, 23, 234, 737, 738
British Broadcasting Corporation (BBC), 336, 531–33, 597

IQBAL FORUM

Buddha, 80
Buddhism, Buddhists, 32–33, 621, 661
Bukhari, Syed Ataullah Shah, 68
bureaucracy, bureaucratic state system, 38, 60, 318; colonial, 100; Pakistan, 491, 549, 634, 641
Burke, Edmund, 79
Burrows, F., 383 –84, 426, 428
Bush, George W., 217, 668

Cabinet Mission Plan, 3, 202, 413, 425, 440, 442, 443, 575, 715–17, 723, 725, 730–31; and Jinnah, 329–408
caliphate, emotional significance for Sunni Muslims, 67
Campbell, Doon, 438–39
Canada, 100, 142, 336, 405, 579
Caretaker Executive Council, 373
Carlyle, Thomas, 15–16, 702, 737
Carr, E.H., 18, 740
Casey, Richard, Bengal governor, 300
caste, caste system, 32, 34–35, 70, 80, 127, 132, 138, 141, 242, 253, 414, 544, 549, 590, 701, 708–9, 722; compartmentalizations, 72,80, 132; in Islam, 34
Census: 1901, 47; 1941, 240, 308, 537–38, 539, 647; 1951, India, 541
Central Legislative Assembly, 52, 59, 62, 86, 91, 94, 134, 147, 164, 165, 238, 272, 296, 320, 564, 706; election results, 320–22
Central Legislative Council, 90, 91, 145, 162
Central Provinces, 54, 174, 185, 220, 234, 322, 351, 391, 443
Central Sikh League, 95
Chagla, M.C., 143, 595
Chakraverty, Raj Kumar, 617
Chamber of Commerce, 93
Chamberlain, Neville, 236
Chatterjee, Bankim Chandra, *Anandamath*, 173
Chattopadhyaya, Sris Chandra, 616, 627–29
Chaudhry, Iftikhar Ahmad, 668
Chaudhry, Zahid, 7–8
Chauri Chaura incident, 69
Cheema, Iqbal, 609
Chelmsford, Lord, 58
Chenab River, 341
Chhattari, Nawab of, 251
Chhotu Ram, Sir, 167, 314
China, 22, 377, 406, 588, 643; India, relations;—war, 6, 676, 680; Pakistan, relations, 7, 539, 676, 681; Soviet Union, relations, 6–7; and the United States, 680
China–Pakistan Economic Corridor (CPEC), 681
Chishti Sufi order. *See* Sufi
Chitral, West Pakistan, 539, 588
Christian, Christians, 11, 43, 186, 187, 270, 314; Anglican and Catholics, 632; missionaries, 81, 82; in Pakistan, 466, 467, 478, 507–8, 538, 593, 621, 624, 650, 669; Reconstructionism, 478; theology, 127
Christianity, 37, 41, 80, 88, 701
Chundrigar, Ibrahim Ismail,219, 343, 395, 396, 566, 656
Churchill, Winston, 130, 245, 290, 297, 298, 372, 401, 425; and Bengal famine, 272, 290; defeat in the 1945 election, 301, 413, 730; and Gandhi, 275; attacked Hinduism, 126–28; imperialist, 101, 126, 271–72; and Jinnah,

IQBAL FORUM

236, 253, 262–63, 275, 342, 374, 390, 413, 415, 431, 446; and partition, 8–9, 336, 415, 448, 703, 723; transfer of power, 252, 372, 424, 715
civil disobedience movements, 41, 57, 73, 129, 162, 239, 259–60, 386, 423
civil–military oligarchy, 642–43
class differences, 7, 281, 319, 623, 702
classes and state power in Western Europe, 642–43
Clinton, Bill, 679
Clow, governor of Assam, 300
Coatman, J., 144–45
colonialism, 31, 40, 83, 128, 700, 715
Colville, J., 379, 405, 406
Combined Opposition Parties (COP), 659
Communal Award, 1932, 145–46, 147, 148, 179, 195
communal consciousness, 43
communal representation system, 59, 63, 87, 153
communal riots, violence, 89, 242, 287, 315, 334, 344, 378, 524, 598; in Bengal, 2, 391–92, 520, 540, 545, 564, 718;— Great Calcutta killing, 383–86, 405, 415–16, 641; in Pakistan, 473, 556, 663; in the Punjab, 382, 418–20, 422–23, 425–26, 445, 452–54, 490, 496, 641, 696;— in both Punjabs, 510, 511–13; in Sind, 533, 667; spread to other parts of India, 391–93, 400; transformative role, 382, 383–86, 405; in wider society, 88–89. *See also* partition; Direct Action; Hindus; Muslims
communalism, 87, 88, 90, 98, 105, 122, 132, 160, 170, 171, 190, 279, 307, 310, 393, 452, 461, 653, 685, 705–6
communism, 6, 60, 261, 279–80, 430, 515, 673; Soviet, 6, 18, 514, 636, 703, 728, 731–32
Communist Party, 279
Communist Party of Bombay, 96
Communist Party of India (CPI), 6, 280, 316, 345
Communist Party of Pakistan, 6, 637, 643
Communist Party of Russia, 267
communitarianism, 79, 83, 85–112; in precolonial India, 79–80
Congress, Indian National (INC), 20, 25, 31, 47–73, 52, 88, 92, 93, 95, 107, 475, 501, 507, 530, 553–56, 571–73, 587, 616, 620–21, 626, 628, 635, 656, 701, 733, 736, 740; hold All-Parties Conference, Delhi, 1925 & 1928, 89–90, 95–96; All Parties Convention, 1928, 107–9; and the British, 4, 8–9, 11, 20, 31, 41, 73, 112, 134, 137–38, 142, 144–45, 149, 194, 203, 207, 214, 221–22, 231, 235, 236–41, 252, 262–63, 265, 271–72, 310, 337, 342, 344–46, 349, 363–67, 385–89, 400, 402–4, 590, 713;—decision to Partition India, 413, 416, 418–25, 433–34, 442, 445–48;—partition of Bengal, 51, 426–29; and Cabinet Mission Plan, 3, 329–31, 334, 338, 348–49, 352–63, 399, 401–3, 717–19, 723; and caste system, 127, 253; on citizen rights, 138–39; and Communal Award, 145–48, 179; communal rights scheme, 139; and communal violence,

IQBAL FORUM

391–93, 398, 422; elections, 1936, 153–54; Communist Party abandons, 261–62; and Constitution of India, 408, 644; rejected Cripps Mission, 252, 253; elections, 1945–46, 308–10, 314–15, 318, 320, 322; foundation of, 40–43, 694; led freedom movement, 8, 73, 107, 125, 128–29, 136, 142–44, 171, 179, 301, 627, 697, 699; endorsed Gandhi–Irwin Pact, 136–37, 139; and Great Calcutta killing, 382–83, 385; alleged Hindu imperialism/support of Hindus, 2, 123, 172–75, 213, 219, 236, 237, 244, 246, 250, 267, 298, 308, 335–36, 362, 364, 377, 492, 534, 611; in independent India, 626, 644, 648, 681–83; interim government, 355–62, 372–73, 379–80, 386–91, 394–97, 406;—rejected idea of, 360–61; Kashmir issue, 581–82; and the Khilafat issue, 65–66, 69; left wing, 42, 79, 107, 138–39, 149, 177, 341, 365, 381, 399–401, 418, 681, 719; monopoly capitalism, 7; Muslim Conference, Delhi, 91–92; and Muslim League, 3, 4, 7, 11, 53, 64, 87, 88, 90, 92–93, 111–12, 147, 153–54, 160–64, 170, 172–74, 177–84, 185–88, 190, 192, 194, 195, 200–2, 203–4, 214, 217–19, 233–36, 241, 243, 250, 252, 267, 279, 283–90, 297, 303, 315, 322, 337, 344–45, 352–53, 355, 361, 363, 373–74, 382, 390, 394–97, 399–402, 408, 418–19, 428, 445, 542, 568, 656, 694, 696, 700, 703–4, 706–8, 710–11, 713, 718–19;—Lucknow Pact, 1916, 53–57, 86–88, 90, 98–99, 102, 112, 131, 184, 694–95, 697–99, 713; and Muslims/Muslim participation, 41–42, 86, 117, 132, 140, 221–22, 233–35, 243, 248, 270, 296, 300, 309, 358–59, 362, 364, 373–74, 492, 635, 648; and Nehru's socialism, 149–51, 167–70; opposed partition of Bengal, 51; post-Partition Pakistan, 527, 531, 534, 541, 548, 571–73, 578, 611, 616, 620; and princely states, 716; and the Privy Council ruling, 52; declared Purna Swaraj, 129; Quit India Movement, 255, 259–90; Radcliffe Award on Bengal and the Punjab, 451; right wing, 79, 400, 401, 418, 681, 719, 721; and Round Table Conference, first, 129–30;—second, 139–42;—third, 143; and separate electorates, demand for, 51, 92, 100, 119, 123, 141, 145–48; and Scheduled Castes, 187, 200, 250, 298, 343, 358, 380–81, 394–95; support for the Sikh demand for partition of the Punjab, 421–22, 449–50; and Simon Commission, 93; sessions: 1906, Calcutta, 49;—1920, Nagpur, 67;—1927 Madras, 96;—1931, Karachi, 136;—1940, Rambagh, 202; Sind, creation as a separate province, issue, 100; territorial nationalism, 134, 171; Working Committee, 191–92, 214, 356, 358–60, 361–62, 365, 380, 388, 406, 421; and World War

IQBAL FORUM

II, 191–92, 221, 231, 236, 240, 251, 264, 310, 400, 707
Congress, Indian National (INC) and Jinnah, 14, 23–25, 52–53, 68, 90, 112, 142, 151, 246, 253–55, 259–90, 329, 334, 358, 373, 391, 460, 472, 483–84, 490, 507, 521, 525, 527, 531, 536–37, 553, 590, 597, 611, 641, 671, 697–99, 704–5, 708–13, 720–26; stand on Bengal and the Punjab, 430–33; headed the Congress delegation to Britain, 53; and Jinnah's embrace of communalism, 705–7; Jinnah joined, 49–50, 693–94; Jinnah leaves, 71–73, 695, 697, 702; opposition, 1; Jinnah's demand for Pakistan (separate country for Muslims), 2, 3, 5, 20, 202, 206–9, 217, 224–26, 231–32, 239–40, 244, 247–48, 252, 263, 266, 268–70, 273–79, 281, 283–90, 298–302, 306, 335, 345–46, 350, 377, 378, 390, 397, 450–51, 472, 524, 628, 721, 724, 737, 740; and Jinnah's Fourteen Points, 107, 111, 148, 179, 180, 549, 698–99; Ministries and Jinnah's reaction, 160–95
Congress Socialist Party, 261
conspiracy theory, 536, 548, 550, 683, 736
Constituent Assembly, 148, 207–9, 218, 244, 311, 320–21, 333, 344, 348, 351, 352, 354, 361, 363, 373, 375, 377, 386, 389, 397, 398–99, 402, 404, 406, 431
Constituent Assembly of Pakistan. *See* Pakistan Constituent Assembly
Constitution of India. *See* Indian Constitution
Constitution of Pakistan. *See* Pakistan Constitution
constitutional reforms, 50, 90, 93, 100, 147
constitutionalism, 21, 40, 101, 479
conversions: to Christianity, 80, 88; to Islam, 34, 80, 88, 117, 392, 599, 648, 652, 701–2, 736
Cooper, Duncan, 522–24
Copland, Ian, 437–38, 512
Corfield, Conrad, 434, 580
Court of Inquiry Constituted under the Punjab Act II, 1954, 646, 652
cow slaughter issue, 179, 180
Craik, Henry, 221, 222–23
Cripps, Stafford (Cripps Mission, 1942), 8, 252, 337–39, 341, 344–46, 353, 358–60, 375, 389, 403, 718
Cromwell, Oliver, 18, 740
cultural: antagonism, 120, 269, 278, 501; barriers, 161; hybridization, 43; identity, 53, 116, 134, 246; mores, 40, 171; nationalism, 736; peculiarities, 20; reforms, 103; rights, 216, 524; and structural factors, 8; symbols, 137
Cunningham, George, 299, 310, 450, 571–72, 582–84, 599
Curzon, Lord, 49, 123

Dalhousie, Lord, 35–36
Dalits, 11, 80, 107, 145, 146, 200, 539, 701–2
Dandi March, 1930, 129, 136
Dar, Farooq Ahmad, 2–3, 250, 567, 572, 710
Dara, Col. Iqtidar Shah, 330
Das, C.R., 86, 90, 210–11
Das, Jatin, 94
Das, Radhanath, 343
Datta, Bhupendra Kumar, 616–17

IQBAL FORUM

Daultana, Mian Mumtaz Mohammad, 317, 547, 566, 609, 631, 652–53
Dawn, 13, 4, 25, 251, 278, 353, 373, 394, 430, 440, 572, 645
Deen-e-Ilahi, 33, 34
Defence of India Act (1915), 59
Delhi Muslim Students' Federation, 5, 238
democracy, 14, 103, 104–5, 131, 168, 187, 190–92, 213, 238, 248–49, 267, 439, 498, 683, 735; British system, 218; in India, 681–82; Islamic, 267–68, 472, 473, 483, 494, 508, 514–15, 542–43, 552, 616, 618, 622, 625–26, 631, 662, 686, 728–29, 733; majoritarian, 98–99, 686; in Pakistan, 612–13, 644, 660, 730; —restoration, 664–65, 669, 678; parliamentary, 24, 190, 439, 564–65, 589, 654; theo-democracy, 476, 477–79, 626; Western, 633
Deobandi movements, Deobandis, 10, 68, 81, 86, 470, 542, 593, 596, 631–32, 652, 665, 666, 683, 706, 746; and Barelvis, sectarian tension, 666
Desai, Bhulabhai, 296, 298
dharma–karma theory of justice, 32, 70
dhimmi system, 466, 501, 650
dictatorships, 22
Dir, West Pakistan, 539, 588
Direct Action, 188, 219, 255, 259, 378–79, 383, 386, 398, 416, 417, 421, 423, 510, 564, 641, 649, 718
division of labour, 35, 544
doctrine of lapse, 35–36
domestic sphere in Pakistan, 642–44
dominion status, 98, 100–1, 107, 125–29, 130, 138, 142, 147–49, 193, 202, 236, 282, 337, 432, 701, 704–5
Douglas, Lewis Williams, 440
Dow, Sind governor, 299
Dravida Mahajana Sabha, 96
Dravidians, 200–2, 232, 249, 709. *See also* Naicker, E.V. Ramaswamy (Periyar)
Dulles, John Foster, 673
Durand Line, 450, 573, 677
Durga Das, 130, 141, 214
Durham, Ernest, 333
Dutt, B.K., 94, 134, 137
Dyer, Brigadier-General Reginald, 61–62

East Bengal, 381, 391, 400, 428, 449; Muslim-majority, 49; later East Pakistan, 484, 505, 575–76, 641–42; poverty, 641; Provincial Assembly and the government, scuffle, 656–57; Urdu as the national language and the Bengali, 576–79
East India Company, 35–36, 117, 125, 470, 693; annexed princely states, 36; economic exploitation, 35; and the Sepoy Mutiny, 36–38, 693
Eban, Abba, 674
Ebrahim, Mohammed Rajabally and Shakir Mohammed, 600
economic factors and the Pakistan movement, 226, 714, 739
Edwardes College, Peshawar, 313, 552
Edwards, Donald, 336
Eisenhower, Dwight D., 673
election campaign, elections of 1945–46, 2, 10, 26, 305, 308, 320, 335, 493, 510, 596, 641, 647

IQBAL FORUM

Elizabeth, Queen, 637
Emen, Stewart, 277
Emerson, Herbert, 474
Engels, Friedrich, 6, 18, 161, 279
Engineer, N.P., 356
English common law, 52
English-language, 11, 25, 48, 58, 97, 105, 578–79, 610, 618, 695; press, 42–43
Enlightenment, 31, 116, 477
ethnic cleansing: in divided Punjabs, 382, 510, 512, 522, 683; in West Pakistan, 634
ethnic, religious, sectarian and linguistic differences, 138
European powers, 35, 40, 127, 468–69
Europeans and Anglo-Indians in Bengal, 59, 63, 64, 145

Fabian socialism, 42, 125, 149, 170
Faiz Ahmed Faiz, 637
Faqir of Ippi, 450
Fatima, daughter of Ali, 465
Fazl Shah, Pir of Jalalpur, 317
Federal Court of India, 221
Federal Security Force, Pakistan, 662
Federation, 105–6
Field Ambulance Training Corps, 57
Firangi Mahal, 68, 190
First War of Independence (1857 revolt/uprising), 36–38, 40, 70, 125, 261, 470, 693; Queen's Proclamation, 1858, 38–40
Foot, Michael, 390
foreign policy of Pakistan, 680
foundational ideology, 21–22, 732, 735
France, 21, 191, 203, 469, 477, 579, 680; French Revolution, 19, 79, 469
freedom of religion and expression, 83
Frontier Corps, 573
Frontier National Congress, 570–71
fundamental rights, 104, 127, 129, 138–39, 153, 348–49, 568, 612, 656, 660, 707, 733
Furqan Battalion, 648

Gandhi, Indira, 677, 682; assassination, 683
Gandhi, M.K., 92, 151, 162, 296, 344, 346, 472, 590, 620; Ambedkar Poona Award, 1932, 146, 644; assassination, 518, 544–49, 597, 726; and Bhagat Singh and his comrades' execution, 134–36, 138; Cabinet Mission, 338; did not reject the caste system, 70; and Communal Award, 1932, 145; Dandi March, 1930, 129, 136; and Hindu–Muslim question, 41, 89, 120, 141, 172, 176–77, 242, 392, 400, 695, 696; Indian freedom movement, nationalism, 41–42, 72, 123, 137, 366, 546, 556, 696; interim government, 355–60, 364–67, 388–89; Irwin Pact, 136–37, 138, 139–40; and Jinnah, rivalry/relations, 3, 8, 11, 16, 23, 57–58, 72–73, 85, 112, 177, 186, 187, 200–2, 206–9, 211, 245, 246, 255, 267–68, 274, 283–84, 306–7, 309, 333, 360, 374, 389, 405, 498, 554, 591, 618–19, 695–97, 702–3, 707, 709, 715, 722, 737–38;— leadership clash, 67–68, 72–73;—talks, Bombay 9 September–27 September, 1944, 284–90; and Khilafat movement, 65–66, 67, 68–70, 72–73, 696; mass politics, 101, 697; and Mountbatten,

IQBAL FORUM

423–25, 427; Muslims of Delhi, 517–18; and Nehru, 365; non-cooperation, 61–62, 65–66, 67, 68–70, 73, 87, 112; non-violence, ideology, 189–90, 254; and Partition, 427, 534, 546–47, 554–56, 672, 725;— post-Partition riots, 517–20, 540, 725; and Patel, 355, 365; Quit India movement, 259–90, 366; radicalism, 72, 73, 707; Ram Rajya, 172; represented Congress at Second Round Table Conference, 137, 139–42; used religious symbols to generate mass movement, 138; returned from South Africa, 41, 57, 694–95; religious symbols, invocation of, 69; Simla Conference, 298–301; Sindhi Hindus, 534–35; and untouchables, 568; and Veer Savarkar, 120; village communities, 79; Wardha Scheme of education, 187, 189–90; and Wavell, 355–60, 364–67, 372, 380, 386, 388–89, 402–3, 423, 718
Gandhi, Rajiv, 678
Gandhi, Rajmohan, 57, 141, 392
Gandhi, Ramdas, 518, 555
Gardezi, Syed Khurshid Abbas, 665
Gauba, Khalid Latif (formerly Kundan Lal Gauba), 204
General Council of all Burmese Association, 95
general election in Pakistan: 1970, 660; 2013, 670
George VI, King, 363–67, 507
George, Lloyd, 123
German, Germany: nationalism, 116–17: Nazi movement, Nazi race theory, 116, 120–21, 511
Ghadar Party, 60, 94
Ghazali, Imam, 467
Gilani, Yousaf Raza, 669
Gilgit Agency, 539
Gill, Niranjan Singh, 330
Glancy, Bertrand, Punjab governor, 299, 314–17, 321, 334, 428
Godfrey, Vice Admiral J.H., 337
Godse, Nathuram, 544
Gokhale, Gopal Krishna (d. 1915), 49, 85
Golra Sharif, 311, 317
Golwalkar, M.S., 120–21
Gopi Chand, Dr, 137
Government of India Act, 1919, 62–64, 67, 106, 127
Government of India Act, 1935, 147–49, 151–54, 162, 166, 168–69, 172, 207, 215, 268, 297, 366, 385, 419, 441, 469, 564–65, 571, 635, 655, 705–6, 718
Gracey, General, 528, 583–84, 731
Great Calcutta killing. *See* communal violence
Great Game logic, 39, 515
Gujrat Society (Gurjar Sabha), 57
Gurdaspur, the Punjab, 81, 331, 332, 344, 424, 451, 452, 476, 510, 518, 528, 537, 581, 647, 716, 722
Gurmani, Mushtaq Ahmed, 587, 637
Gwadar Port, 681

Haig, Governor, 185
Hallett, Maurice, 185
Hamid, Zahid, 670–71, 687
Hamidullah, M., 633
Hanafi school of jurisprudence, 33–34, 469–70
Haq, A.K. Fazlul, 167, 173, 214, 217, 223, 235, 251, 281, 320, 706
Haque, Mazharul, 66

IQBAL FORUM

Hari Singh, Maharaja of Kashmir, 582–83
Haroon, Abdulla, 218
Hasan, Mahmud, 68
Hasan, Sayed Shamsul, 111
Hasan, Shaikh-ul-Islam Mahmud-al-, 42
Hashem, Abul, 320
Hashim, Banu,464
Hassan, Mohibul, 471–72
Hazara, NWFP: communal violence, 415–16
Hazaras, 666
Hidayatullah, Ghulam Hussain, 282, 298, 579–80
Hindi, Hindustani, 42, 97, 105, 118, 124–25, 173, 181, 189–90, 249, 578–79, 702; introduction of Sanskritwords, 173; Urdu controversy, 105, 117–18
Hindu, Hindus, 43, 54, 63, 68, 70, 81, 86, 97, 103, 121, 132, 186, 233, 238, 309, 310, 330, 414, 450; demonization and dehumanization, 382, 383; Dogras, 573; domination, majoritarianism, 2, 56, 71, 83, 210, 218, 302, 402, 429, 473, 621; law of succession, 599–600; militancy in India, 681–84; moneylenders, 739; and Muslims, fundamental difference, 247–48, 250, 499; nationalism, 41, 98, 132, 545, 587, 681–82, 736; orthodox, 81, 544; in Pakistan, 289, 343, 611, 614, 616–18, 620–22, 626, 628–30, 633, 634, 650, 670, 736; and Sikhs, relation, 382; tolerance, 35; ultranationalists, 60
Hindu Mahasabha, 55, 64, 88, 91, 92–93, 95–96, 103, 130, 140–42, 187, 200, 210, 238–39, 250, 260, 288, 298, 344, 393, 426, 428, 430, 536, 544–45, 554, 644, 698–99, 701, 706, 707, 710, 730; condemned separate electorates, 55, 119, 141; V.D. Savarkar, 119–20
Hindu-majority regions, 36, 118, 347, 351, 716; Congress in, 194; Muslims in, 59, 92, 147, 154–55, 191, 231, 239–40, 343, 712–14, 724; Quit India upsurge, 261
Hindu and Sikh minorities in Muslim-majority provinces, 13, 89, 92, 124, 141, 239, 246, 400, 430, 437, 538–39. *See also* Bengal; the Punjab; North-West Frontier Province (NWFP); Sind
Hindu–Muslim question/animosity, 69, 73, 90, 96, 101–2, 116–17, 160, 171, 210–16, 218–9, 223, 226, 241–44, 380, 499, 671–72, 737
Hindu–Muslim unity, 41, 53, 119, 129, 191, 208, 211, 242, 713
Hinduism, 32, 35, 81, 103, 117, 119, 123, 414, 473, 492, 737; Churchill condemned, 126–28; and Islam, conflict, 186, 737
Hindustani. *See* Hindi
Hiranand, Kamla, 534–35
His Majesty's Government (HMG), 61, 125–26, 195, 213, 236, 251, 290, 331–32, 337, 344, 380, 389, 397, 399, 402, 403, 406, 416–17, 424, 431, 443; statement on the London talks, 403–4; and Wavell's communication, 374–77
Hisamuddin, Sheikh, 345
history, theorizing individual's role, 15–18
Hitler, Adolf, 182, 267, 279

IQBAL FORUM

Home Rule League, 95
Hosseinbhai Laljee, 345
hostage theory, 217, 220, 231, 239–40, 343, 393, 684, 712
Hudood Ordinances, 663, 667, 668
Human Rights Commission of Pakistan (HRCP), 669–70
Humayun, 33–34, 517, 591
Hume, Allan Octavian, 40–41
Hunza, West Pakistan, 539, 588
Husain, Mahmud, 625–26
Hussain, 464
Hussain, Fazli, 85–86, 92, 99, 107, 130, 140, 142, 206, 214, 701
Hussain, Mir Jafar, 633
Hussain, Sayeed Khalid, 205
Hussain, Zakir, 174, 357–58, 517, 626
Hussein, Saddam, 665
Hussein, Sharif, 65
Hyder Ali, 233
Hyderabad, 234, 296, 730; accession to India, 585, 586–87, 589, 681; Nizam of, 365, 586

Iftikhar-ud-Din, Mian, 194, 529, 609, 621–23, 630, 657, 675
Ikhwan-al-Muslimin (Muslim Brotherhood), 569
Ikramullah, Begum Shaista Suhrawardy, 627, 630, 673
Ilam Din, 89, 475
Imam, Ali S., 98
Imperial Legislative Assembly, 696
Imperial Legislative Council, 52, 53–55, 60, 62
Independent Party in the Assembly, 95
India: issue of remaining in the British Commonwealth, 431–34; as one nation and one state, 234
Indian Army, 38, 61, 100, 138, 259, 329, 365, 377, 446, 655, 699, 717, 719, 721; Muslim representation, 65, 128, 131, 210, 226, 253, 263–64, 420, 423, 498, 648, 712: nationalization, 91, 152; Punjabi representation, 203, 260; Sikh representation, 63, 260, 435; split, 8, 342
Indian Army, post-Independence, 660, 677
Indian Association of Calcutta, 95
Indian Constituent Assembly, 407–8, 595
Indian Constitution, 208, 210, 296, 298, 406, 460, 568, 644, 736
Indian Councils Act, 1909 (Morley–Minto Reforms), 51, 55, 73, 694
Indian Finance Bill (No. 2), 238
Indian Independence Act, 1947, 448–49, 506, 524, 528, 554, 564–65, 580, 581; defined the role of Jinnah as governor-general, 565
Indian National Army (INA), 330, 337
Indian National Congress (INC). *See* Congress
Indian Ocean, 377, 414
Indian Parliament, terrorists' attack and bomb explosions in Delhi and Mumbai, 679–80
Indian States Subjects Association, 95
Indian States Subjects Conference, 95
Indian Statutory Commission (Simon Commission), 1927, 63, 93–95, 125–28, 133
India–Pakistan binary, 672–80 India–Pakistan imbroglio, three wars, 683, 736–37; 1947, 582–84, 586, 607, 609–11, 635, 648; 1965, 659, 675; 1971, 660, 677, 687

IQBAL FORUM

Indus River, 119
Indus Water Treaty, 1960, 684–85
industrial revolution, 36
Instrument of Accession, 588
intelligence services, 10, 19, 62, 259, 330, 400, 401, 445, 666, 704, 740
interdependence of communities, 35
interim government, 321, 344, 346, 351, 372, 390–91; and Congress, 358, 360–62; Congress–League coalition, 394–97; Jinnah and representation of Muslim League, 354, 355, 361–62, 366–67, 372–73, 375, 379; Sikh participation, 357; Wavell and, 355–64, 366, 375, 386–90, 394, 418;—invited Nehru to form the interim government, 379–82
International Monetary Fund, 658
Inter-Services Intelligence (ISI), Pakistan, 678
Iqbal, Allama Muhammad, 93, 99, 122–23, 144–45, 167, 187, 224, 266–67, 472, 476, 496, 498, 570, 595, 624, 649, 670, 708, 711, 725; address in Allahabad, 29 December, 1930, 130–34, 241; letters to Jinnah, 472–75
Iqbal, Anwar, 440
Irwin, Lord, 92, 125–28; Gandhi Pact, 136–37, 138, 139–40
ISIS, 217
Islam, 2, 10, 12, 14, 42, 47, 58, 65, 71, 80, 123, 127–28, 132, 140, 161, 172, 176, 189, 211–13, 223, 234, 236, 242, 244, 246, 247–48, 266–67, 273, 276, 281, 285, 290, 296, 304–6, 308, 310, 341, 439, 460, 461–62, 474, 483, 489, 492–95, 501, 514–15, 525–27, 535, 542–44, 550, 570, 577, 596, 610–33, 648–53, 656, 659–63, 665, 671, 703, 714, 727–29, 732–34, 737, 740; Barelvi Sunni Islam, 81; conversions to, 88, 117, 119, 165, 277–78, 701, 724, 736; as a cultural force, 131–33; andHeathenism, 384; and Hinduism, conflict, 186, 334, 492; in India, 32–36, 468, 737; militant, 86, 723; moderate but not secular, 667–68; monotheism, 80; and Pakistan, relation. *See* Islamic state, Pakistan as; rational and progressive, 478; sects and sub-sects, 702; sharia, the Constitution and Pakistan, connection, 542–43; theocracy, 476, 477; totalitarianism, 472. *See also* Shias; Sunnis
'Islam in danger' campaign, 316–19, 402, 498, 525, 706
Islam, Shamsul, 233
Islamia College for Women, Lahore, 224
Islamic: conception of State, 622; heritage, 514, 653, 687
identity, 71, 728; law (sharia), 10, 14, 22, 24, 34, 52, 80, 164–66, 176, 211, 242, 310–11, 312, 460, 468–69, 470, 473, 476, 478–79, 483, 492, 541–43, 569–70, 596, 599–600, 608, 609, 625, 628, 631, 633, 645, 646, 652, 665, 682, 683, 714, 735;—and fiqh, 465–66;—of inheritance, 164–65, 170; organizations, 233–34, 569, 646, 654; polity, non-Muslims, women and slaves living in, 466–67; principles and values, ideology, 6, 8, 24, 312–14,

IQBAL FORUM

494, 531, 542, 551–53, 609, 625–26, 631–33, 725, 732, 741; Revolution in Iran, 663; social justice, 552–53, 622, 628; socialism, 7, 121, 660; solidarity, 667, 684, 712; state. *See* separate entry; tolerance, 14
Islamic Reconstruction Institute, 608
Islamic Reconstruction, Department, Lahore, 543, 570
Islamic Research Institute, Pakistan, 659
Islamic state, 464–66, 468, 475, 478, 483, 610, 646, 733; ideologues in the Indian subcontinent, 469–72; Pakistan as, 2, 10, 15, 121, 175–77, 234, 277, 305–6, 312, 438–39, 460, 461, 492, 494, 514, 541–42, 551, 569, 596, 598, 611, 614, 618–22, 626, 629–30, 634, 646, 649–52, 687, 714, 724, 727–29, 733, 735, 738
Islamism, 12, 22, 40, 58, 68, 94, 174, 479, 646, 667, 678, 686
Ismail Khan, Nawab of Bhopal, 218
Ismail, Shah, 469
Ismaili Aga Khanis. *See* Aga Khani Ismaili Shias
Ismaili khojas, 599
Ismailis, 33, 50, 121, 303
Ismay, Lord, 426, 433, 446, 450, 555
Ispahani, 594, 665
Israel's suppression of Palestinians, 686
Issa, Qazi, 218
Ithna Ashari Shias, 33, 47, 58, 81, 465, 468, 495, 592, 599–601, 650, 733

Jafari Shia law, 600
Jaffrelot, Christopher, 119
Jagjivan Ram, 343, 356, 358, 380–81, 390, 396
Jahangir, 34
Jainism, 32
Jalal, Ayesha, 3–5, 171–72, 710
Jallianwala Bagh massacre, 1919, 61, 94, 133, 144, 697
Jamaat-e-Islami, 305, 610, 651, 659, 663
Jamiat Ahl-e-Hadees, 234
Jamiat Ulema-e-Hind (JUH), 42, 86, 107, 129, 139, 152, 173, 175, 176, 233, 320, 596, 711
Jamiat-ul-Asifa, 311
Jamiat-ul-Ulema-e-Islam, 542
Jamiat-ul-Ulema-e-Pakistan, 542
Jammu and Kashmir, 539
Japanese: Singapore had fallen to, 252, 366; attack on US naval base of Pearl Harbour, 251
Jats: Hindu, 393; Muslim, 278
Jawed, Ajit, 596–97, 598–99
Jayakar, M.R., 98
Jenkins, Evan, 10, 418, 419, 422, 425, 428, 429, 445, 448, 452–54, 510–11
Jews, 43, 116, 120, 121, 176, 280, 309, 461–62, 466, 467, 507–8, 614
Jhangvi, 666
Jinnah, Fatima, 48–49, 143, 465, 529, 552, 591–92, 594, 600, 631, 659
Jinnah, Muhammad Ali: on Bengal famine, 1943, 272–73; birth, 47; British patronage/support, 8, 23, 172, 188, 209–10, 214, 234, 241, 275, 308, 413–15, 431–32, 707, 711, 731, 737, 738; communitarian forays, 85–112; and constitutionalism, 378–79, 564; communists, warning to, 280–81, 280–81; and Congress, joins Congress,

IQBAL FORUM

leaves Congress. *See* Congress and Jinnah; death, 590–92, 607;—funeral, 592–93; debunked shared civilization, 232; Direct Action, call for. *See* Direct Action; education, 47–48; Eid message from Karachi, 8 September, 1945, 307–8; election campaign for Partition and Pakistan, 1945–46, 26, 295–322; versus Gandhi. *See* Gandhi; governor-general of Pakistan, 447–48, 460–79, 505, 563, 565, 589, 607; Hindu ancestors, Lohanas, 47; as an Indian nationalist, 23, 31–43, 49, 57, 71, 91, 177, 306, 378, 498, 693–97; Iqbal's letters to, 472–75; expels Khizr Hayat Khan, 282–83; legal practice, 48; Liaquat relationship, 593–95; London exile, 1930–34, 143–45; marketing Pakistan as front-line state against Soviet communism, 731–32; marriage, 47;—second marriage to Ruttie Dinshaw, 58, 495; mentions exchange of population, 393–94; and the ministries of Bengal, Sind and the Punjab, 281–82; as a Muslim communitarian, 23, 79–83, 85–112, 124, 697–702; got Muslim Family Trust exemption from taxation, 52–53; as a Muslim nationalist and the two-nation theory, 116–55, 207, 234, 489, 502, 506, 686, 702–5, 708, 724, 738; and Muslims, 710–11, 713–14; versus Nehru. *See* Nehru; and Nehru Report. *See* Nehru Report outstanding leadership qualities, 54; political career, 22–24; prerogatives as the all-powerful head of state, 564–602; and Pir Sahib Manki Sharif, secret meeting, 311–14, 620; was appointed Presidency Magistrate, 48; property in India, disputes over, 596–97, 598, 599–600; role in history, 737–41; sectarian affiliation, 599–601; secular conviction, 596; speech 11 August, 1947, 10, 12–13, 460, 483–89, 533, 541, 542, 589, 611, 628, 630, 633, 649, 653, 667, 727, 730, 732; an analysis, 496–503; controversy over, 489–96; threatens civil war, 333; a veiled threat to, 339–40; visits the Walton Relief Camp for refugees, 528–30
Jinnah, Ruttie Dinshaw, 58, 98, 143, 495
jizya, 33, 34, 466, 650
Johar, Maulana Mohammad Ali, 43, 68, 71
Joint Defence Council, 585
Joshi, P.C., 279, 345
Junagadh princely state, accession issue, 581, 585, 589, 730
Junejo, Jan Muhammad, 68

Kabir, 80
Kak, Ram Chandra, 582
Kalat, Greater Baluchistan, 309, 574–75; acceded to Pakistan, 588–90; declared itself independent, 730; population, 538–39
Kargil war, 736, 679. *See also* India–Pakistan imbroglio
Karim, Saleena, 189, 190, 496
Karzai, Hamid, 679
Kasem, Abdul, 484

IQBAL FORUM

Kashmir dispute, Kashmir issue, 234, 365, 528, 532, 552, 554, 568, 575, 607, 673, 677, 685, 731; accession to India, 574, 581–86, 587, 589, 612, 681–82, 730; jihad, supported by Pakistan, 684; Kashmir State Force, 582. *See also* Hari Singh, Maharaja of Kashmir
Kashmiri, Shorish, 517
Kasuri, Abul Kadir, 98
Kayani, Justice M.R., 651
Kayani, Major Ashfaq Parvez, 330
Kemalist revolution, 476
Khadarposh, Masud, 535
Khairpur, Sind, 308; acceded to Pakistan, 588; population, 538
Khaksars, Khaksar movement(1932), 86, 191, 204–5, 223–24, 235, 265, 303, 315, 321, 711
Khaksar Tehrik, 204
Khaliquzzaman, Chaudhry, 68, 111–12, 163–64, 217–18, 222, 343, 388, 518, 554–55, 568, 637, 673, 704
Khalistan, demand for Sikh state, 341; Khalistan movement of 1970s and 1980s, 438
Khalsa Nationalist Party, 225
Khan Abdul Gaffar Khan, 42, 61, 68, 86, 220, 309, 310, 311, 386, 537, 571, 598, 634
Khan, Abdul Hameed, 219
Khan Abdul Jabbar Khan (Dr Khan Sahib), 175, 310, 418, 446, 537, 570–72, 598–99; assassinated, 657
Khan, Abdul Qayyum, 90, 313, 537, 572, 583–84
Khan, Aga, 47, 50, 71, 85, 92, 93, 107, 110, 121, 130, 140, 439, 600–1, 701, 705
Khan, Agha Mohammad Yahya, 659–60, 672, 676, 736
Khan, Ahmed Yar, 588–89
Khan, Ajmal, 68, 201
Khan Aurangzeb Khan, 218
Khan, Ayub, 452, 655, 657–58, 676`1; Constitution, 1962, 658–59; his fall, the general elections and the break-up of Pakistan, 659–60
Khan, Azam (Lieutenant General), 649
Khan, Hafiz Ibrahim Maulana Zafar Ali, 68, 176–77, 218
Khan, Imran, 670, 671, 681
Khan, M.S., 338
Khan, Mohammad Akbar (Major General), 636–37
Khan, Mazhar Ali, 529
Khan, Mir George Ali Murad, 588
Khan, Muhammad Ismail, 223, 300, 343, 356, 394
Khan, Muhammad Zafrulla, 220–22, 555, 567, 568–70, 581, 593, 623–24, 631–32, 647, 649, 653–54, 673–75, 734; exit of, 653–54
Khan, Nawabzada Liaquat Ali, 145, 174, 217, 276, 296, 298, 300, 303, 304, 311, 356, 380, 394–95, 396, 401, 403–4, 406, 435–36, 447, 484, 491, 526, 527, 536, 546, 548, 549, 566–67, 576, 583, 585, 593–94, 607–37, 641–42, 645, 686, 719, 721, 729, 733, 735; assassination, 636–37; and Nehru Pact, 1950, 635–36; his socialist budget, 417–18
Khan, Nazir Ahmad, 626, 631
Khan, Raja Ghazanfar Ali, 154, 395, 396, 566, 594
Khan, Raja Khair Mehdi, 317, 319
Khan, Sahibzada Yaqub Ali, 590
Khan, Shafaat Ahmed, 387, 390, 391

IQBAL FORUM

Khan, Shaukat Hayat, 305, 317, 609, 647
Khan, Sikandar Hayat, 16–17, 88, 167, 194, 204–6, 222, 224–25, 235, 245, 251, 254, 270–71, 281–82, 305, 706, 738
Khan, Syed Ahmad, 37–38, 40, 41, 49, 56, 64, 118, 119, 121, 125, 470–71, 492, 649, 694
Khan, Wali, 8, 221–22
Kharan vassal state, 539, 589
Khatam-e-Nubuwwat ('finality of the prophethood of Muhammad') movement, 646
Khawarijites, 465
Kheiri brothers, 121
Khilafat movement, 60, 64–66, 87, 89, 94, 111, 133; and Jinnah–Gandhi, differences, 68–70, 72–73; and Muslim League, 66–67; peters out, 70–71
Khojas, 276; Ismaili, 599; Ithna Asharis, 601; Shias, 495, 600; Sunni, 600, 601
Khosla, G.D., 535; Report, 318, 512
Khudai Khidmatgars, 42, 86, 154, 234, 309–10, 535, 572
Khuhro, Hamida, 535–36
Khuhro, Mohammad Ayub, 535, 546, 579–80
Khurshid, K.H., 49, 284–85, 301, 306–7, 584–85, 594, 730
Khwaja, Abdul Majid, 345
Kidwai, Mushir Hussain, 90
Kidwai, Rafi Ahmed, 111, 175
King Edward's Medical College, Lahore, 86
King's Commissions, 91
Kitchlew, Saifuddin, 61, 68, 87, 90, 137
Kohat riots, 518
Kripalani, J.B., 151, 261, 427, 428, 534–35, 537
Krishak Praja Party, 167, 234, 281
Kuhn, Thomas, 495

Laden, Osama bin, 669
Lahore Accord, 1999, 679, 685
Lahore Resolution, 1940, 2, 4, 11, 215, 219, 237, 241, 244, 246, 251, 269–70, 277, 279, 285–88, 320, 335, 354, 460, 631, 641, 708, 711, 724; controversy over authorship of, 220–22; becomes Pakistan Resolution, 224–26, 276; statement of 1 April, 1940 on, 231–33
Lajpat Rai, Lala, 89, 93–94, 119, 136, 210–11
Lal Masjid, terrorists' attack, 668
land reforms, Pakistan, 660
Landholders' Association (of Oudh, Agra, Behar, Bengal and Madras), 96
language issue in Pakistan. *See* Urdu
Las Bela vassal state, 539, 589
Latifi, Danial, 280, 303
leaders, ideas and political outcomes, relationship, 21
Legal Framework Order, Pakistan, 660
Lenin, V.I., 18, 279, 740
Leninism, 137
Lewis, Victor, 342
Liberal Federation, 93
linguistic nationalities, 103; in Pakistan, 13
Linlithgow, Lord, 170–71, 194, 220–22, 233, 245, 260, 271, 272; and Congress, 235, 713; and Jinnah liaison, 185, 191, 193, 195, 202–3, 206, 214–17, 231, 236–38, 275, 707; National Defence Council, 251, 281, 567
Locke, John, 127, 632

IQBAL FORUM

Lodhi, Ibrahim, 33
Lohanas, 47, 599
Lucknow Pact, 1916, 53–57, 86, 90, 112, 131, 184, 238, 694–95, 697, 698–99, 713; Jinnah repudiated, 87–88; and Motilal Nehru report, 98–99, 102

Macaulay, Thomas Babington, 35
MacDonald, Ramsay, 124–25, 142, 145, 704
Machiavelli, 16, 737, 738
Madani, Maulana Hussain Ahmed, 42, 163, 175–76, 345, 474, 596, 671, 683, 711
Mahdi, Imam, 81–82
Mahmood, Safdar, 495
Mahmud, Syed, 175
Mahmudabad, Raja Sahib of, 107, 471–72, 596, 665
Mahtab, Harekrushna, 356, 357
Majithia, Sundar Singh, 225
Majlis-e-Ahrar (1929), 42, 86, 233, 649, 652
Malabar Coast, 32, 69, 123
Malaviya, Madan Mohan, 93, 98, 119
Malik, Hardit Singh, 436, 502
Malik, Omar Hayat, 625, 631
Mamdot, Nawab Iftikhar Hussain, 317, 566
Mandal, Birat Chandra, 621
Mandal, Jogendra Nath, 343, 381, 395, 396, 485, 566–67, 629; exit, 634–35; and Zafrulla, 568–70, 653
Mandela, Nelson, 699
Manki Sharif, Pir, 311–14, 620
Manu, 544, 651; *Manusmriti*, 32, 104
Mao Zedong, 7
Marshall, George, 440–41
martial law: in Pakistan, 657; in the Punjab, 649
Marx, Karl, 6, 18, 79, 128, 161, 279, 642–43
Marxism, Marxist, 7, 19, 43, 150, 170, 493, 642, 701, 734, 738–39; concepts of class, exploitation and revolution, 261; concept of nationality, nation and nationalism, 279
Mashriqi, Allama Inayatullah Khan, 204
Matthai, John, 356, 390, 396
Maududi, Maulana Syed Abul Ala, 234, 305, 475–77, 478, 541–42, 543, 593, 608, 633–34, 646, 648–49, 651, 659, 662, 687, 727, 733. on war in Kashmir, 609–11
Mayne, Ashton, 414
Mazaris, 122
Medina and the *Misaq-e-Medina* (Charter of Medina), 461–62, 466, 475, 489, 507–8
Memons, 276
Menon, V.P., 374, 398–400, 433, 582, 730
Messervy, General, 422, 583, 584
Mieville, E., 429
military coup in Pakistan: 7 October, 1958, 657; October, 1999, 666
Mill Owners' Association, 93
Mill, John Stuart, 128
Minor frontier states in West Pakistan, 539–40
minorities in post-Partition Pakistan, 533–37, 538
minorities left Pakistan, 550
minorities, women and freethinkers, persecution, 669–70
minority Muslim sects, persecution in Pakistan, 687
Minto, Lord, 50, 63, 121
Mirza, Iskander, 582–83, 655, 656
Mistry, Dr, 590, 592

IQBAL FORUM

Mitha, Seth Sulaiman Kasam, 66, 111, 704, 714
ML; and Cong, 91
Moderate Islam but not secularism in Pakistan, 667–68
Mohani, Maul'ana Hasrat, 68, 129, 495, 595
Mongols, 468
Montagu, Edward, 58, 61
Montagu–Chelmsford Reforms, 57, 58–59
Montgomery, Field Marshal, 433, 446, 451, 452, 527
Mookerjee, Syama Prasad, 298, 344, 428, 681
Moonje, Dr, 238
Moplah uprising, 1921, 69
Morison, Theodore, 118
Morley, Lord, 49–50
Mountbatten, Edwina, 722
Mountbatten, Lord, 8,423–26, 427–29, 431–33, 441, 447, 452, 511, 548, 552, 565, 571, 580, 586, 672,674, 703, 719–25, 730–31; Indian Independence Act, 1947, 448–49; and Jinnah, relations, 447, 573; helps Jinnah,450–51; Jinnah rejected Mountbatten as the governor-general of Pakistan, 565; and Nehru, relations, 573; announces 3 June 1947 Partition Plan on All India Radio, 443–46; speech at the banquet held for Lord and Lady Mountbatten, 13 August, 1947, 506–7, 727; speech at the inauguration of Pakistan Constituent Assembly, 14 August, 1947, 507–8; arranges talks between Jinnah and Sikhs, 435–38, 596
*mu'ahid*s, 650
Muawiya, 464, 465
Mudie, Francis, 511, 566
Mughal Empire, 33–35, 41, 108, 245, 471
Muhajirs, 536, 541
Muhammad, Ghulam, 566, 631, 637, 642, 649, 654–55, 729
Muhammad, Mir Faiz, 588
Muhammad, Prophet, 14, 15, 65, 80, 82, 89, 172, 175–76, 284, 318, 461, 463–65, 475, 477–78, 495, 507, 542–44, 620, 646, 661. 670–71, 727, 733
Muhammadan Anglo-Oriental College. *See* Aligarh Muslim University (AMU)
Mujahid, Sharif Al-, 11, 494–95
Mukherjee, Dr, 241
Multan, the Punjab: communal violence, 419–20, 423
Mumbai terrorists' attack, 26/11/2008, 680
Munir Report, 652, 733
Munir, Justice Muhammad, 492–93, 651, 655
Munson, Ziad, 22, 740–41
Murshidabad, 332, 451, 655
Musharraf, Pervez, 665, 666–67, 668, 679, 685
Muslim, Muslims: backwardness, 226; bourgeoisie, 7, 714, 734, 739; communitarian rights, 23; demonization and dehumanization, 382, 383; of Delhi, Jinnah's statement on, 15 September, 1947, 516–18; a distinct community, 2, 7, 11, 15, 24, 50, 53, 63, 83, 246, 265, 285, 629, 671–72; Hindu-majority provinces, 59, 92, 147, 154–55, 191, 231, 239–40, 343, 712–13, 724; of Kohat, 89; migration to Pakistan from India, 540–41; minorities in India, 54, 59, 64, 71, 91, 99,

IQBAL FORUM

124, 173, 192, 203, 231–32, 246, 250, 289, 320, 392, 393, 509, 520, 523–25, 611, 682–83, 694, 697, 712–13, 736; modernism and reform, 471, 658, 687; nationalism, 10, 12, 14, 23, 645, 665, 687, 703;— two-nation theory, Jinnah drifts towards Muslim nationalism, 116–55, 207, 234, 489, 502, 506, 686, 708, 724, 738; opposed partition, 233–34; peasants and artisans, 233, 281, 713; political identity in India, 597; poverty, 152, 334, 473, 623; a proto-nation, 462–63; refugees, threat of inundating Pakistan, 513–14, 521, 525, 635; representation in Indian Army, 65, 128, 131, 210, 226, 253, 263–64, 420, 423, 498, 648, 712; representation in the legislature and government services, 51, 56, 91; rule, invasions, 33, 119, 232, 467, 468, 471, 508, 552 614; self-determination, right of, 6, 31, 116, 209, 263, 279, 286, 301, 308, 333, 344, 708; separatism, 11, 145, 203–4, 247, 461, 471, 494–95, 541, 576, 592; societies in Asia and Africa, 468
Muslim Conference, 304–5
Muslim Conference, Delhi, 1927, 91–92
Muslim Family Laws Ordinance, 1961, 658, 706
Muslim Family Trust, exemption from taxation, 52–53
Muslim League (AIML). *See* Muslim League, 2, 6, 7, 11, 14, 22, 51, 64, 68, 85, 86, 90, 95, 282–83, 723, 726, 734; Ahmadis, 303–6; Ambedkar on 242–44; Azad Muslim Conference, Delhi opposed League, 233–35; Bengal famine, 272; and the British, 214–15, 236–39, 244–45, 252, 267, 272, 302, 330, 359–60, 375, 398, 400, 403, 450, 707; by-elections and the Islamic state, 175–77; Cabinet Mission Plan, 350, 352, 353–55, 361–63, 366, 372–73, 375, 717–18; Calcutta session, 1927, 92–93; Communal Award, 1932, 145, 147, 179; communal violence, 393, 398; and the communist, 279–81, 727; and Congress, 3, 4, 7, 11, 53, 64, 87, 88, 90, 92–93, 111–12, 147, 153–54, 160–64, 170, 172–74, 177–84, 185–88, 192, 194, 195, 200–1, 203, 214, 217–19, 233–36, 252, 267, 279, 283–90, 337, 344–45, 352–53, 355, 361, 363, 373–74, 382, 390, 394–97, 399–402, 418–19, 428, 694, 696, 700, 704, 706–8, 710–11, 713, 718–19;— Lucknow Pact, 1916, 53–57, 86–88, 90, 98–99, 102, 112, 131, 184, 694–95, 697–99, 713; and Constituent Assembly, 404, 406; council meeting 14–15 December, 1947, 530–31; rejected Cripps Mission, 252; goondas storm, 111–12; Direct Action, 188, 219, 255, 259, 378–79, 383, 386, 398, 416, 417, 421, 423, 510, 564, 641, 649, 718; election campaign, 295–322; establishment, 50, 118, 119 factionalism, 130, 155; and Great Calcutta killing, 383–86, 405; interim government, 354, 355–56, 357–

IQBAL FORUM

58, 362, 373, 380–81, 386–91, 394–97, 485; Islamic state, 461, 471, 473, 475–76; and the Khaksars, 204–6, 223; and the Khilafat issue, 66–67; Lucknow session, 1937, 166–67; Madras, 28th annual session, 249–51; and Motilal Nehru Report, 95–96, 98, 102, 107, 111–12; Muslim League National Guard, 416; Palestinian Arabs issue, 568; in post-Partition Pakistan, 542, 548, 554, 567–69, 571–73, 577–78, 580–81, 583, 597–99, 601, 609, 611, 614, 618, 621, 623–28, 630, 633–34, 635, 637, 641, 643, 647–48, 652, 654, 659; split, 92, 107, 130; non-violence taught through Wardha scheme unacceptable, 187, 189–90; Pakistan Constituent Assembly, 484; post-Partition violence, 517–18; and Quit India movement, 260, 262–71; refugee crisis, 1948, 535, 537; call for self-determination, 279; two-nation theory (Partition, demand for Pakistan), 118, 119, 122, 132, 139, 145, 147–48, 151–55, 206–9, 217, 245, 251, 265–66, 268, 273–75, 279, 283–89, 296, 298–301, 332–33, 334–36, 341, 342, 346–47, 349, 372, 377–79, 393, 397, 402, 408, 420, 427, 430–31, 435, 442–43, 445, 447, 449, 490, 492–93, 512, 522, 524, 526, 532–33, 535, 703, 737; and World War II, 191, 206, 210, 234, 707; sessions; 1924, Bombay, 89; 1924, Lahore, 86–87, 89–90, 99, 697; 1926, Delhi, 90–91; 1927, Calcutta, 92–93; 1929, Delhi, Goondas storm, 111–12; 1930, Allahabad, 130–34; 1936, Bombay, 151; 1938, Patna, 187–88, 206; 1940, Lahore session (Lahore Resolution, 1940), 2, 4, 11, 214–20, 224–26, 231–33, 237, 241, 244, 246, 251, 269–70, 276–77, 279, 281, 285–88, 320, 335, 354, 460, 631, 641, 708, 711, 724;—controversy over authorship, 220–22; 1942, Allahabad, 252–53; 1943, Delhi, 267–69; 1944, Karachi, 276–77
Muslim League Council, 659
Muslim League (N), 670
Muslim Personal Law (Shariat) Application Bill, 1937, 164–66
Muslim Students' Federation Conference, 278
Muslim Students' Federation, Kanpur, 248
Mussalman Waqf Alal-aulad. *See* Muslim Family Trust
Mussolini, 267
Muttahida Qaumi Mahaz (MQM), 440
muttahida qaumiyat (composite nationalism), 175

Nadvi, Syed Sulaiman, 633
Nagar, West Pakistan, 539, 588
Nagi, Anis, 512–13
Naicker, E.V. Ramaswamy (Periyar), 200, 202, 244, 709, 710
Naidu, Sarojini, 53, 58
Nanak, Guru, 80, 81, 450
Nankana Sahib, the birthplace of Guru Nanak, 450
Naoroji, Dadabhai, 48, 49
Napoleon Bonaparte, 18, 19, 740

IQBAL FORUM

Naqshbandi Sufi Order. *See* Sufi
Narain, Jai Prakash, 365
Narendra Dev, 174
National Agricultural Party, 163
National Conference, 304, 582
national language, issue, 97, 105, 123, 179, 180–81, 189, 333, 702; in Pakistan, 576–79, 643, 656, 729
National Liberation Federation, 95
nationalism, 6, 16, 21, 31, 33, 41, 42, 82, 94, 98, 99, 108, 161, 171, 179, 202, 236, 267, 279, 280, 301, 400, 474, 476, 498, 619, 659, 693, 694–97, 698, 700, 701, 707, 735, 736 ; based on descent, race, religion or sect, 736; Bengali nationalism, 49; proto-Indian nationalism in nineteenth century, 36–38, 40; beginning of modern nationalism, 40; Muslim nationalism, 10, 12, 14, 23, 24, 65, 645, 665, 687, 703; two-nation theory, Jinnah drifts towards Muslim nationalism, 116–55, 207, 234, 460, 489, 502, 506, 686, 708, 723–24, 737–38
Nationalist Non-Brahmin Party, 96
naval ratings, uprisings, 337–38
Nayyar, Kuldip, 529
Nazimuddin, Khawaja, 223, 251, 272, 282, 300, 320, 356, 383, 394, 428, 546–47, 576–77, 607, 633, 637, 642, 643, 646, 649, 652, 654
Nazimuddin, Pir of Taunsa Sharif, 317
Nechari (Naturalist) school of thinking, 470
Nehru, Jawaharlal, 6, 96, 98, 107, 128, 136, 239, 250, 261, 300, 333, 400, 401, 418, 472–74, 490, 498, 518, 548, 702, 706; and Bengal's partition, 428–29, 432–33; Bhagat Singh issue, 137, 139; rejected Cabinet Mission Plan, 575; and Cripps, 337, 346; death, 684; and Gandhi's assassination, 545; and Hindu militancy in India, 681–82; rejection of the Hindu–Muslim issue, 160–61; and His Majesty's Government, 403–4; in independent India, 644, 658, 681–82; Jinnah, relations and Muslim League, 8, 11, 16, 23, 151, 163–64, 177–83, 183, 194–95, 251–52, 271, 300, 309, 334, 373–74, 391, 394–95, 397, 403, 737–38, 342, 346, 355–56, 405, 591, 597, 703, 705, 709, 715, 718, 729, 737–38, 740; Kashmir issue, 581–82, 684; Liaquat–Nehru Pact, 1950, 635–36; and Mountbatten, 424–25, 447, 573, 703, 720–22; national language issue, 180–81; nationalism, 41–42; moves Objectives Resolution, 406–8; and Partition, 445, 527, 537, 541, 554–55, 703; and Quit India Resolution, 260; link between right and left wing, 401; Soviet-type socialism, 149–51, 166–71, 372; Veer Savarkar and, 120; and Wavell and interim government, 356, 357, 365, 379–82, 387–89, 390, 393, 396, 423–24, 719
Nehru, Motilal, 86, 112, 124, 162, 498; Nehru Report, 1928, 95–99, 108–9, 129, 133, 139, 146, 180, 501, 644, 697–702, 707, 716; an analysis, 99–106, 698; Dalit question, 701

IQBAL FORUM

dominion status, 129, 701, 704; fundamental rights, 127; in summation, 107; Jinnah and Muslims, 109–10, 111–12, 697–700
New Zealand, 100, 142, 433
Nichols, Beverley, 1, 273–75
Nishtar, Sardar Abdur Rab, 356, 347, 394–95, 396, 566, 623–24, 631, 637
Nixon, Richard, 677
Nizami, Hameed, 205, 472, 416
Nizami, Khawaja Hassan, 176
Noakhali, communal violence, 391–92, 393
'noble lie', 502
Nomani, Shibli, 42
non-Brahmin movement in south India, 200
non-cooperation, 65–66, 67, 68–70, 73, 85, 133, 695–96
non-Muslim Pakistanis, 12,508, 550, 650, 669, 728; women and slaves in the Islamic polity, 466–67
Noon, Malik Firoz Khan, 127, 302, 316, 317, 631, 656
Noorani, A.G., 586–87
North-West Frontier Province (the NWFP), 42, 48, 61, 86, 89, 131, 108, 162, 175, 182, 184, 187–88, 234, 261, 267, 286, 299, 311–13, 322, 349, 351, 357, 391, 418, 433, 443, 698, 702, 722; communalviolence, 119, 415, 537; constitutional reforms, 90–92, 98, 100, 108, 110, 181; Hindus and Sikhs/non-Muslims, 97, 102, 119, 141, 538; a Muslim-majority region, 87, 110, 144, 239, 122, 154, 194–95, 222, 272, 309–10, 344, 538, 706; and new provinces, 103; partition and, 288–89, 353, 444–45, 446, 450, 710, 714; population, 538
North-West Frontier Province (the NWFP), post-Partition, 519, 538, 547, 566, 596, 634, 662; communal violence, 537; dismissal of Dr Khan Sahib ministry, 570–73, 598–99, 729; Hindus and Sikhs/non-Muslims, 538, 578; provincial elections, 1951, 643; tribal areas, 573
Now or Never pamphlet, 144
Nuclear Suppliers Group, 681
Nuclear tests, India and Pakistan, 1974, 677
Nur Jahan, 34
Nur-ud-Din, Hakim, 82

O'Dwyer, Michael, 61–62, 144
Objectives Resolution, Nehru moves on, 406–8
Objectives Resolution, Pakistan, 7 March 1949. *See* Pakistan Constituent Assembly
Osmani, Shabbir Ahmad, 542, 592–93, 618–20, 622–24, 628, 631–32, 727, 733
Ottoman Empire, Ottoman Turkey. *See* Turkey

Pakhtunistan, demand for, 446, 515, 571–72
Pakhtuns, Pashtuns, 309, 310, 576, 577, 578, 663
Pakistan; break-up of, 7, 645, 659–60; census 1951, 540; census, 1971, 540; central cabinet, first, 566–68; Department for Islamic Reconstruction, 570; domestic politics, 15, 24, 642–71; external sphere, 671–80; evolution as a garrison state, 671–72; foundational ideology, 10, 14–15; as an

IQBAL FORUM

Islamic state, 2, 15, 121, 175–77, 234, 305–6, 312, 438, 460, 461, 514, 541–42, 551, 569, 596, 598, 611, 618–22, 626, 629, 634, 646, 649–52, 687, 714, 724, 727, 733, 735, 738; after Jinnah's death, 732–35; Kashmir Operation, 330; Jugtu Front, 643; NWFP, dismissal of the Dr Khan Sahibministry, 570–73, 598–99; an overview, 641–87; Parsi community in Karachi, 549–50; political distinctiveness, 14; Punjab Muslim League, 652; Punjabi refugees, 533; relocation and rehabilitation policy, 533; issue of remaining in the British Commonwealth, 431–33; Sind, dismissal of government, 579–80; structure of opportunity, 22, 740; West. *See* West Pakistan
Pakistan Army, 505, 528, 573, 583, 636, 642, 660, 664, 731
Pakistan Broadcasting Service, 508–10, 527–28
Pakistan Constituent Assembly, 12, 24, 438, 443–45, 483–85, 489, 492, 496, 507–8, 531, 546, 551, 574, 589–90, 599, 608, 675, 714, 718, 726, 729, 732; dissolution of, 645–46, 654–58; Objectives Resolution, 7 March 1949, 570, 611–34, 635, 644–45, 728, 732
Pakistan Constitution, 24, 312, 438, 460, 485, 496, 542, 551, 564, 569–72, 574, 589–90, 596, 727, 729, 732; 1956, 549, 551, 570, 654, 656, 659, 664, 733, 735; 1962, 658–59, 733, 735; 1973, 660–62, 668, 733, 735;—Ahmadiyya community, declaration as non-Muslim, 733; Islamic constitution, 541–42, 608–33, 660
Pakistan Convention Muslim League, 659
Pakistan Election Commission, 668
Pakistan Elective Bodies (Disqualification) Order (EBDO), 657
Pakistan Essential Services Maintenance Act, 539
Pakistan Muslim League (Nawaz), 670
Pakistan National Assembly, 668
Pakistan National Awami Party, 659
Pakistan Penal Code, 664, 667
Pakistan People's Party (PPP), 7, 660, 662, 663, 669
Pakistan Protection of Women (Criminal Laws Amendment) Act, 2006, 667
Pakistan Public and Representative Office Disqualification Act, 1949, 635
Pakistan Public Office (Disqualification) Order (PODO), 657
Pakistan Tehreek-e-Insaf (PTI), 670, 671
Pakistan Times, 529, 645, 657
Pakistani Muslims, 8, 13, 14, 461, 495, 506, 509, 521, 533, 544, 726, 728, 735
Pakistani Taliban, 666
Palestine, Palestinians, 210, 238, 568–69, 673, 686; United Nations' resolution on partition, 532
Panama Papers leak, 670
Panigrahi, D.N., 275
Pant, Gobind Ballabh, 298
Papanek, Gustav V., 658

IQBAL FORUM

parliamentary system, 118; in Pakistan, 565, 599, 607, 659, 660, 729
Parmanand, Bhai, 119
Parsis, 41, 86, 95, 186, 208, 550, 551, 621, 714
Partition Council, 452
Partition of Bengal, 1905, 49, 51, 60, 123, 281, 576
Partition of Indian subcontinent and creation of Pakistan, 11, 82, 89, 108–9, 221, 238, 736–37, 738–40, 382, 510, 514, 518, 521, 534, 535, 537, 539, 546, 551, 554, 573, 600, 609, 643, 646–47, 648, 662, 681, 683, 685, 712, 713, 719–21, 734, 736–38; Abul Kalam Azad opposed, 338; Ambedkar on, 241–44, 381; and British, 8–9, 20, 23, 295, 378, 390, 400, 403, 413–54, 627, 672, 740; of Bengal and the Punjab, 4, 331–35, 344, 350, 372, 382, 422–23, 424, 427–28, 433–38, 440, 443–46, 452–54, 483, 486, 497, 502, 505, 510–13, 517–18, 525, 527, 529, 703, 716, 721;—Jinnah's stand on, 430–33; British military's memorandum on, 433–34; Cabinet Mission plan and, 350, 372; Congress and, 4, 5–7, 20, 231, 240; Jinnah and, 1–5, 8, 14, 20, 23, 24–25, 209, 216, 231–34, 237–41, 244–45, 246–48, 251, 253, 266, 270, 283–85, 287, 295–322, 329–30, 332–33, 335–36, 342–43, 345, 354, 377, 390, 393, 397, 413, 415, 421–25, 428, 431–33, 435–37, 438–39, 445–47, 460–79, 483, 486, 490, 497–98, 505, 508, 524–26, 543, 556, 579, 597, 611, 634–35, 708–10, 719–25, 734, 740; Muslims opposed, 233–34; political triangle, 703–04; post-Partition riots, 10, 287–89, 529–30, 548, 554, 641; and princely states, 345, 528, 580, 581, 672, 709; Sikhs against, 340; two-nation theory of Jinnah, 5, 10–13, 14, 203, 212, 245, 248, 265, 286, 288–89, 338, 342, 471, 491, 500, 522–23, 525, 531, 548, 554, 628–30, 653, 682, 684, 687, 708, 712, 720, 734, 736;—and Muslim nationalism, 116–55, 207, 234, 489, 502, 686, 702–3, 708, 723–24, 737–38. *See also* two-nation theory
Pasha, Enver, 64
Pasha, Zaghlul, 436
Patel, Bullabhai, 594
Patel, Sardar Vallabhbhai, 151, 239, 261, 300, 337, 342, 355, 356, 365, 378, 379, 386, 396, 400, 418, 428, 432, 433, 534, 535, 549, 573, 581, 585, 587, 594, 681, 703, 718, 719, 721, 730. *See also* princely states
Pathankot tehsil, Gurdaspur, the Punjab, 581
Pathans, 187, 275, 276, 487, 499
Patiala, Maharaja of, 435, 436
Pawa, Madanlal, 545
People of the Book', 33, 466–67
People's Conference, 95
Persian Gulf, 376, 414
Pethick-Lawrence, Frederick, 330–31, 337–39, 357, 359, 374–75, 385, 387, 389, 392, 395, 398, 404–6, 715
Petit, Dinshaw, 58
Pirpur Report, 173, 706
Plato, 502, 544
Plekhanov, Georgi, 18–20, 739

IQBAL FORUM

pluralism, 80, 500; and intellectual debates among Muslims, 467–68; pluralist secularism in India, 21
political mobilization and actions, 20
political reforms, 39; in Baluchistan, 91; in North-West Frontier Province, 91, 98
politics, 4, 13–15, 17, 20, 22, 24–25, 31, 43, 51, 65, 72, 161–62, 167, 171, 176, 185, 188, 195, 245, 272, 386, 400, 431, 469–70, 490, 518, 532, 543, 554, 556, 602, 608, 627, 641, 662, 664, 674, 682, 698, 708, 713, 727, 738; communal, 233, 281; communitarian, 83, 91, 101, 124, 128, 134, 145, 151; of mass agitation, 697; of othering and polarization, 14, 119, 124, 200–26, 333; and political outcomes, 19, 532, 674, 739–40; and religion, 616–18, 660, 696
presidential system in Pakistan, 658, 659
princely states, 3, 11, 66, 96, 97, 130, 147, 187, 339, 350, 351, 419; British, loyalty to, 39, 234; British policy on, 580–81; Jinnah and, 580–81, 730–31; partition and, 332, 341, 345, 433, 439, 449, 528, 538–39, 580–90, 681; acceded to Pakistan, 587–90
Privy Council, 52
Progressive Writers' Association, 150
Progressive Writers' Movement, 261
proportionate representation system, 667
provincial election, 1936–37, 152–54
provincialism, 543–44, 552
public consciousness, 20, 725
Public Safety Bill, 94
Punjab, 234, 448, 474–75, 493, 547–56, 581, 587, 596, 607, 672, 684; anti-Ahmadiyya riots, 646–53; communal violence, 382, 418–20, 422–23, 425–26, 445, 452–54, 490, 496, 511–13, 641, 696; division/partition, 331–335, 344, 350, 372, 382, 422–23, 424, 427–28, 433–38, 440, 443–46, 452–54, 483, 486, 497, 502, 505, 510–13, 517–18, 525, 527, 529, 703, 716, 721; Indian East Punjab, 510, 513–14, 516–20, 522, 527, 537, 539–40, 683–85; Jihad against Sikhs, 470–71; Jinnah's election campaign, 1945, 314–19; Jinnah's intrusion, 270–71; Jinnah's stand on, 430–33, 438; *Karza* (Debt) Committees, 169; Legislative Assembly, 608; Muslim Students' Federation, 245–47; population, 314, 435, 443, 537–39; provincial elections, 1946, 336; Provincial Muslim League, 265, 280, 303, 304, 416, 419, 652; Radcliffe Award on, 451; right and left, factionalism, 314; Shia–Sunni terrorism, 665–66; as the third dominion, 429; Western, 505, 519, 527, 533, 566, 569–70, 573, 611, 617, 643, 662. *See also* Sikhs
Punjab Boundary Force (PBF), 452, 453
Punjab Boundary Commission, 449–50, 492, 568,
Punjab Unionist Party (PUP), 85, 167, 206, 210, 224, 225,

IQBAL FORUM

270–71, 282, 314, 336, 429, 707, 711
Punjabi, Punjabis, 343, 487, 527, 545, 576–79, 663; consciousness, 442; Hindus, 119, 335; Muslims, 81, 223–24, 245, 321, 416, 474; refugees, 529, 533; representation in the Indian Army, 203
Punjabi Suba movement of 1950s and 1960s, 438
Purna Swaraj, 129, 704

Qadian, Gurdaspur, the Punjab, 81, 305, 646–48, 661
Qadianis. *See* Ahmadis
Qadri, Abdul Hamid, 219
Qadri, Mumtaz, 669
Qadri, Syed Muhammad Ahmad, 650–51
Qasim, Muhammad bin, 33
Qasmi, Ali Usman, 475
Qayyum, Sahibzada Abdul, 90, 313, 537, 572, 583, 584
Quaid-e-Azam Relief Fund, appeal on establishment, 516
Quit India movement, 233, 255, 282, 366; Jinnah used to his advantage, 260–61, 262–71, 283, 707
Quraish tribe, 65, 464
Quran, 14, 24, 33, 34, 41, 62, 164, 165, 189, 212, 267, 276
Qureshi, Ishtiaq Husain, 516–17, 617–18, 624–25, 628
Qureshi, Nawab Muhammad Hayat, 317
Qureshi, Noor Muhammad, 8
Qureshi, Shoaib, 98

Radcliffe, Cyril (Radcliffe Award), 448, 449–50, 528, 703, 722; Bengal and the Punjab, 451, 510, 527–28, 647
Rahim, Abdul, 92
Rahim, J.A., 662
Rahman, Fazlur, 566–67, 729
Raja Ram, 127
Rajagopalachari, C. (Rajaji), 2, 151, 208, 232–33, 250, 261, 283–85, 287, 298, 356, 358, 390, 396, 709. Rajendra Prasad, 151, 192–93, 208, 239, 260, 300, 356, 390, 396, 400
Rajguru, 134–34
Rangeela Rasul, 89, 475
Rajpal, 89, 475
Rao, P.V. Narasimha, 682
Rashid, Abdul, 565
Rashtriya Swayamsevak Sangh (RSS), 89, 120–21, 200, 260, 416, 510, 536, 545, 554, 587, 644
Rawalpindi, 89, 331, 415, 513, 637, 668; communal violence, 420, 534; Sikhs massacre, 422–23, 453, 511
Razakars, 587
Rees, Major General, 452
Refugee crisis, 541; end of, 533–37
Reid, Walter, 9, 126, 149, 252
religious communities, 11, 15, 83, 89, 122, 132, 182, 280, 429
religious controversies and debates, 32, 83
religious fanaticism, 319, 515
religious freedom and conscience, 632, 728
religious minorities in Pakistan, 439, 616, 667, 687, 736
Report on Indian Constitutional Reform (Montagu–Chelmsford Report), 57–59
Republican League, 95
reservation: Anglo-Indians demanded, 59; for Dalits and Adivasis, 644, 681, 684, 702; for Muslims, 50, 97, 102,

IQBAL FORUM

108, 200, 684, 699, 733; for Scheduled Castes, 544; Sikh demanded, 101
revolutionaries, 134–36, 137
Rightly Guided Caliphs, 463
Rizvi, Gowher, 185, 193–94, 195
Rizvi, Khadim Hussain, 670–71, 687
Roman Catholics and the Protestants, 500, 632
Round Table Conference: first, November 1930–January 1931, 129–30; second, 134, 137, 139–42; third, 143
Rowland, Archibald, 566
Rowlatt Acts, 1919, 59, 60, 62, 67, 89, 696–97
Roy, K., 383
Roy, Kiran Shankar, 426–27, 484, 492
Royal Indian Navy, 337
Rule of law, 31, 39, 40, 109, 479, 735
Rushd, Ibn, 467
Russian Revolution, 40

Sachar Report of 2006, 684
Sadullah, Muhammad, 281, 298
Safavids, 468
Saladin. *See* Ayyubi, Kurd Salahuddin
Salam, Abdus, 654
Sanskrit, 117–18, 120, 173, 614
Sapru, Tej Bahadur, 86, 98, 135, 162, 498
Sarila, Narendra Singh, 8–9
satyagraha (civil disobedience movement), 136, 138, 239, 259
Satyapal, Dr, 61, 137
Saudi Arabia, 622, 665, 680, 735; funded religious schools in Pakistan, 678
Saunders, J.P., 94, 134
Savarkar, Vinayak Damodar, 119–20
Sayani, Rahimtulla M., 41
Sayed, Amjad Hussain, 167, 205, 472
Sayeed, Khalid bin, 132, 471, 498, 565, 572, 729
Scheduled Castes (Dalits, untouchables), 11, 32, 34, 59, 70, 102–3, 126, 180, 187, 240, 270, 296–97, 419, 682; and Ambedkar, 130, 341, 343, 380–81, 644; and Congress, 187, 200, 250, 298, 343, 358, 380–81, 394–95; Constitution of India, 644; Constitution of Pakistan, 644, 661; and Gandhi, 544, 568; Hindus, 140, 395, 537; and Jinnah, 200–2, 250, 270, 298, 405, 485, 575–76, 634, 709; reservation for, 544
Scheduled Castes Federation, 343, 575
Scott, James, 94
sectarian extremism, sectarianism in Pakistan, 653, 665, 686–87
sectarian tensions, 12–13, 175
secular state, equal citizens, fundamental rights, democracy, 104–5
secularism, 10, 21, 129, 460, 47679, 492, 501, 508, 533, 667–68
self-determination, right of, 6, 31, 116, 209, 263, 279, 286, 301, 308, 317, 333, 708
self-rule, 39, 53, 64, 66, 71, 72, 86, 128, 142, 153, 236, 337, 696–701, 704, 708
separate electorates: for Dalits, 701–2; for Muslims, 50–51, 54–55, 63–64, 66, 86, 87, 91–93, 96–103, 110, 119, 123, 141, 145–48, 152, 161, 166, 179, 181, 195, 208, 341,

IQBAL FORUM

381, 544, 644, 694, 699, 710; Sikh demand for, 59, 140–41, 701; in Pakistan, 643, 664;— Musharraf abolished, 667
Sepoy Mutiny. *See* First War of Independence
Setalvad, M.C., 648
Shafi, Mian Muhammad, 85–86, 90, 92–94, 99, 107, 111, 129–30, 140–41, 143, 701, 704–5
Shah, Hasan Ali, 121
Shah, Makhdum Reza, 317
Shah, Maulana Syed Abdul Rauf, 219
Shah, Maulana Syed Abdur Rauf, 343
Shah, Pir Fazl, 317
Shah, Pir Ghulam Mohiyuddin, 317
Shah, Pir Jamaat Ali, 311, 317
Shahi Jirga of tribal chiefs, 309
Shahidganj Mosque, Lahore, 179, 180
Shahjahan, 34
Shahnawaz, Begum Jahan Ara, 140–41, 251, 484, 518, 567, 630–31
Shakargarh tehsil, Gurdaspur, the Punjab, 305, 451, 528, 581, 583
Shareef Report, 173, 706
sharia. *See* Islamic law
Shariatullah, Haji, 470
Sharif, Muhammad Nawaz, 664–65, 666, 670–71, 679, 685
Sharif, Nawaz, 664–65
Sheikhupura, the Punjab, 450, 451, 452, 527
Shias, Shi'ism, 11, 22, 33–34, 47, 71, 82, 278, 284–85, 303, 476, 478–79, 648, 711, 733; and Sunnis clashes in Lucknow, 190–91; sects and sub-sects. *See* under individual names
Shia minority in Pakistan, 12, 463–65, 468–70, 471, 487, 499, 566, 568, 577, 593, 599, 634, 650, 653, 663; and Sunni terrorism, 665–66, 678
Shiromani Gurdwara Parbandhak Committee, 512
Shraddhanand, Swami, 89
Shuddi (purification) and Sanghatan (communal unity), 88–89
Shudras, 32, 651
Siddiqa, Dr, 569
Siddiqui, Shaukat Ali, 68
Sikh(s) of Punjab, 11, 43, 54, 63, 64, 81, 85, 103, 108, 123, 141–42, 186, 226, 232, 240, 270, 280, 296, 297, 299, 309, 314, 365, 648, 653, 661, 665, 683, 713; Cabinet Mission Plan, responses to, 352–53, 355, 357, 360; demonization and dehumanization, 382; and Jinnah, 335–36, 430–33, 435–38, 709; legacy of martyrdom against Mughal rule, 94; Muslim jihad against, 471; and Nehru Report, 101–2; reaction to demand for Pakistan, 225, 231; partition and, 330, 332, 334–36, 340–41, 346,350–51, 381–83, 385, 415–17, 419–23, 430, 435–38, 443, 445, 448–54, 502, 505–06, 510–13, 518, 521, 527, 529–30, 583, 596, 642, 710, 712, 721, 728, 734, 739; in post-Partition Pakistan, 533–40, 556, 578, 579, 582, 736; refugee crisis, 489–90, 533–36, 545, 550; separate electorates, demand for,59, 140–41, 701
Sikh Akali Dal, 260, 320, 707
Sikh League, 96
Sikhism, 80–81, 105, 536, 701

IQBAL FORUM

Simla Agreement, 677
Simla Conference, 298–301, 329, 346, 353, 364
Simon Commission. *See* Indian Statutory Commission
Simon, John, 93, 94
Sind, 131, 233, 234, 240, 270, 299, 322, 385, 391, 418, 443, 546, 567, 596, 634, 702, 714; Arab expedition, 32–33; British annexation, 121; election campaign, 1945, 308–9, 535; factional feuds, 309; Khairpur princely state, 588; Muslim-majority region, 122, 144, 154, 222, 239, 281–82, 308, 351, 537–38; would be part of Pakistan, 286, 288, 289, 331, 344, 353, 430, 433, 444, 447, 449, 710; political conflicts/ factional feuds, 296, 309; population, 308, 538; as new province, 103–4; Provincial Muslim League, 276, 308; to be separated from Bombay, demand for, 90–92, 97–98, 100, 108–10, 141–42, 181; supported Khilafat movement, 65, 68
Sind, post-Partition, 519, 655, 656, 658, 662–63; attacks on minorities, 533–38, 550, 555; dismissal of government, 579–80, 729; Sindhi language, 662
Sind Anglo-Indian Association, 240
Sind Rifles, 61
Sindhi, Maulana Ubaidullah, 42
Sindhis, 343, 567, 576, 577, 662–63; Hindus and Sikhs, 521, 533–38, 540, 550, 555
Singapore, 65, 252, 259, 329, 366
Singh, Baldev, 316, 318, 340, 356, 390, 396, 401, 403, 445
Singh, Bhagat, 94–95, 134–36, 137, 138–39
Singh, Chanan, 94, 134
Singh, Harnam, 340, 426
Singh, Jaswant, 98, 99
Singh, Kartar, 340, 426, 435–36
Singh, Kirpal, 141, 436
Singh, Mangal, 98, 102
Singh, Manmohan, 683
Singh Sabha movement, 81
Singh, Tara, 137, 298, 340, 353, 417, 419, 435–36, 511
Singh, Ujjal, 426
Sipah-e-Mohammad, 666
Sipah-e-Sahaba, 666
Siraj-ud-Daula, governor of Bengal, 35
Sirhindi, Pir Ghulam Mujadidi, 309
Sirhindi, Shaikh Ahamd, 34
slaves in the Islamic polity, 466–67
Smith, Joseph, 478–79
Smith, Wilfred Cantwell, 171, 234
social contract, 21, 632, 645
social forces, 18–20, 739–40
Soomro, Allah Bakhsh, 233–34, 282
South Asian Association for Regional Cooperation (SAARC), 686
South East Asian Treaty Organization (SEATO), 674
South Indian Liberal Federation, 95
Southern Indian Chambers of Commerce, 95
Soviet Union (USSR), 8, 9, 22, 42, 42, 94, 189, 261, 295, 469, 494, 579, 701; Afghanistan invasion, 677–78; and British, 310, 372, 414, 446, 715, 717, 719–22; and China, relations, 6, 676; communism, 6, 514, 636, 703, 728, 731–32; Constitution, 279, 700; disintegration, 216, 680, 700; Hitler invaded, 262; India,

IQBAL FORUM

relations, 6–7, 377, 414–15, 722; and Ottoman Turkey, 71, 469; socialism, 149–51, 170, 705; and United States, 295, 515, 674–75, 678; West and, 494, 614
Spanish Islam, 464, 470
Sri Prakasa, 596–97, 598
Stalin, Joseph, 6, 267, 279, 280, 700
state system, 21, 38
state, caliphate and Imamate, 463–65
Statute of Westminster, 142–43, 289, 431
Stimson, Robert, 531–33, 597
subjective individual human agency and the objective forces, relation, 19–20
Sufi, Sufism, 62, 65, 80, 35, 311, 465, 470, 536; Chishti order, 80, 600, 667; Naqshbandi Order, 34 309; Qadri order, 600
Suhrawardy, Huseyn Shaheed, 68, 282, 320, 343, 382–84, 386, 387, 388, 392, 426, 428, 432, 484, 520, 554–56, 567, 637, 656
Sukhdev, 134–35
Sunderlal Committee Report,587
Sunnis, 12, 32–34, 47, 64, 67, 71, 73, 80–82, 89, 220, 278, 285, 303, 462–65, 468, 470, 487, 495, 499, 568, 577, 599–601, 624, 634, 647–48, 650, 653, 658, 663, 671; Barelvis, 10, 14, 81, 317, 470, 476, 478–79, 493, 542, 593, 596, 634, 650–51, 652, 665, 666, 670; Deobandi puritanical school of thought, 42, 665, 666; Hanafi practice, 33, 34, 469–70; Khojas, 601; orthodoxy, 34, 468; Shias, clashes in Lucknow, 190–91; Shia–Sunni terrorism, 665–66; sub-sects, 317, 665, 733
Suri, Sher Shah, 33
Swat, West Pakistan, 539, 588
Sylhet, a Muslim-majority district, 320, 332, 344, 444

Tabligh (proselytising) and Tanzeem (organizing) activism, 89
Tagore, Rabindranath, 69
Talha, Naureen, 226
Taliban and Wahhabi militants, 666, 680
Talimat-e-Islamia (Teachings of Islam), 633
Talpur, Mir Bunde Ali, 240
Tamizuddin, Maulvi, 616, 655
Tan Tai Yong, 203
Tariq, Azim, 540
Taseer, Salman, 669
Tedder, Lord, 433
Tehreek-e-Labaik Pakistan, 670
territorial nationalism, 12, 13, 31, 33, 42, 133, 134, 171, 236, 301, 460, 474, 476
territorial redistribution of provincial boundaries, 87
terrorism, 59, 94, 95, 136, 668, 669, 687; Shia–Sunni, 665–66
Thanvi, Ashraf Ali, 175, 176, 592
theocracy, theo-democracy, theonomy or nomocracy, 476, 477–79, 735–36
Thompson, E., 133
Tilak, Lokmanya Bal Gangadhar, 49
Tipu Sultan, 232
Titu Mir, 470
Tiwana, Khizr Hayat Khan, 270–71, 314, 318, 321, 334, 341, 416, 418, 429, 510, 711, 721
Tolstoy, Leo, 41
Treaty of Lausanne, 1923, 71, 469

IQBAL FORUM

Treaty of Sèvres of 1920, 68, 70, 469
Trotsky, Leon, 6, 279
Truman, Harry S., 636
Tuker, Lt General Francis, 383, 392–93, 414, 731
Tunzelmann, Alex von, 275
Turco-Afghans invaded India, 33
Turkey, 210, 414, 476, 477, 492, 501, 579; had abolished Islamic law, 621; Ottoman Empire, Ottomans, 40, 58, 60, 64–66, 123, 128, 145, 467–69, 508, 696, 722;—defeat, 646; millet system, 467
'twenty two families', 658
two-nation theory of Jinnah, 2, 5, 10–13, 14, 24, 203, 212, 245, 248, 265, 286, 288–89, 338, 342, 471, 491, 500, 522–23, 525, 531, 548, 554, 628–30, 653, 682, 684, 687, 712, 720, 734, 736; and Muslim nationalism, 116–55, 207, 234, 489, 502, 686, 702–3, 708, 723–24, 737–38; Jinnah drifts towards Muslim nationalism, 116–55, 207, 234, 489, 502, 506, 686, 708, 723, 724, 738. *See also* Pakistan, demand for, creation of; Partition of India
Tyabji, Badruddin, 41

Umar (Omar), 172, 211, 463, 464, 620, 625
Umayyad caliphate (661–750 ce), 464
Umayyad Empire, 32
United Nations, 339, 439, 531, 555, 580, 585, 673–74, 716; United Nations Charter, 552; resolution on partition of Palestine, 532; Security Council resolution on Kashmir, 585–86, 677
United Provinces, 99, 166, 186, 234; by-elections, 1937 onwards, and the Islamic state, 10, 175–77; Hindu–Urdu language controversy, 117–18
United States of America, 6, 295, 333, 532, 580, 674, 700; Constitution, 478; foreign policy, 636; India, relations, 680–81; overtures, 514–16; and Partition Plan, 440–41; Pakistan, relations, 552;—antipathy towards, 439, 440–41;—military agreements, 675, 678;—patronage to, 658, 674–75, 731–32; republicanism, 21; state and religion, 477; terrorists' attack (9/11), 217, 669, 679; wanted a united India under the Congress, 390, 434, 439
universal adult franchise, 97, 100, 103, 107, 138, 153, 209, 702
untouchability, 319, 544, 644, 681
untouchables, 11, 32, 34, 59, 70, 102, 130, 270, 568
upper-caste Hindus, 40, 41, 70, 117, 281, 314, 576, 694, 707; converts, 34; dominated Congress, 200, 713
Urdu, 11, 152, 174, 182, 220, 317, 319, 471, 483, 533, 536, 540, 541, 566, 566–67, 596, 618, 662, 663, 712; and the national language issue, 97, 105, 123, 179, 180–81, 189, 333, 702; national language of Pakistan, 576–79, 643, 656, 729
Usmani, Shabbir Ahmed, 175
Usmani, Zafar Ahmed, 175
Uthman, 463–64

Vajpayee, Atal Bihari, 679, 685
Vande Mataram, 173, 179, 180

IQBAL FORUM

Varma, S.D., 672
Venning, Colonel, 393
viceregal system, 565, 635, 642, 729
Vidya Mandir Scheme, 173, 174
Vijayaraghavachariar, 98

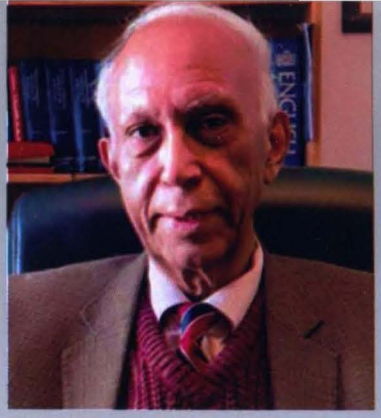
Wadia, Dina *née* Jinnah, 143, 495, 592, 601–2; claimed right to inherit her father's property in India, 599–600
Wadia, Neville, 495
Wahhabis, 303, 469, 593, 634, 648, 666, 678
Wales, Prince of, 424
Waliullah, Shah, 469
Walton Relief Camp for refugees, 528–30
War Cabinet, 221, 295–97, 425
War Committees, 235–36
Wardha Scheme of Education, 173, 174, 187, 189–90
Waugh, A., 380
Wavell, Lord Archibald, 9, 271–72, 275, 276, 284, 287, 289, 295–302, 317, 321, 329–30, 338–40, 346; Breakdown Plan of 27 December, 1945, 330–31, 400, 433, 718; Boundary-Demarcation Plan of 7 February, 1946, 331–32, 400, 433, 451, 528, 715–17, 718, 725; Cabinet Mission Plan, 372–74, 385–86, 397, 403, 405–6, 717–19; announced a Caretaker Executive Council, 373; dislike for Congress, 399; dislike for Gandhi, 372; and HMG, communication, 374–76; interim government, 355–64, 366, 388–90, 394, 418; sends invitations to join the interim government, 356–59, 387; and Jinnah, 395, 715–17;—accuses Jinnah and Muslim League for the outbreak of violence, 398;—against Jinnah being invited to form the government, 359–60;—secret communication, 362–63; letter dated 8 July to His Majesty King George VI, 363–67; musings of 2 December 1946, 401–3; invites Nehru to form the interim government, 356, 379–82; secret report to the secretary of state, 28 August, 387–88; top secret note ends, 376–77; musings 2 December, 1946, 401–3; and to India, 415, 418, 423–24, 433, 451, 647, 725, 730–31
Wayne, General, 433
Weber, Max: theory of charisma and authority, 16, 738
West Bengal, 319, 426, 540, 643, 721; Hindu-majority, 49
West Pakistan, 556, 579, 658, 660; centralized state, 656; demography, 576; domination, 643, 645; minor frontier states, 539–40; Provinces, 537–38;—amalgamated under One-Unit Scheme, 656, 659: population, 537–38, 539; three main princely states, 538–39
White Man's Burden theory, 128
Wighton, Fraser, 336
Willingdon, Lord, 66, 130
Wilson, Woodrow, 333
Wolpert, Stanley, 1, 57, 144, 306, 484, 490, 554, 593, 594, 695, 702
women, 139, 145, 153, 219, 736; education, 224; in Hindu society, 242; in Islam, Islamic polity, 37, 274, 278, 342, 465, 466–67, 469, 496, 608; partition violence and, 511,

IQBAL FORUM

517–18, 529, 546, 551, 584; persecution in Pakistan, 667, 669–70; property inheritance rights in accordance with Islamic law, 164–65; rights, 97, 104, 127, 360, 469, 496, 501
World Bank, 658
World War I, 55, 57, 64, 123, 128, 203, 252, 333, 469, 695–96
World War II, 8–9, 20, 23, 191–92, 202, 203, 251, 262, 264, 288, 310, 333, 375, 377, 382, 400, 424, 707; and Congress, 191–92, 240–41; and Jinnah, 191, 192, 203, 206, 210, 231, 241, 707; Muslim League's support, 191, 206, 210, 234, 707
Wyatt, Major Woodrow, 338, 344, 355, 358
Wylie, Francis, 185, 388
Yazid, Umayyad ruler, 464
Yegar, Moshe, 674
Yusufi, Khurshid Ahmad, 25, 188

Zaheer, Sajjad, 637
Zaheer, Syed Ali, 303, 390
Zahiruddin, 345
zakat (alms tax), 663, 665, 733
zamindari system, 186, 282, 609
Zardari, Asif Ali, 669
Zaydis, 465
Zetland, Lord, 172, 275
Zia-ul-Haq, General Muhammad, 660, 733; death in plane crash, 664, 678; Islamist measures, 662–65
Zionist movement, 568, 674
Zoroastrian Association, 95
Zoroastrians, 467
Zulus, 699

IQBAL FORUM



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