

RESEARCH ARTICLE**An Appraisal of Jinnah's Political Paradox: Jinnah in His Own Words**Tauheed Ullah Siddiqui ^a

Abstract: There is an ongoing debate and discussion as to what was the constitutional thoughts of the Quadi Azam Muhammad Ali Jinnah the founder of Pakistan. There are people who advocate that he was a man of secular thoughts in his personal life as well as political life whereas there is another segment of the society who is adamant on advocating that he was visibly a political missionary for an Islamic state. Both the segments have their respective references and arguments for their stances. However, political history of the British subcontinent is witness on the paradigm shift in his political and constitutional scheme subsequently. Therefore, this article is an attempt to examine and analyse as to what was really Jinnah in his political and constitutional thoughts so that our youth may be well introduced to their great leader who gave them their homeland on the soil of the subcontinent in 1947. Although Jinnah did not write a book to describe his political and constitutional thoughts yet they are very much visible in his political speeches and legislative discourse. Thus, there is a good amount of literature available to determine and identify Muhammad Ali Jinnah's politico-constitutional ideals and ideas.

Keywords: Muhammad Ali Jinnah, Constitution, Political Thoughts, Islamic State, Secularism, Subcontinent

Introduction

Quadi Azam Muhammad Ali Jinnah the founder of Pakistan, is one of the greatest political figures of the twentieth century. His political struggle is marked with a paradigm-shift from Hind-Muslim unity to Hind-Muslim division in terms of two sovereign states which he translated into reality by culmination into Pakistan in 1947.

Jinnah was born on 25th December 1876 in a rich business family of Khoja community, settled in a rented house in Karachi, Wazir Mansion. His father, Jinnah Bhai Poonja, had shifted from Kathiawar (Gujrat) to Karachi in 1875 in pursuit of his business ties with a leading British firm in Karachi, Graham's Shipping and Trading Company (at that time Karachi had turned into a significant seaport and gateway for eastern trade due to opening of Suez Canal in 1869 which had reduced the travel time to Europe drastically, in addition to the railway network connecting Karachi with North Western and Eastern India). He also established his own firm, Jinnah Bhai & Co., dealing in grain, timber, cotton, wool, hides and shipping (Khojawiki).

Jinnah's father since being on good terms with his business associate, Sir Frederick Leigh Croft, in Graham's company, the latter offered an apprenticeship to his young son Muhammad Ali Jinnah in the company's London office in 1892 (Read & Fisher, 1997). By that time, Jinnah had completed his matriculation from Bombay (His schooling began from Sindh *Madrasat-ul-Islam* Karachi (1887-1892), through Christian Missionary High School Karachi (March-October 1892) while ending briefly in Anjuman-e-Islam School Bombay). Thus, Jinnah sailed to London in 1892. Although he worked for a short time in the London-based Firm, yet he switched over to study law in Lincoln's inn in 1893 and graduated as a youngest Indian barrister in 1896 and returned to Bombay to start his practice (Pirzada, S. 2012).

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It is to be noted that Muhammad Ali Jinnah's decision to change his career path from business apprenticeship to law profession was not without much disapproval of his father who had gone bankrupt by the time Jinnah had left for London. In addition, Jinnah's mother Mithibai and wife Emibai had also passed away after his departure to London.

On his return to Bombay, Jinnah was enrolled as an advocate of Bombay High Court in (Original Side) on 24th August 1896. However, in the initial stage of his practice he faced multiple challenges, as he was the only Muslim barrister in Bombay at that time and was exposed by circumstances to compete with the towering personalities in the profession resulting in a few legal briefs, brought to him in the first few years of his practice. In addition, he had no financial back-up due to his father's financial collapse (caused by a major financial crisis known as the Panic of 1893, a severe economic depression that led thousands of businesses and hundreds of banks to fail, particularly in the United States and generally in the global market, including British foreign investment flows). Hence, he had to rely on his own earning which was in fact uncertain. He utilized the chambers of John Molesworth MacPherson, the acting Advocate General of Bombay, to establish his law practice (Bolitho, 1954).

It is interesting to mention here that Jinnah was appointed as a Third Presidency Magistrate on the Municipal Bench in Bombay in 1901 for an interim period of six months. Interestingly, after the end of the period he was offered a permanent position which he humbly declined for the reason that the monthly salary offered to him was Rs.1500, an amount, which he wanted to earn daily and eventually he achieved that during the peak of his profession (Ibid). Nevertheless, he fixed his salary at Rs. 1 per month once he assumed as the first Governor General of Pakistan (Ahmed, 2005).

Jinnah's rise in his legal profession started when he won the Caucus case (Bombay High Court, 1908). A group of the Europeans and a British municipal official were alleged to have rigged the election of Bombay Municipal Corporation to bar Sir Pherozshah Mehta from being re-elected in the Council. Jinnah represented Sir Mehta and won the case by his smashing cross examination and legal logic which brought him name and fame across the legal fraternity of Bombay. (Sir Mehta was a respected Indian nationalist politician who had served as President of the Municipal Corporation several times and was widely recognized as the "Father of Municipal Government in Bombay").

Jinnah's Early Political & Constitutional Thoughts

a. British Liberalism & Constitutionalism

During his studies of Bar-at-law in London, Jinnah was profoundly influenced by the political thoughts and career of Dadabhai Naoroji (one of the founding members of Indian National Congress and served as its President for three terms between 1886-1907). Naoroji was the first Indian to become a Member of the British Parliament in 1892 to 1895, the period when Jinnah was also stationed in London as a law student and got an opportunity to actively participate in Naoroji's election campaign for the Central Finsbury constituency (Naoroji contested the election from the platform of the Liberal Party in the UK). Jinnah also attended House of Commons visitor's gallery to hear Naoroji's first speech as an MP in the British Parliament.

As a student of law, Jinnah was also influenced by the Bentham's and John Stuart Mill's liberalism and constitutionalism whose application he observed in the political career of Naoroji, an old Indian nationalist, who believed in the constitutional struggle for the rights of Indians (however, at the final stage of Jinnah's political struggle his views were reshaped by profound influence of the Poet of the East, Allama Muhammad Iqbal; Jinnah himself acknowledged and paid him rich tribute as his mentor on several occasions during the Pakistan movement [Kenworthy & Ferrari, 1968]). Naoroji was also critic of the economic policies of the British governments and termed them "drain of Indian wealth" through economic exploitations of the subcontinent's rich resources. Such fierce and critical ideas influenced the young Jinnah, the future eminent leader of Indian politics. Other such nationalist and constitutionalist leaders included Gopal Krishna Gokhale

who also believed in Indian self-rule by constitutional and legal means hence deeply influenced young Jinnah as his political mentors (Singh, 2009). Sarojini Naidu, known as Nightingale of India, in Jinnah's biographical account, quoted him saying "it is my ambition to become Muslim Gokhale" (Naidu, 1918).

Gokhale also recognized Jinnah with his remarks "true stuff in him" and "freedom from all sectarian prejudices" and would make him "the best ambassador of Hindu-Muslim unity" (Wolpert, 1984). These congress leaders were secularist, liberal, democrat and moderate who had a common political ideology of self-rule of India through dialogue, legislative measures, and legal advocacy rather than mass mobilization, direct action and street politics. They believed in working with existing governments and institutions in order to bring reforms on the Indian constitutional landscape.

Separate Electorate System & Muslim Representation as a Minority

Jinnah was working well with such nationalist cum constitutionalist leaders as Gokhale and Naoroji. Thus, his tireless working culminated in an arrangement to unite both Congress and All India Muslim League under Lucknow Pact 1916 whereby both political parties agreed upon a joint demand for greater self-rule in India from the British Parliament. Moreover, Muslim Leagues' demand for separate electorate system was also accepted (where Muslim vote was to be cast exclusively for Muslim candidate). Likewise, Muslim representation was also acknowledged to be increased by "weightage" in the provinces where they were a minority, whereas by "proportional representation" where they were a majority except in Punjab and Bengal (weightage: allocation of more seats than their population). In recognition of his historic political arrangement, Jinnah was called the "Ambassador of Hindu-Muslim Unity" (Naidu, 1918).

Congress Deviation from Constitutionalism and Jinnah's Marginalization & Disillusionment

By the demise of the nationalist and constitutionalist leaders such as Gopal Gokhale (d. 1915), Sir Pherozeshah (d. 1915) and Dadabhai Naoroji (d. 1917), a vacuum surfaced in the Congress leadership which was soon replaced by the contrast political approach of the successive leaders such as Gandhi who advocated 'mass mobilisation' and 'direct action' as political tools rather than constitutional, legal and institutional approach of his predecessors to achieve self-rule in India. This deviant discourse of Congress culminated in *Satyagraha* (nonviolent resistance) and *Swaraj* (direct action to demand immediate self-rule).

Whereas Jinnah still adhered to the former Congress leaders' constitutional and moderate political approach. Jinnah tried by his speech to convince the Congress leadership to follow the precedent of their predecessors, but all went in vain rather he was shouted down in the Congress session held in Nagpur in 1920 where Gandhi proposed a resolution to launch a non-cooperation movement through a non-constitutional means, *Satyagraha* (nonviolent resistance). Jinnah opposed the non-constitutional method for achieving self-rule in India. During his speech in the Congress session, Jinnah referred Gandhi as "Mr. Gandhi" which provoked the delegates who were accustomed to call Gandhi as "*Mahatma*" (Great Soul), a holy title, which Jinnah did not use to refer him. In reaction, a portion of the audience shouted at Jinnah "you are not wanted here" and urged him to use the title which Jinnah declined. In order to calm down the audience, Gandhi eventually intervened and stated that he was not "*Mahatma*". However, the resolution for "*Satyagraha*" was passed in deviation from the Congress' former constitutionalist leaders. Jinnah being disillusioned by what he witnessed and termed "the religious zealotry into politics", resigned from Congress commenting Gandhi's approach as "political anarchy" and "pseudo-religious" (Bolitho, 1954).

Jinnah's Constitutional Proposals

All- Parties National Convention was held in Calcutta in December 1928 in pursuit of a new constitutional package from the British government, Jinnah proposed amendments in the Nehru report, drafted by an All-Parties Committee, chaired by Motilal Nehru. The draft was going to be a potential constitution for future independence of India.

Jinnah proposed "one-third" Muslim representation instead of one-fourth in Central Legislature, where Congress was in majority, to safeguard the Muslim interests in the Centre. Similarly, Jinnah proposed "separate electorate" system for Muslims in the provinces of Punjab and Bengal to ensure Muslim rule in these Muslim-majority provinces. In addition, Jinnah proposed "federal government" system instead of central government with all residuary powers to be vested in the provinces to safeguard the Muslim minorities' provincial autonomy/rule against the domination of the Congress-majority rule in the Central Legislature. However, all the three proposals were rejected by the Congress-dominated All- Parties National Convention in Calcutta. Jinnah was deeply disappointed by the outright rejection and prejudicial political approach of Congress and reportedly stated to his friend Jamshed Nusserwanjee "This is parting of the ways" (Khan M. & Warduk E. A. 2017).

However, in furtherance of the interest of Muslim minorities, Jinnah gave his famous fourteen points as a proposal for the constitutional safeguard for the Muslims of the subcontinent in 1929. These points included those proposals, rejected outright earlier by the Nehru-headed committee. In addition to Jinnah's earlier three proposals namely separate electorate system, one-third Muslim representation in the Central Legislature and Federal system, he further demanded for separation of Sindh from the Bombay Presidency, reforms in the then NWFP and Baluchistan to bring both on par with other provinces including protection for Muslim religion, culture, law and language (Wolpert, 1984). It is interesting to note that these constitutional 14 points became the guiding principles of the Muslim League in all the successive campaigns culminating in creation of Pakistan in 1947.

Jinnah's Constitutional Position in The Round Table Conferences

Jinnah remained intact with his fourteen points in both first two the Round Table Conferences held in London in 1930 and 1931 respectively, while Gandhi remained adamant upon the Nehru report of 1928 when invited to attend the second RTC. However, surprisingly, Jinnah made here another attempt as an Indian nationalist and an ambassador of Hindu-Muslim unity for communal and political harmony between Congress and Muslim League in the conference. He urged both the Hindu and Muslim leaders to put a united front before the British for the self-rule. However, his efforts went again in vain, and this was the last attempt as in the following years Jinnah ultimately embarked upon the partition plan of the Indian subcontinent into two independent dominions which he realized with outstanding success in 1947.

The failure of the Round Table conference was primarily due to the controversy as Congress was not ready to acknowledge Muslim League as the sole representative of all the Muslims in India in addition to rejection of Jinnah's fourteen points. Jinnah, being frustrated from political and communal deep divisions, quit politics and decided to stay in London (Singh, 2009).

Paradigm Shift in Jinnah's Constitutional Perspective

There was another giant and genius leader of the Muslims in India, the Poet of the East, Allama Muhammad Iqbal, who played a significant role in convincing Jinnah to return to India (Ziring, 1980). Jinnah had held him in very high esteem for his politico-philosophical-intellectual contribution in reawakening of the Muslims of India. Deep politico-intellectual exchange of thoughts proved to be a turning point and a paradigm shift in thought-processing of Jinnah from his advocacy for united India to divided India, from protection of Muslims minorities to a sovereign Muslim State, from federation to separation and from British framework of constitution to Islamic constitutional framework.

Although Jinnah and Iqbal had long political and formal relationship as Iqbal joined British Branch of All India Muslim League in 1908 and became a member of its Executive committee while Jinnah joined the League in 1913, yet their close interaction began during the second Round Table Conference in London in 1931. This close interaction continued subsequently through distant correspondence and later a series of letters were exchanged between the two great leaders from May 1936 to November 1937, a few months before Allama's death in April 1938.

Likewise, when Iqbal was the President of the Punjab Muslim League Jinnah was the President of All India Muslim League and it was upon his request that Iqbal presided the famous annual session of All India Muslim League at Allahabad in 1930 wherein he delivered his visionary address visualizing a separate Muslim State in North-West India. After his Allahabad address, he remained President of Muslim League until 1932.

Iqbal's letters to Jinnah urged him to address mass Muslim problems such as economic poverty, political marginalization and social disparity etc. to develop Muslim League as a public political party rather than a party of the elite Muslims only. Likewise, in his letters, he convinced Jinnah to struggle for a separate Muslim State through consolidation of North-West India to secure the Muslim nationhood based on its distinct Islamic identity. Iqbal had foreseen the developing political landscape in India nearing the British departure. He shared with Jinnah his vision and farsighted apprehensions in terms of "storm" and potential "civil war". He urged him to lead the Muslims of India through that impending storm which he had foreseen coming in near future as the departure of the British rule from India was imminent potentially resulting into communal riots leading to civil war. Thus, Iqbal transformed Jinnah's outlook on Indian politics by giving him a new political identity and dimension and left deep impression on him (Khan, 2010). On several occasions, Jinnah paid tribute to Iqbal as his "mentor" a "loyal colleague" and a "dear friend" in his commemorations (Ahmed, 2005). The letter-series which had influenced and ideologically transformed Jinnah from "Hindu-Muslim unity" to "Two Nation-Theory" were published in 1942 with a foreword written by Jinnah himself (Iqbal, 1942).

Hence, as an ideologically transformed leader, Jinnah distinguished his discourse by vividly defining Islam not merely a religion of rites and rituals rather a "complete code of life", a code, which prescribes and provides all essential guidance in all aspects of human life including socio-politico-economic order (Karim, 2010).

It is interesting to underline here that this complete and comprehensive code of life was not merely a draft in theoretical terms rather it was a complete demonstration of the Messenger of Islam Muhammad (peace be upon him) through his personal, political, social and economic life and was witnessed by diverse leading tribes of the time in Arabian Peninsula for sixty-three years from his birth to burial while living a human life bearing all of its shades, pains and pleasures. Thus, this practical demonstration of the Prophet in the light of the divine revelation for twenty-three years became the code, which he called "a complete code of life".

Jinnah Emerging as an Ideological Figure and Advent of a New Epoch

Jinnah has now turned from an ambassador of Hindu-Muslim unity to an ambassador of Iqbal's vision. His struggle now turned towards an ideological movement rather than a purely political one. The vision for preservation of Islamic ideology of the Muslims was inspired by Iqbal into him through continuous correspondence as preceded above, a fact, which he acknowledged himself on various occasions in several public speeches. Thus, the ideological influence upon his political and constitutional thoughts is depicted in his own words as follows:

A. "Pride in Muslim-Identity"

"I am not a learned Maulana or a Maulvi nor do I claim to be learned in theology. But I also know a little of my faith and I am a humble and proud follower of my faith." (Yusufi, 1996).

The above remarks show Jinnah's pride in his faith with no inferiority complex and no more influence of the Western liberalism.

B. Appreciation of "Islamic Law"

Jinnah gave his remarks about the Muslim law of inheritance when a debate was invoked for its review. He commented as follows:

"Islamic code of law with regard to succession is most equitable, most just, most advanced and most progressive. I therefore say that let Muslims at least be governed by it." (Jinnah, 1938).

Jinnah reposed full confidence in Islamic law as the most advanced code with no fear in mind to be called conservative.

C. Political & Constitutional Ideology

1. Muslim League's Flag, "the Flag of Islam"

Jinnah wonderfully outlined his political ideology in Gaya Muslim League Conference at Patna in the following words:

"The Honour and regard which you have shown to me as Mr Jinnah you have shown them to the Muslim League and Islam. That is, you are showing that you are wholeheartedly with the Muslim League. Today in this huge gathering you have honoured me by entrusting the duty to unfurl the flag of Muslim League the Flag of Islam, for you cannot separate the Muslim League from Islam. Many people misunderstand us when we talk of Islam, particularly our Hindu friends. When we say this Flag is the Flag of Islam they think we are introducing religion into politics - a fact of which we are proud. Islam gives us a complete code. It is not only a religion but it contains laws, philosophy, and politics. It contains everything that matters to a man from morning to night. When we talk of Islam we take it as an all-embracing word. We do not mean any ill will. The foundation of our Islamic code is that we stand for liberty, equality and fraternity." (Jinnah, 1939).

Jinnah here asserted that the Muslim League's flag is the representation of Islamic flag. He explained in vivid words that Islam guides not only to a belief system but also provides a complete code of life including a code of political life for a nation thus he ruled out the absurd debate of secular state or Islamic state for Islam has all guidance for all spiritual as well as temporal affairs (the most distinguished and unique fact for which the Prophet of Islam was ranked 1st among the 100 most influential persons in the history by a famous historian, Hart, 1978).

Jinnah also stressed that "you cannot separate Muslim League from Islam" which implies that he integrated both temporal and spiritual domains in a single political and constitutional framework for the future Muslim State, again ruling out all absurd discourse of secularism v. Islamism as Islam itself is all-embracing and inclusive of all temporal/secular affairs.

2. "Appreciation of Islamic Political Values in Comparison with the Western"

"Democracy in the abstract was quite different from democracy as practiced. Democracy was like a chameleon, changing its complexion according to the environment. Democracy was not the same in England as it was in France and America. Islam believed in equality, liberty and fraternity, but not of the Western type." (Jinnah, 1939).

3. Jinnah's Analysis of "Heterogeneous Vs Homogeneous Nations"

"Democratic systems based upon the concept of homogeneous nations such as England are very definitely not applicable to heterogeneous countries such as India and this simple fact is the root cause of all of India's constitutional ills.....The whole concept of democracy postulates a single people...The British people must realise that Hinduism and Islam represent two distinct and separate civilisations and, moreover, are as distinct from one another in origin, tradition and manner as the nations of Europe." (Ahmad, 1960 p. 115-117).

Here, Jinnah emphasised that the British rulers must realize the fact that English democracy cannot be applied in India as the UK has a single people sharing common values whereas India has multifaith communities among whom Muslims constitute at least one hundred and ten million, the largest minority rather a majority on its own right, who share nothing in common with others, neither history nor the future, thus it fulfils all essentials needed to become a nation.

4. "Two-Nation Theory Vs Single Nationhood"

"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 Hindus and Muslims can ever evolve a common nationality." (Ibid, p. 160).

Jinnah stressed upon the fact that here religions do not mean merely sets of beliefs. Here the two religions mean two distinct social orders which cannot combine both the communities ever together, as witnessed factually by several preceding decades.

5. "International Law Perspective"

"The problem of India is not an inter-communal one but manifestly of an international character, and it must be treated as such. So long as this basic and fundamental truth is not realised, any constitution that may be built will result in disaster and will prove destructive and harmful not only to the Musalmans but also to the British and Hindus. If the British Government is earnest and sincere to secure the peace and happiness of the people of the subcontinent, the only course open to us all is to allow the major nations separate homelands, by dividing India into autonomous national states." (Ibid p. 159).

Here Jinnah again urged the British rulers to understand that there are two distinct major nations who cannot be forced to live as a single nation; hence need to be settled in two separate homelands with regard to any standard of International law.

6. "Two Different Civilizations"

On the historic occasion of Lahore Resolution, 1940, Jinnah moved forward to resolve Muslims of India as a "separate nation". He stated in clear words as follows.

"Islam and Hinduism... are not religions in the strict sense of the word, but are... different and distinct social orders", that "the Hindus and Muslims belong to two different religious philosophies, social customs, literature", "to two different civilizations", that they "derive their inspiration from different sources of history" ... (with) different epics, different heroes and different episodes." "We wish our people", he declared, "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 own ideals and according to the genius of our people." He further said "they neither intermarry nor inter dine and, indeed, they belong to two different civilizations which are based mainly on conflicting ideas and conceptions".

Jinnah's this speech, from the platform of All India Muslim League, set the "Two Nation-Theory" as a foundation and justification for creation of Pakistan from any perspective of International law. He observed and maintained that both Hindus and Muslims have their distinct and different source of identity, culture, civilization, language and literature which implies that there is no similarity between the two which is essentially required to constitute a nation in the terms of International law.

7. Aims of the Freedom Fight: "The Glory of Islam"

In his message to the NWFP Muslim Students Federation he states as follows,

"Strengthening yourselves is, really speaking, strengthening the borders of Pakistan, a thing which will enable us to achieve our goal and thus maintain our freedom, honour, prestige and glory of Islam for which we are now fighting. 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" (Ahmad, 1960 p.472).

8. "Pakistan Came into Being by Conversion of First Indian Muslim"

"Actually, Pakistan came into being when the very first Hindu converted into Muslim, it happened, when there was no rule of Muslims. The foundation of Muslims is Kalama-e- Tauheed rather than state or race. When a Hindu converted his religion, he became a member of the separate nation and new nation came into being." (Jinnah, 1944).

9. "Self-Rule by Own Code of Life"

"The Muslims demand Pakistan, where they could rule according to their own code of life and according to their own cultural growth, traditions and Islamic Law." (Ahmad, 1960 p. 237).

10. "Own Code of Life v. Ram Raj"

"Our religion contains a code of life in the conduct of every department and we want to live according to the same ideals but the Hindu leadership is bent upon establishing 'Ram Raj' and treat the Muslims as a minority." (Ahmad, 1960 p. 249).

11. From "Muslim Minority" To "Muslim Nation"

"We are a nation with our distinctive culture and civilization, language and literature, art and architecture, names and nomenclature, sense of values and proportion, legal laws and moral code, customs and calendar, history and traditions, aptitude and ambitions; in short, we have our own distinctive outlook on life and of life." (Jinnah, 1944).

The cornerstone of the above remarks is that Jinnah had changed his political views about the Muslims of India for whose political rights he had been advocating in all the British constitutional packages including Morley-Minto reforms of 1909, Montagu-Chelmsford Reforms of 1919 and Government of India Act 1935. But now he was no more fighting for rights of the "Muslim Minority" rather for absolute freedom of the "Muslim Majority" on its own right based on its distinctive Islamic identity, which is derived from its complete code of life, i.e. the Glorious Quran.

12. "The Quran: Complete Code to Regulate Every Department of Life"

"Everyone, except those who are ignorant, knows that the Quran is the 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 has enjoined 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 Muslim society, every department of life, collectively and individually." (Ahmad, 1960 p.175).

Thus, Jinnah viewed the Quran as a general code which provides all essential codes of commerce, crime, economic, politics and family life meaning thereby that all essential aspects of human life are covered under this single code which is why he urged every Muslim to have a copy of the Holy Quran to seek guidance for all his life affairs thus becoming the priest of his own. Here Jinnah ruled out the idea of religious monopoly, theocracy or papacy in Islam as found in other religious traditions such as Christian papacy which had become the cause of the revolt across Europe leading up to Renaissance and subsequent Liberalism of temporal affairs from spiritual papacy.

Jinnah's Thoughts as a Founder of Pakistan

A. Jinnah's Speech on 11th August 1947

Jinnah addressed the first Constituent Assembly of Pakistan in Karachi. The speech is considered significant in terms of its phrases as deemed by certain quarters being Jinnah's reversal to secularism in Pakistan.

Thus, the speech is referred and relied upon by those who wish Pakistan to be a secular state. It is important to analyse what words Jinnah articulated exactly and their specific contexts:

"I cannot make any well-considered pronouncement, but I shall say a few things as they occur to me... If you change your past and work together in a spirit that every one of you, no matter to what community he belongs, ... 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 emphasise 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 Bengalese, Madrasis and so on — will vanish. Indeed, if you ask me this has been the biggest hindrance in the way of India to attain its freedom and independence and but for this we would have been free peoples long ago. No power can hold another nation, and specially a nation of 400 million soul 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 places 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 to-day. 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 when 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".

1. An Analysis of the Phrases of Jinnah's 11th August-Speech

- a. *"every one of you, no matter to what community he belongs, ... is first, second and last a citizen of this State with equal rights, privileges and obligations..."*

The above quote is very much in accordance with the spirit of Islam as the *Misāq-i-Madīnah* (constitution of Madinah) had also set a common political ground of "equal citizenry" among all the polytheists and the Jews alongside the emerging Muslim community in Madinah. This political equality was established to bring about peace among the pagans and the Jews who were engaged in feud and fight for over a century before the arrival of the Prophet of Islam in Madinah. Thus, the Prophet (peace be upon him) made unification of the Muslims, Polytheists and Jews into one political community while keeping their distinct socio-economic and legal order intact. Therefore, the *Misāq* was a manifestation of equal citizenship of all the religious communities, religious liberty, tolerance, and cultural autonomy. The Charter of Madinah also established a joint defence by all the Muslim and non-Muslim citizens equally, marking an inclusive/pluralistic approach of the State. Thus, Jinnah's this part is in consonance with the articles of the Prophet's Pact of Madinah.

- b. *"You are free; you are free to go to your temples, you are free to go to your mosques or to any other places of worship in this State of Pakistan"*

Again, this part is also in high spirit with the Prophet's Pact of Madinah wherein he gave freedom of religion to all the religious communities living in Madinah. Same position has also been described in the Glorious Quran in the following words, "for you your religion and for me mine" (*The Quran*, 109:6). Another ayah says, "there is no compulsion in religion..." (*The Quran*, 256:2). Thus, this part is also aligned with the Prophet's foundation of the State of Madinah.

- c. *"You may belong to any religion or caste or creed - that has nothing to do with the business of the state ..."*

Here again reference is made to the Prophet's Pact of Madinah wherein business of the State was a combined obligation of all the citizens of Madinah within the "framework" set by the Prophet (Peace be upon him) as Head of the State and endorsed by all the subject under the *Misq*.

- d. *"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".*

While interpreting this part of Jinnah's speech, it is generally and potentially ignored that Jinnah distinguished between religious and political identities of the communities. As regards political identity, all citizens of Pakistan are Pakistanis (Muslims and non-Muslims alike) same as all the citizens of Madinah were *Madanis* under *Misq-i-Madinah* despite bearing diverse religious identity. Thus, if we relate ourselves to our State - Pakistan we become a political community sharing common political identity with other communities and if we relate ourselves to our faith we become religious community sharing common religious identity within our community only. Thus, there is no conflict in terms of what Jinnah differentiated Pakistanis in political identity and religious identity while engaging their political identity only for the business of the state of Pakistan.

The reason for asserting political identity to the exclusion of religious identity is itself described in his preceding paragraph wherein he referred to the plight of the Catholic and the Protestant communities in England where they would persecute each other because of the difference of the religious identities for centuries until they realized to reshape their identity in political terms to build a common ground for coexistence in peace and prosperity. Thus, they became equal citizens of Great Britain regardless of their religious denominations. This lesson according to Jinnah can be learnt by the diverse communities living in Pakistan to develop a common ground in political terms as "equal citizens of Pakistan" for peaceful coexistence. He did not give his remarks in derogation of religion but inclusion of diverse faith-based and sect-based communities to run the business of the State under the "framework" to be made by the Constituent Assembly of Pakistan while keeping Islamic standards as benchmark (well explained in his successive speeches and cited in the following paragraphs).

However, regrettably and ironically, the nation neglected the spirit of his words hence was exposed to face the dire consequences of the negligence in form of sectarian and communal violence across all the decades of Pakistan; the downfall for which Jinnah had cautioned his nation in his 11th August speech, but the nation fell in controversy of his words while forgetting the wisdom behind the words of the father of the nation.

In addition, there were several other occasions after 11th August speech where Jinnah had full opportunity to express his views and vision about the future Constitution, Economic and Political system. A few of his expressions as follow.

A. "Islamic Perspective of Liberty, Fraternity and Equality"

"It should be our aim not only to remove want and fear of all types, but secure liberty, fraternity and equality as enjoined upon us by Islam." (Yusufi, 1996, p. 2615).

B. "Means to An End and Not an End Itself"

"The creation of a State of our own was a 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 and where principles of Islamic social justice could find free play." (Jinnah, 1947).

C. Islam: A Benchmark

As regards the "Constitution of the State", he explained while addressing Karachi Bar Association on 25th January 1948 as follows:

"Islam and its idealism have taught democracy. Islam has taught equality, justice and fair play to everybody. 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 people who do not quite appreciate when we talk of Islam. . . Islam is not only a set of rituals, traditions and spiritual doctrines. Islam is a code for every Muslim which regulates his life and his conduct in even politics and economics and the like. 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." (Jinnah, 2000).

Thus, Jinnah confidently distinguished and appreciated Islamic Precepts of equality, liberty and fraternity in comparison with the Western democracy.

D. Islamic Democracy and Islamic Social Justice

"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." (Jinnah, 1948).

E. Radio Broadcast to the People of the United States of America

"Pakistan is the premier Islamic State and the fifth largest in the world. 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 that it will be of a democratic type, embodying the essential principles of Islam. Today, they are as applicable in actual life as they were 1300 years ago. Islam and its idealism have taught us democracy. It has taught equality of men, justice and fairly play to everybody. We are the inheritors of these glorious traditions and are fully alive to our responsibilities and obligations as framers of the future constitution of Pakistan. In any case Pakistan 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 rightful part in the affairs of Pakistan." (Jinnah, 1948).

Thus, Jinnah's broadcast is self-explanatory, declaring that the foundation of the "future constitution" will be laid down on Islamic principles which are as applicable today as thirteen centuries ago.

F. "Rule Under Islamic Law"

"The League stood for carving out states in India where Muslims were in numerical majority to rule there under Islamic law." (Ahmad, 1960 p. 253).

G. "Islamic Ideas of Social and Economic Life"

Likewise, as regards economic system, he asserted on the occasion of inauguration of State Bank of Pakistan on 1st July 1948, as follows:

"I shall watch with keenness the work of your Research Organization in evolving banking practices compatible with Islamic ideas of social and economic life. The economic system of the West has created almost insoluble problems for humanity and to many of us it appears that only a miracle can save it from disaster that is not facing the world. It has failed to do

justice between man and man and to eradicate friction from the international field. On the contrary, it was largely responsible for the two world wars in the last half century. The Western world, in spite of its advantages, of mechanization and industrial efficiency is today in a worse mess than ever before in history. The adoption of Western economic theory and practice will not help us in achieving our goal of creating a happy and contended people. 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".

Again, a self-explanatory speech as to what economic model Jinnah wanted to see in his country. He asserted in clear words that the economic model of Pakistan will be based on Islamic principles and assigned this duty to the State Bank of Pakistan to evolve such a model and present to the World for salvation of mankind from the western exploitative economic system responsible for all evils leading to the world wars.

Conclusion

The above appraisal of Jinnah reveals that he was influenced by English legal philosophers and English parliamentary system in his student life while having close observation in England. Likewise, in his initial legal and political career, he followed the same pursuit in Congress party as an Indian nationalist and secular constitutionalist under the influence of Naroji and Gokhale. His long association with these leading democratic nationalists brought him comfortable position in Congress for common thinking. However, after their demise he felt isolated as Congress party was overtaken by radical-religious ideas which he dismissed while keeping his constitutionalist and secularistic approach intact. However, facing resistance from Congress in all fronts where he stood for protection of Muslim minorities, he was disillusioned in political landscape of India and took a self-exile in London. His interaction with Dr. Sir Allama Muhammad Iqbal during his self-exile in London inspired him a new political ideology and convinced him to return to India. Iqbal's further correspondence with Jinnah through a series of letters for over a yearlong transformed him from a secular nationalist to an "Islamic political ideologist" who would now stand to struggle for an Islamic State for the Muslims of the Subcontinent, a vision, instilled into him by Iqbal which he had pronounced at Allahabad address, as a President of Muslim League in 1930. Hence, Jinnah's new ideological reflection was evident in all his speeches starting from 1938 till his death in 1948. This decade-long literature provides ample evidence of his ideological transformation and his ideology-based political movement. An analysis of his 11th August speech reveals his passion for promotion of political harmony among all the communities living in Pakistan while keeping in view the example of Britain which was once a home of sectarian feuds between the Catholic and the Protestant turned into a home of religious tolerance and harmony. So far as the institutions of Pakistan are concerned he unequivocally stated in all his subsequent speeches to be based on Islamic ideology including the State Bank of Pakistan being the last institution he inaugurated in July 1, 1948 wherein he categorically ruled out the western economy and urged the finance researchers to develop a Shariah-compliant financial system and present it to the world as a modern model. To quote the words of Rushbrook Williams, "The masses had rallied to Mr Jinnah because they were hoping for the creation of an Islamic state". (William, 1962).

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