

The book cover features a dark, textured background with a collage of elements. A map of Pakistan is visible in the upper left. A large, glowing crescent moon is positioned in the center. Below the moon, there is a stylized illustration of a mosque dome with intricate patterns. The title 'ISLAM AND PAKISTAN'S IDENTITY' is written in large, white, serif capital letters across the top and middle sections.

ISLAM AND PAKISTAN'S IDENTITY

Dr Javid Iqbal

ISLAM
AND
PAKISTAN'S IDENTITY

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DR. JAVID IQBAL

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FOREWORD

In analysing the religio-political developments which led to the creation of Pakistan, this book repeats the old story, forgotten and probably erased from the collective memory of the present generation of Pakistanis. It also attempts to provide answers to a series of questions which emerge from the foregoing analysis. In context: Was Pakistan established as a result of the hastily articulated "Two-Nation Theory" or was it spawned by a protracted conflict between two cultures in the Subcontinent? Is there any merit in the argument that since the region comprising Pakistan had different geo-political features, that its inhabitants (even in pre-Islamic times) had been ethnically, linguistically and culturally different from the rest of India, that they represented a different nation, a different entity? If Islam is the basis of Pakistan, then which interpretation of Islam was its inspiration? Why were most of the Ulema (religious scholars) opposed to its creation?

All the previous religiously motivated political movements of the Indian Muslims were not successful in achieving their objectives, while the Pakistan movement, also motivated by Islam, but opposed by the majority of the Ulema, was successful. Why? The framers of the constitution of Pakistan claim that it is an "Islamic" republic. Does this mean that it is an "Islamic" state in the conventional sense or is it a state based on Islam as envisaged by its founders, particularly Iqbal and Jinnah? What is an Islamic state? Had it ever been established or is it only an aspiration of the Muslims? The expression "Islamic state" neither finds any mention in the Quran nor does it appear in the Hadith

literature (statements of the Prophet).

The term "*Dar-ul-Islam*", meaning a country governed by Shariah laws, was also coined by later jurists. For a state to be acknowledged as an independent state under contemporary International Law, it must be national, territorial and sovereign. Does an Islamic state fulfil these requirements? According to classical Muslim jurists, an Islamic state is expected to be multi-national, universal, and its sovereignty vests in God, not in the people. Is this concept inconsistent with the established international requirements and norms of state-hood? How is the question of Pakistani nationality to be resolved? Is the pre-Islamic history of the territories constituting Pakistan relevant for settling this issue or are the roots of national identity of the Muslims of Pakistan to be traced from the advent of Islam?

The theory that the people of the Indus Valley had always been culturally, socially and politically distinct from the rest of India, is acceptable to the extent that they are different from the Indian population. But this distinction does not provide a solution to the problem of nationality and statehood of Pakistani Muslims. The territory of Pakistan includes Mohenjodaro, Harappa and Taxila. This region was a cradle of diverse civilizations. But the demand for Pakistan was neither based on their cultures nor were their distinctive features considered as bases for the struggle for Pakistan.

Pakistan was established as a homeland for the Muslims of this region. Therefore its pre-Islamic history is not definitive in determining their national identity. The only binding force among the inhabitants of this country is their common spiritual aspiration. Consequently the problem of their national identity and statehood has to be resolved in the context of Islamic values.

It is against this backdrop that, in Chapter One, I have discussed extra-territorial elements that may be relevant to the concept of nationality and state as these developed under Islam. Before initiating a discussion on the impact of new Western ideas on Muslims of the subcontinent, Chapter Two relates the failure of the old ideas of governance of the Muslim "power" state in India.

Foreword

The basic problem that remains is: which interpretation of Islam, conventional or "reconstructive", provides an answer to the question of nationality and statehood of the Pakistani Muslims? It may be pointed out that my approach in this study is that of a "re-constructionist", so aptly described by the late Professor Eqbal Ahmed as "one who seeks to blend tradition with modernity in an effort to reform society" (*Islam and Politics, "The Islamic Impact"* Syracuse University, 1984). This is precisely the foundation on which Pakistan was established. It has been explained in this work that the real reason why most of the Ulema opposed the Pakistan movement was their fear that this movement was based on a "reconstructive" rather than a "conventional" interpretation of Islam. The modern history of Muslims in the subcontinent shows that whenever they deviated from this rational and pragmatic course of action due to the emotional persuasion of the Ulema, they suffered enormously and their respective political movements ended up in complete failure.

It is therefore necessary to preserve and protect this idealism from religious extremists who have still not accepted Pakistan as a modern nation-state, and who would not let a chance pass by to transform it into a country in which their own traditional version of Islam would prevail. They would not be averse to destroying it altogether by igniting a civil war between the extremists and the moderates. Ideologically speaking, the Muslims of Pakistan do not accept the Turkish, the Saudi, the Iranian, or the Taliban paradigms of nationality and state. On the contrary, they aspire to unify the Islamic world with the projection and propagation of their own reconstructive and progressive model. The stand taken by Pakistan in supporting the international community to eradicate terrorism from the world, can be considered as a test of the durability of Pakistan's ideology.

The answers that I have attempted to provide reflect my understanding of the concepts of nationality and state in Islam as applicable to the nation-state of Pakistan. Originally, I had set off to crystallise my own views. I am publishing the same in the hope that these may be helpful to others who are perplexed by the

same questions.

In the end I wish to thank my friend Professor Hafeez Malik of Villanova University, Pennsylvania, U. S. A. for having painstakingly gone through the entire manuscript and furnishing me his comments. I have benefited greatly from his valuable advice. I likewise thank Dr. Waheed Ishrat of Iqbal Academy for examining the manuscript and for making valuable suggestions, which have been incorporated in the book. Mr. Muhammad Suheyl Umar, Director Iqbal Academy Pakistan likewise deserves my thanks for publishing the manuscript under his special care.

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I must add, however, that any inaccuracies, misjudgements or other errors remain my sole responsibility.

Javid Iqbal

Chapter One

THE CONCEPTS OF NATIONALITY AND STATE IN ISLAM - A REASSESSMENT

Pakistan claims that it is an Islamic republic. As a homeland for the Muslims, the nationality of the majority of its inhabitants is founded on Islam, their common spiritual aspiration, rather than on commonness of race, language and territory. As an Islamic state, ideologically, it is neither national nor territorial nor fully sovereign. But in reality it conforms to the well-established norms of International Law applicable to modern nation-states and is for all purposes a national, territorial and sovereign state.

The distance between ideology and reality is the main cause behind Pakistan's quest for identity. Islam, as a religion, has no place for priesthood, therefore Islam has never been a theocracy. However Islam has a specific number of religious obligations for its adherents and a code of temporal (civil and criminal) laws which the state is expected to implement for its Muslim citizens. In this background, the crucial question requiring answer by the generation of modern Muslims in Pakistan is: What is an Islamic state? Has it ever been established or is it only an aspiration?

The Quran and Sunnah, the main sources of Islamic law, do not lay down any specific form of political order of an Islamic state. After the Prophetic era, particularly in the course of establishment of the early Caliphate, politico-religious groupings led to a sectarian split within the Muslims. Three out of the four Caliphs were assassinated, and the struggle for power engendered by ancient tribal rivalries pushed the Muslims to the brink of a destructive civil war. As a result the "republican" political order was replaced by an absolutely autocratic hereditary/dynastic monarchy which lasted for the rest of the history of Islam. Most

of the works on Islamic constitutional theory were compiled during the existence of such monarchies. Therefore, the jurists who wrote them are unanimous in upholding monarchy as the model of the state in Islam.

The Muslim jurists have always emphasized the superiority of the Islamic state over any other model of state, on the grounds that a state administered under man-made laws catered for the happiness of its citizens only in this world. Whereas an "Islamic" state, they claimed, was founded on revealed law, and therefore, its object was to realize the two-fold concept of happiness - to work for the happiness of Muslims in this world and to prepare them to achieve happiness in the next. The Muslims constructed a vast empire and were the architects of a magnificent civilization. But unfortunately, the progress of Islam as a conquering faith led to the "repaganization" of their political ideals, and the Muslims lost sight of some of the most important democratic and economic potentialities of their faith.

To find out how the political ideals of Muslims were "repaganized", a critical analysis of the development of Muslim political thought in the light of Islamic history is necessary. The exercise is being conducted in this chapter under four different titles: the Prophetic Model, the Republican Caliphate, subversion of the Political Message, and the opinions of jurists, moralists and philosophers.

THE PROPHETIC MODEL

The Quran is silent about the form of government or political order which an Islamic state should take, but is concerned mainly with the implementation of Islamic law. In the person of the Holy Prophet, as Imam or Head of the new state of Medina, were combined the roles of legislator (mujtahid), statesman, administrator, judge, and military commander. He also led the congregational prayers and was the supreme authority in matters connected with religion and revealed law. His position was exceptional and unique as he operated in different capacities.

By combining the Muhajirin (Emigrants) from Mecca with the Ansar (Helpers) of Medina into a Community of Faith (Ummah/Milla), he laid down the principle of "Muslim

nationality" which emphasized a common spiritual aspiration rather than the commonness of race, language and territory. Since the new Community of Faith was expected to lead its individual and collective life according to the Shariah (legal code), it endeavoured to establish a civil society of its own. Within a brief period of time this new community developed into the form of a state in Medina. The founding of a state for the Muslims was also a practical necessity as God commanded in the Quran that the Muslims must render obedience to God and the Holy Prophet, and to those among them who exercise authority (sura 4: verse 59). The state authority could further employ or delegate powers to even non-Muslims, who must be obeyed. The mode of life which a Muslim is commanded by the Quran to follow can only be followed if he is a member of a politically and economically free society. In this context, the Muslims are expected to establish a state of their own, wherever it is possible to create a viable state. The same principle can also be deduced from the Sunnah (practice) of the Holy Prophet, who migrated from his ancestral home, Mecca, to found a civil society and state in Medina.

Although the Holy Prophet was the ultimate authority in political and military affairs, and as the Messenger of God was not obliged to consult others, he consulted his Companions in all matters, except for those matters relating to Revelation. The Quran guided him to consult his Companions in all affairs, but that once he had taken a decision, he should put his trust in God (sura 3: verse 159). The command to the Holy Prophet emphasized the significance of "consultation" (shura) in managing the affairs of the state. The Holy Prophet did not need anyone's advice, however, in his personal capacity, he usually accepted the advice of others and did not impose his own decision. In sura 42: verse 38 it is laid down that the Muslims should conduct their affairs by mutual consultation. The verse describes the nature of the Muslim community, which is expected to conduct all its worldly affairs by mutual consultation. The Holy Prophet said: "Difference of opinion in my community is (the manifestation of Divine) Mercy"; and: "My community would never agree on an error".¹

While interpreting the verses pertaining to Shura (consultation), should the designated body be viewed as a consultative body or merely as an advisory body? The Holy Prophet always consulted his "Sahaba", eminent members of the Muslim community, in matters of state, as his advisors. Subsequently this practice was followed by the four Rightly Guided Caliphs. Consequently the principle is deduced that a person in authority must consult others, but is not bound by the advice received and can overrule it.

The state founded in Medina included the valley of Yathrib which had, besides Muslim, Jewish, Christian, and pagan populations. In order to preserve its independence it was necessary to maintain equality among all the citizens of the state so that they could help one another in defending their common territory. Consequently, the Holy Prophet, in consultation with the other communities, promulgated the Mithaq-i-Medina (Covenant of Medina), the first written constitution of the world which was based on the Quranic injunction that there is no compelling in the matter of religion (sura 2: verse 256).

This document contains forty seven articles. The first part, consisting of twenty three articles, deals with the mutual relations, including rights and duties of Muslims. These articles united the Meccan Emigrants with the Helpers from Medina in a fraternal bond of Faith. The second part of the document, consisting of twenty four articles, deals with the relations of Muslims with the Jews and other non-Muslim inhabitants of the new state confirming to them the freedom of their religion as well as their possessions, and enumerates their duties and rights. This part of the document joined non-Muslims together with the Muslim Ummah, implying that since the nation-hood of Muslims is founded on a common spiritual aspiration, their unity with non-Muslim minorities in the state is based on patriotic and human considerations, and the defence of a common territory. Described as a "single community", the Muslims and non-Muslims are to help one another against common enemies, as stated in the document: "among them there exists sincere friendship, honourable dealing and no treachery". They are also

expected to contribute or bear expenses equally so long as the war continues, and they are to collectively defend the valley of Yathrib which is described as: "sacred for the people of this document". It is also stated that whenever, among the people of this alliance, there occurs any serious dispute or quarrel: "it is to be referred to God and to Muhammad, the Messenger of God (God bless and preserve him). God is the most scrupulous and truest Fulfiller of what is contained in this document"²

The Holy Prophet had founded a "federal" state as the non-Muslim tribes governed themselves in accordance with their own laws just as Muslims came under their Shariah laws; and they were politically and religiously fully autonomous in their own regions. It was only in accordance with the mutually agreed terms of Mithaq-i-Medina that they were united with the Muslims as one people. As a document, the Mithaq-i-Medina had no religious significance but was merely a social contract which could be broken if any participating tribe violated its terms. Nevertheless it was an attempt on the part of the Holy Prophet to establish a pluralistic society - a multi-religious, multi-cultural and multi-legal state.

As Head of the state, the Holy Prophet was indeed concerned with the formation and maintenance of unity in the Muslim community, and its governance in accordance with Islamic law. Since the principles of law had already been laid down by God in the Quran, the Holy Prophet, as the chief executive authority, interpreted those laws and implemented them. He established the principle that in legislation, Head of State has to be a Mujtahid (one who interprets law) and not a Muqallid (one who follows others' interpretations). This principle is derived from the Quranic verse that to those who exert, to them God shows his paths (sura 29: verse 69).

This principle is further supported by a Tradition of the Holy Prophet. At the appointment of Muadh ibn-i-Jabal as the governor of Yemen, the Holy Prophet asked him how he would decide cases in his court. Muadh replied: "I will judge matters according to the Book of God". The Holy Prophet then asked him, "But if the Book of God does not contain anything to guide

your?" He replied, "Then I will act in accordance with the precedents of the Prophet of God". "But if the precedents also fail?" "Then I will exert to form my own opinion".

From this Tradition one inference can be drawn: the worldly affairs (Muamalaat), as against the religious obligations (Ibadaat), are bound to change. Consequently situations will arise where the Quran and the Sunnah would not provide sufficient guidance, then Muslims would be expected to find their own solutions through interpretation of Islamic law, and then implement it to satisfy the requirements of their times. In other words, through Ijtihad a mechanism is provided to make the Shariah dynamic and to enable it to keep up with the community's needs. Indeed the community is expected to develop the Shariah. Moreover the Judiciary (Qada) is to be separated from the Executive. According to the Quranic injunction in sura 4: verse 59 if a dispute arises between the citizens and the state, the matter is to be referred to the Judiciary for adjudication in accordance with the Quran and precedents of the Holy Prophet. The judgment of the court is binding for the disputing parties.

The Holy Prophet emphasized the importance of Ijtihad for the continuous development of the Quranic rules of law. At that stage Ijtihad was adopted as a procedure, where there existed a difference of opinion or an ambiguity which required a definitive interpretation. In cases where the meanings of the Quranic rule of law were clear, but the contemporary conditions so demanded, the Holy Prophet had approved of holding the Quranic rule in abeyance (Ta'wiq). This is an exercise of power which may be termed as a "sovereign act" of the Imam (Head of State).

A further example of a "sovereign act" was the drafting of the Treaty of al-Hudaybiya, which was made between the Holy Prophet as Head of State of Medina, and Suhayl bin Amr, the representative of the pagans of Mecca. The treaty provided for non-aggression of a period of ten years between the Muslims and the Quraysh. The manner in which the treaty was drafted is interesting. According to reputable historical sources, the Holy Prophet asked Ali to write the introductory sentence of the treaty

as follows: "In the name of Allah, the Beneficent, the Merciful". However, Suhayl bin Amr objected to this, asserting that the Quraysh would not approve of the words "the Beneficent, the Merciful", and that the treaty should commence with the pagan invocation: "In Thy name, O Lord". Thereupon the Holy Prophet directed Ali to write the words as desired by him. Then the Holy Prophet directed Ali to write: "This is the treaty which Muhammad, the Messenger of God made with Suhayl bin Amr..." But Suhayl bin Amr interrupted again and asked Ali to withhold his pen. He addressed the Holy Prophet thus: "If we had accepted you as the Messenger of God, there would have been no war between us. Therefore, let only your name and parentage be written". Under the direction of the Holy Prophet, and despite the protests of Abu Bakr, Umar and Ali, Ali then reluctantly added: "This is the treaty which Muhammad bin Abdullah made with Suhayl bin Amr".¹

This style of treaty-making reflects the political sagacity, far-sightedness and pragmatic approach of the Holy Prophet as a statesman. According to Montgomery Watt, such approach was motivated by the supreme importance of the Holy Prophet's belief "in the message of the Quran, his belief in the future of Islam as a religious and political system, and his unflinching devotion to the task to which, as he believed, God had called him".⁴

By temporarily forsaking his designation as the designated Prophet of God, he exercised his "sovereign act" as the Head of State. This discretionary act was in the interest of the state or the community, and was neither repugnant to, nor in conflict with, the sovereignty of God or supremacy of His Law.

The traditional Fiqh (Islamic jurisprudence) acknowledges the Head of State's power as legislator to hold in abeyance or suspend (Ta'wiq) a Quranic rule of law, or to restrict (Tahdid) or to expand (Tawsih) its application if the conditions so demanded or the interests of the state or the community so required. In order to avoid the rigour of a Shariah law, particularly in some civil transactions, the jurists also evolved remedies called "devices" (heela). The Head of State's exercise of "sovereign act"

is distinct from Ijtihad, which is also his prerogative.

The state in Islam acknowledges the overall sovereignty of God and supremacy of God's Law, but as far as its interpretation and implementation are concerned, the Imam's power as legislator cannot be doubted when his act is sovereign. In addition, he exercises his power of discretion by accepting/advancing a specific interpretation with due regard to the interests of the state and the community in a particular set of circumstances. A wider interpretation of the Quranic doctrine of "necessity" (Izteraar) is also available to the legislator whereunder what is forbidden (haram) becomes lawful (halal). The advancement of the theory during 661 that the Caliphate and Prophethood must not be permitted to remain within the same family established another principle: that spirituality is not relevant to the administration of the state. If the elimination of spirituality had led to the emergence of a "power" state (mulk) in Islam, it was argued by the Sunni jurists that it did not matter for a "Mulk" was as competent an authority to enforce the Shariah as the "Khilafat".

Finally, the Holy Prophet's Sermons on Mount Arafat (Khutabat-ul-Wida) delivered during the Pilgrimage of Farewell (10th Hijrah) must be considered as having established an extremely important constitutional principle which illustrated the human rights from the Islamic viewpoint. For the first time in the history of mankind the Quranic injunctions enumerated some of the human rights which were guaranteed by the Holy Prophet. Thus life and property were made inviolable, drawing of riba (usury) on money loaned was prohibited, vendetta as practiced in pagan days was to be discarded, no Arab was to have any superiority over a non-Arab, except that based on piety; Muslims were to consider themselves as brethren, and it was not lawful for a Muslim to take anything from the belongings of his brother, except that which he gave willingly, and the rights of the spouses were protected.

The foundations for the Secretariat of the Imam were laid by the Holy Prophet himself. Scribes were appointed who drew up the state documents, and the Holy Prophet's seal conferred

legitimacy to all official documents.

Some of the important constitutional principles that can be derived from the Sunnah (practice) of the Holy Prophet are that:

- (1) The ultimate sovereignty vests in God, and the supremacy of His Law must be acknowledged.
- (2) The nationality of the Muslims is founded on a common spiritual aspiration. The commonness of race, language and territory is a secondary consideration.
- (3) Since the Muslims are expected to be governed under the Shariah in all spiritual and temporal matters, and can only render obedience to the rulers from those among them, they must aspire to establish a state of their own, wherever it is possible to create a viable state.
- (4) The non-Muslim citizens of the state (not of conquered territories who were considered as "protected people") are to be free in their religion and possessions. Their national unity with the Muslims is based on practical considerations as well as on sincere friendship, honourable dealing, and mutual respect.
- (5) The Muslims and non-Muslims, being a single community, are jointly/collectively expected to defend the territories of the state, and to bear expenses for the same.
- (6) To frame and apply a written constitution for the state and to strictly adhere to its terms is a Sunnah (practice) of the Holy Prophet.
- (7) The grant of a constitution is not the task of a single individual but a collective act of the representatives of the federating communities, who are voluntary signatories to such social contract. The constitution, not being sacrosanct, has no spiritual or religious significance but is essentially a contract.
- (8) Through the peaceful co-existence of different religions, races and communities, the ideal of human unity (al-Ummah tul-Wahida) is to be realized.

- (9) The importance of "consultation" (shura) in conducting the worldly affairs of the state must be emphasized.
- (10) In interpreting the Shariah and in its implementation, the chief executive of the state is expected to act as a "Mujtahid" rather than a "Muqallid". The "Ijtihad" by the law-maker is a continuing and unending process.
- (11) The Executive is to execute and enforce the Shariah as interpreted by the chief executive authority. While making laws the chief executive authority is expected to have a pragmatic approach, to act with political sagacity, and far-sightedness in order to protect the interests of the state and its citizens.
- (12) Human rights, as enumerated in the Quran and the Sunnah (practice) of the Holy Prophet, have to be guaranteed and enforced in the state.
- (13) The taxes imposed through Islamic welfare laws must be meticulously collected by the state officials and allocated to the citizens under the supervision of the state.
- (14) The Judiciary (Qada) is to be separated from the Executive so that its independence from the Executive is ensured.
- (15) The Muslims are obligated to obey God and the Holy Prophet, and then render obedience to those who command authority from among them so that order is maintained in the state.

Under the Holy Prophet's leadership the City State of Medina has always been considered a paradigm of Islamic state, which he had founded. This state was unique in the history of Muslims and was never repeated. Philosophically, it was the paradigm of a perfect state where the Ruler was in direct communion with God. The Holy Prophet was Head of State in the tradition of the earlier Semitic prophet-kings mentioned in the Quran. But although the foundations of the state had been laid and it was headed by the Prophet-Imam, the state itself was developing and was endeavouring to realize the objectives for which it had been

created. In other words, the state in Islam is "becoming" and is not a finished product. The community is expected to develop under a legal order, the broad principles of which are laid down in the Quran and Sunnah. This development is to follow a continuous process of "Ijtihad". As for the political order, after the death of the Holy Prophet, the community was free to adopt any dispensation which suited its requirements.

THE REPUBLICAN CALIPHATE

The Holy Prophet died in 632 and the issue of a successor (Khalifah) arose immediately. A new socio-political organism needed a directing head. The "Khilafat" as an institution came into being because the conditions so demanded, and crystallized in the Consensus of the Companions (Ijma). The Holy Prophet's precedent in this context also guided the community. Whenever he was absent from Medina for a period of time, he appointed a 'deputy' (Khalifah) to look after the affairs of the city. The Quran also illuminated this practice in sura 38: verse 27 whereby God appointed David as a 'Khalifah' in his land. Similarly the word 'Imam' appears in the Quran and means leader in a general sense, i.e. leader of the believers or of the infidels. God's Prophets are sometimes addressed as Imams in the Quran; at other times the term appears to mean an example, a model, or a revealed book.

There is a difference in the Sunni and Shia versions of history as to whether the Holy Prophet appointed any successor or not. However, Jalaluddin Suyuti, an eminent Sunni scholar has stated, on the authority of Imam Bukhari, Imam Muslim, Imam Behaqt and Imam Ahmad, that Caliphs Umar and Ali had confirmed, before their death, that the Holy Prophet had not appointed any successor.⁶

Clearly if the Holy Prophet had nominated a successor or prescribed a specific method for such appointment, then that mode alone would have become the exclusive procedure for appointing a Head of State. However, a restrictive stipulation of this kind would have caused difficulty in the evolution of Islamic polity. By not appointing his successor, or suggesting any specific mode therefor or laying down any framework for constituting or

deposing such a successor, the Holy Prophet had acted in conformity with the Quran which is silent on this issue. It may be emphasized that the political system in Islam is one of the matters that falls in the category of "Muamalaat" (worldly affairs), which being evolutionary are subject to the law of change. Consequently the political order in itself has no spiritual or religious significance. Any type of political dispensation is acceptable, so long as it implements the legal order of Islam (Shariah) and does not interfere in the performance of religious obligations (Ibadaat) by the Muslims.

The spirit of the Quran mandates that only competent person/persons be appointed to manage the affairs of the Muslim community. The Quran is essentially concerned with matters relating to right and wrong or good and evil, and is not concerned with planning (tadbir). The political appointments are matters relating to right and wrong choices, while the specific method of appointments and selection of personnel involves planning and establishing criteria of efficiency in the light of prevailing conditions. The Holy Prophet's silence in matters of nomination or appointment of his successor, or laying down any rule for appointing or deposing the successor, amounted to a deliberate act because these structured procedures were to be resolved by the good sense of the community. These procedures were not meant to be permanent, but were to be amended by the Muslim community from time to time. The real objective of Islam is to establish a Community of Faith governed under the Shariah. While for the continuous interpretation and enforcement of the Shariah the establishment of a state based on "Ijtihadi" culture is necessary, and the Muslim community is at liberty to determine any mode of constitutional structure which suits its requirements.

In his biography of the Holy Prophet, Ibn Ishaq provides an accurate account as to how his first successor, Abu Bakr, was elected. At the Holy Prophet's death, three distinct political groups emerged among the Muslims of Medina: Muhajirin (Immigrants), Ansar (Helpers) and Banu Hashim (the supporters of the family of the Holy Prophet). The Muhajirin were led by

Abu Bakr and Umar, the Ansar supported Sa'ad bin Ubaidā, whereas Banu Hashim were solidly Ali's supporters.

According to Tabari,⁷ while Ali and other members of the family of the Holy Prophet were busy in making arrangements for his funeral (which took place the day after his death), news was received that the Ansar had assembled in the Hall of Banu Sa'ada in order to elect Sa'ad bin Ubaidā as the Head of State. Upon hearing this news Umar and Abu Bakr, along with some other Muhajirin, rushed to attend the Ansars' meeting.

The Ansars' claim to power was advanced on the ground that they constituted the bulk of the armed forces of Islam, and rendered services to Islam with their blood. To satisfy the Muhajirins' feelings they even suggested to divide the government or establish a joint rule with two Caliphs, one from the Muhajirin and the other from the Ansar, operating simultaneously or alternately.⁸ The Muhajirin leaders opposed these proposals and stood for the unity of the Muslim community. They advanced their claim to leadership by asserting that the Arabs as a whole would only accept leadership of the Quraysh. Moreover the Holy Prophet's tradition was invoked in which he is reported to have said that the Leaders shall be from the Quraysh.⁹ However, Dr. Hamidullah, a well-known scholar of Islamic studies, has remarked that the text of this tradition is at variance with the Holy Prophet's practice. His practice does not confirm the obligatory character of the Qurayshite qualification. The Holy Prophet left Medina at least twenty five times for one reason or another. On each occasion he nominated a successor (called Khalifah) in Medina, but he did not designate each time a Qurayshite follower to run the government in his absence. Among these successors were Medinans, Qurayshites, Kinanites, and others; one of them was even a blind person.¹⁰

While Ali did not attend the Ansars' meeting, the claim of Banu Hashim was advanced on the basis of their close connection with the family of the Holy Prophet. The political debate between the groups assembled in the Hall of Banu Sa'ada was very intense. To clinch the Muhajirins' argument Umar proposed the name of Abu Bakr as the Head of State. He then

asked Abu Bakr to extend his hand. Abu Bakr, now a candidate for succession, accepting Umar's recommendation held out his hand. Following Umar, the Muhajirin as well as the Ansar swore allegiance one by one to him by way of baiyat (placing their hand into Abu Bakr's hand). Subsequently, this private baiyat was followed by a public baiyat¹¹. Abu Bakr was thus accepted as Khalifah by the Muhajirin and the Ansar. (Note, according to Tabari,¹² Ali and other members of Banu Hashim swore allegiance to Caliph Abu Bakr sometime after his public baiyat).

Caliph Abu Bakr's speech, after the multitude had sworn allegiance to him, is significant. He proclaimed: "I am not the best among you; I need all your advice and all your help. If I do well, support me; if I make a mistake, counsel me. To tell truth to a person commissioned to rule is faithful allegiance; to conceal it is treason. In my sight, the powerful and the weak are alike; and to both I wish to render justice. As I obey God and His Prophet, obey me; if I neglect the laws of God and the Prophet, I have no more right to your obedience".¹³

Umar, the second Khalifah was nominated by Caliph Abu Bakr to succeed him. Since nomination had no legal precedent, it was merely a recommendation. However, the Muslim community reposed confidence in Caliph Abu Bakr; Abu Bakr's recommendation was ratified through the subsequent referendum when the nomination of Umar was put to the public at large and it was confirmed by a general baiyat.

Caliph Umar was assassinated. Before he died, he constituted an electoral college of the probable candidates in order to select one candidate from among them for succession. The electoral council consisted of Ali, Uthman, Abdur Rahman, Sa'd, Zubair and Talha. An eminent scholar Qadi Sulaiman Mansurpuri (in his *Rahmat allil-Alamin* vol: 2 p. 105) states that the name of the sister of the father of the Holy Prophet, Umm Hakim Baida was also included in the Electoral College. Caliph Umar designated his own son Abdullah to give a casting vote in case there was an equal division, but Abdullah was specifically excluded as a candidate for succession. Through a process of elimination the council deputed Abdur Rahman to recommend one out of Ali

and Uthman as the sole candidate. Abdur Rahman consulted as many people as he could in Medina, including women and students, and those who were visitors in Medina or happened to be present in Medina as way-farers. The majority of them expressed their preference for Uthman. Abdur Rahman even questioned Ali and Uthman about the manner and style of their administration should one of them be selected as the successor. Eventually Abdur Rahman supported Uthman and he was selected as the sole candidate. Subsequently the Muslim community swore allegiance to him in the form of a public baiyat.

Caliph Uthman's term developed its own contradictions. He was brutally murdered by the insurgents who had stormed his house. After the death of Caliph Uthman some eminent members of the Muslim community in Medina requested Ali to become the Khalifah. The Holy Prophet's uncle Abbas supported him as the sole candidate. But Ali refused to accept a private allegiance and insisted that the Muslim community should swear allegiance to him as the Head of State in the Mosque of the Holy Prophet. His demand was accepted.¹⁴ However Caliph Ali's rule proved to be more turbulent than that of Caliph Uthman's. Caliph Ali was assassinated while he was proceeding to offer prayers in the mosque at Kufa.

From this brief survey it becomes clear that during the period of the four Rightly Guided Caliphs (632-661), different modes were adopted for the appointment of the Head of State. These modes were neither specifically mentioned in the Quran nor recommended by the Holy Prophet's practice. These methods were improvised from the Sunnah (Practice) of the Rightly Guided Caliphs. The candidate for the Caliphate was selected, either through an initial election by a restricted number of eminent persons, or nomination by the preceding Caliph, or a small Electoral College, and thereafter, the approval of the general public was obtained in its acquiescence and by way of baiyat by men; or he may be elected by direct referendum of the people of Medina. Women were not debarred from registering their consent, but they did not participate in the ritual of baiyat. The hereditary rule, well-established in the Arabs' political

culture, was specifically excluded. The course adopted for appointment in all these cases was democratic, and the majoritarian principle, although not specifically disapproved, was not followed. However the Caliph in his capacity as the Chief Executive was expected to consult the "shura", but he was not bound by its advice.

The Head of State was considered successor of the Holy Prophet (Khalifah), the interpreter and promulgator of Islamic law (Imam/Mujtahid), the leader of the congregational prayers, the defender of the religion of Islam, the guardian of the Muslim community, the judge, the moral censor (Muhtasib), the administrator, the statesman, and the military commander (Amir-al-Mominin).

In the times of the Holy Prophet there was only one acknowledged privilege of the Head of State— that all state documents were expected to bear his seal. But during the period of the Rightly Guided Caliphs, particularly in the turbulent days of Caliph Ali, a second privilege was added: if the Head of State himself did not lead the congregational prayers, then the leader of the public worship mentioned his name in the Sermon (Khutba), and prayed for him.

It may be useful at this stage to briefly consider the views of the Khawaraj regarding the institution of the Caliphate as advanced during this early period of Islamic history. The Kharijite (the term denotes "one who leaves his home among the unbelievers for God's sake"; it also implies secession, i.e. khuruj from the Muslim community) theory is the extreme opposite to that of the Sunni and the Shia. The Kharijites represent the left wing of Muslim political opinion and in modern terminology may be considered as strict social democrats. They required only moral qualifications in a Khalifah, and restricted his authority by retaining the right to depose him if he was found unfit to hold his office. The Kharijites maintained that the Khalifah should be appointed with the agreement of the entire Muslim community. Accordingly they rejected the doctrine of the restriction of the Khilafat to the House of Ali, or to the tribe of Quraysh. They insisted on a free election, and held that even a non-Arab or a

slave is eligible for the office of the Khilafat, provided that he is a Muslim of upright character and performed the duties of his office. Some of them maintained that even a woman could be appointed Khalifah, but others among them rejected the doctrine of the necessity of Khalifah's appointment. They argued that since it is nowhere specifically mentioned by God (i.e. it is only recommended but not obligatory), the Muslim community could rule itself by constituting a legitimate Consultative Assembly, as provided in sura 42: verse 38, and at the same time, fulfil their religious obligations. Nevertheless, if the conditions so demanded, a Khalifah could be elected.¹⁵

During this period the Executive was properly consolidated. Caliph Umar, in particular, established different departments of Central Secretariat in the form of Diwans on the Persian model. In these departments secretaries and clerks were employed in order to assist the chief executive authority in his administration. The department of moral censorship (Hisba) was also organized to enforce the Rights of God (Huquq-al-Allah), the Rights of Human Beings (Huquq-al-Ibad), and the Rights which were common to both God and Human Beings (Huquq bayn-al-Allah wal-Ibad).

Broadly speaking, the Rights of God were the holding of congregational prayers, the observance of fasts in the month of Ramadan, the payment of Zakat etc. The wrongs that infringed the Rights of Human Beings included unlawful transactions, usury, false and defective scales, weights and measures, non-payment of debt etc. The Rights which were common to both God and Human Beings were violated when, for instance, a divorced woman or a widow remarried without observing Iddat (a period of time to ascertain pregnancy); or when the leader of public worship lengthened the time of prayers unnecessarily so that the weak and old failed to stand, or people were delayed from performing other jobs; or when a judge made the people wait before holding his court etc.

It is interesting to note that besides Huquq-al-Ibad as briefly defined above, "Human Rights" as we understand them today, were clearly laid down in the Quran and the Practice (Sunnah) of

the Holy Prophet. According to the Quran God had made all the people on earth His vicegerents (sura 6: verse 166). Therefore all the citizens, Muslims as well as non-Muslims, were familiar with human rights and these were meticulously enforced during this phase of the seventh century republican Islamic state. The following are the basic human rights which can be directly traced to the Quran and the Sunnah (Practice) of the Holy Prophet:

1. Equality of all citizens before the law as well as equality of status and opportunity
2. Freedom of religion
3. Right to life
4. Right to property
5. No one is to suffer from the wrongs of another
6. Freedom of person
7. Freedom of opinion
8. Freedom of movement
9. Freedom of association
10. Right of privacy
11. Right to secure basic necessities of life
12. Right to reputation
13. Right to a hearing
14. Right to decision making in accordance with proper judicial procedure

1. Equality of all citizens before the law as well as equality of status and opportunity.

"O mankind! Be careful of your duty to your Lord Who created you from a single soul and from it created its mate and spread from these two many men and women". (sura 4: verse 1).

"Lo! Pharaoh exalted himself in the earth and divided its people into castes. A group among them he oppressed, killing their sons and sparing their women. Lo! He was of those who work corruption". (sura 28: verse 4).

2. Freedom of religion.

"There is no compulsion in the matter of religion". (sura 2: verse 256).

"And if thy Lord had pleased, all those who are in the earth would have believed, all of them. Wilt thou (Muhammad) then force men till they are believers?" (sura 10: verse 100).

"Had God willed, idolaters had not been idolatrous. We have not set thee (Muhammad) as a keeper over them, nor art thou responsible for them". (sura 6: verse 108).

"For each of you. We have appointed a law and a way. And if God had willed He would have made you one (religious) community. But (He hath willed it otherwise) that He may put you to the test in what He has given you. So compete with one another in good works. Unto God will ye be brought back, and He will inform you about that wherein ye differed." (sura 5: verse 48).

"If God had not raised a group (Muslims) to ward off the others from aggression, churches, synagogues, oratories and mosques where God is worshipped most, would have been destroyed". (sura 22: verse 40).

"Unto you your religion and unto me my religion" (sura 109: verse 6).

3. Right to life.

"And slay not the life which God hath forbidden save for justice". (sura 17: verse 33).

4. Right to property.

"And eat not up your property among yourselves in vanity, nor seek by it to gain the hearing of the judges that ye may knowingly devour a portion of the property of others wrongfully", (sura 2: verse 188).

5. **No one is to suffer from the wrongs of another.**

"Each soul earneth on its own account, nor doth any laden bear another's load". (sura 6: verse 165).

"That no laden one shall bear the burden of another". (sura 53: verse 38).

6. **Freedom of person.**

Inferred from the practice of the Holy Prophet by Imam Khatibi and Imam Abu Yusuf: Tradition is reported by Abu Daud that some persons were arrested on suspicion in Medina in the times of the Holy Prophet. A Companion inquired as to why and on what grounds had these persons been arrested. The Holy Prophet maintained silence while the question was repeated twice, thus giving an opportunity to the prosecutor, who was present there, to explain the position. When the question was put for the third time and it again failed to elicit a reply from the prosecutor, the Holy Prophet ordered that those persons should be released. Based on this Tradition, Imam Khatibi argued in his *M'alim-al-Sunnan* that Islam recognizes only two kinds of detention: (a) under the orders of the court, and (b) for the purposes of investigation. There is no other ground on which a person could be deprived of his freedom. On the authority of the same Tradition, Imam Abu Yusuf maintained in his *Kitab-al-Kharaj*, that no one can be imprisoned on false or unproved charges. Caliph Umar is quoted in Imam Malik's *Muwatta* as having said that in Islam no one can be imprisoned without due course of law.

7. **Freedom of opinion.**

"God loveth not the utterance of harsh speech save by one who hath been wronged", (sura 4: verse 148).

"Those of the children of Israel who went astray were

cursed by the tongue of David, and of Jesus son of Mary. That was because they rebelled and used to transgress”.

“They restrained not one another from the wickedness they did. Verily evil was that they used to do” (sura 5: verses 78-79).

“And when they forgot that whereof they had been reminded. We rescued those who forbade wrong, and visited those who did wrong with dreadful punishment because they were evil-livers” (sura 7: verse 165).

“You are the best community that hath been raised up for mankind. Ye enjoin right and forbid wrong” (sura 3: verse 110).

8. **Freedom of movement.**

“It is He Who has made the earth manageable for you, so travel ye through its tracts and enjoy of the sustenance which He furnishes; but unto Him is the Resurrection” (sura 67: verse 15).

9. **Freedom of association.**

“And let there be formed of you a community inviting to good, urging what is reputable and restraining from what is disreputable” (sura 3: verse 104).

10. **Right of privacy.**

“It is not proper that ye enter houses through the backs thereof...So enter houses by the doors thereof” (sura 2: verse 189)

“O ye who believe! Enter not houses other than your own without first announcing your presence and invoking peace (salaam) upon the folk thereof. That is better for you, that ye may be heedful”.

“And if you find no one therein, still enter not until permission hath been given. And if it be said unto you: Go away again, then go away, for it is purer for you. God knoweth what ye do” (sura 24: verses 27-28).

“And spy not, neither backbite one another. Would one of you love to eat the flesh of his dead brother? Ye abhor that so abhor the other!” (sura 49: verse 12).

11. **Right to secure basic necessities of life.**

"And let not those who hoard up that which God has bestowed upon them of His bounty think that it is better for them. Nay, it is worst for them. That which they hoard will be their halter on the Day of Resurrection". (sura 3: verse 180).

"And in the wealth of the haves there is due share of the have-nots". (sura 51: verse 19).

12. **Right to reputation.**

"Neither defame one another, nor insult one another by nicknames. Bad is the name of lewdness after faith".

"O ye who believe! Shun much suspicion; for lo! some suspicion is a crime". (sura 49: verses 11-12).

"And those who malign believing men and believing women undeservedly, they bear the guilt of slander and manifest sin". (sura 33: verse 58).

13. **Right to a hearing.**

Before sending Ali to Yemen, the Holy Prophet gave him the following instruction: "You are not to take decision unless you have heard the second party in the same way as you have heard the first".

14. **Right to decision making in accordance with proper judicial procedure.**

"O ye who believe! if an evil-liver bring you news, verify it, lest you smite some folk in ignorance and afterward repent of what ye did". (sura 49: verse 6).

"O man, follow not that whereof thou hast no knowledge". (sura 17: verse 36).

"Lo! God commandeth you that ye restore deposits to their owners, and, if ye judge between mankind, that ye judge justly". (sura 4: verse 58).

The extent to which the citizens were aware of human rights laid down in the Quran, can be highlighted in an example: One night, while crossing a street in Medina, Caliph Umar heard the sound of debauchery of a drunkard coming from inside a house. Losing his temper, he attempted to enter the house. But no one answered his knock or opened the door. Annoyed, he climbed on the roof, and shouted down to the owner in his courtyard: "Why

are you breaking the law by permitting such an abusive drunkard in your house"? The owner replied: "No Muslim has the right to speak like that to another Muslim. May be I have committed one violation, but see how many you have committed. For instance: (1) spying, despite God's command - "Thou shalt not spy" (sura 49: verse 12); (2) breaking and entering - you came in over the roof, despite God's order: "Enter houses by the door" (sura 2: verse 189); (3) entering without the owner's permission - in defiance of God's command, "Enter no house without the owner's permission" (sura 24: verse 28); (4) omitting the Salaam - though God orders, "Enter not houses without first announcing your presence and invoking peace (salaam) on those within" (sura 24: verse 27). Feeling embarrassed, Caliph Umar said: "All right, I forgive your violation of Law". The owner of the house retorted: "That is your fifth violation. You claim to be the executor of Islam's commandments, then how can you say that you forgive what God has condemned as a crime"?

Everyone was free to express his own opinion concerning the execution of Islamic injunctions about human rights, and even the Caliph was accountable for his conduct and actions. Sometimes the attitude of the citizens towards the Caliph was uncouth and aggressive, and at other times it was improper and insulting; nevertheless it was tolerated. On numerous occasions Caliph Umar had to face such situations and to provide explanations. Caliph Uthman was eventually assassinated since he could not satisfy his critics. On one occasion Caliph Ali was delivering a Sermon (Khutba) in the Mosque of Kufa when some Kharijites interrupted him with insulting language. The companions of Caliph Ali urged him to punish them or at least to expel them from the Mosque. But Caliph Ali declined to take such action on the ground that the Muslims' right to freedom of speech must not be imperilled.¹⁶

While the Caliph could over-rule the advice of the Council (Shura), it played a very vital part in the management of the affairs of the state. Whenever an important matter came up, the Council was summoned and no decision was taken without consultation. Some decisions were taken on the basis of majority

opinion. The members of the Council were mainly from the two major political groups the Muhajirin and the Ansar. In the times of Caliph Umar, the matter of not treating land in the conquered territories of Iraq and Syria as "Ghanima" (spoils of war) was settled in the light of Shura's advice. The Shura opined that it was state land according to the text of the Quran. Consequently one fifth of the land was set aside for the welfare of the public and the rest was distributed among the soldiers. The payment of salaries of the members of the armed forces and other personnel, the appointment of governors and tax-collectors, and the matters involving trade relations with other countries were disposed of according to the advice of the Council. Caliph Umar stated that without "Shura" (consultation) there could be no Khilafat.¹⁷

As an interpreter and promulgator (Mujtahid/Imam) of Islamic law, Caliph Umar is considered as the founder of the science of the secrets of Religion (*Ilm-al-Asraar-al-Din*). In his view all Shar'i ordinances were based on rational considerations, although it was generally held that Reason had nothing to do with Islamic injunctions. Caliph Ali also belonged to the same school of thought and made significant contribution to the science of interpreting Revelation in the light of Reason during his time.

According to Shibli, Caliph Umar was the first to encourage the development of "independent inquiry" (Qiyas) for formulating a legal opinion. In the term of Caliph Abu Bakr, before Caliph Umar, legal decisions were taken only in the light of the Quran, or in accordance with the precedents set by the Holy Prophet, or on the basis of Consensus of the Companions (Ijma).¹⁸

Caliph Umar was even criticized for introducing innovation (bid'a) in the interpretation of Islamic law. But Caliph Umar reasoned that innovation was of two kinds: "condemnable innovation" (*bid'at-al-siyyah*) and "commendable innovation" (*bid'at-al-rayyi'ah*). In other words, Caliph Umar not only adhered to the text of the Quranic injunctions but at the same time attempted to reach the spirit underlying them.¹⁹

Caliph Umar permitted the entry of non-Muslims into Mecca and Medina, and that they could stay in the holy cities for as long

as they liked.²¹ Moreover stipends were also provided for poor non-Muslims from the "sadaqaat/zakat" fund. Numerous examples of the existence of religious tolerance in those times can be cited: For example, on one occasion Caliph Umar was informed that some Muslims in Syria had forcibly occupied a piece of land belonging to a Jew and constructed a mosque on it. Under his orders the mosque was demolished and the land was restored to the Jew. This piece of land, generally known as the "Jew's House" (bait-al-Yahudi) still exists in Syria.

Caliph Umar also kept an eye on the popular and renowned generals of the Muslim armed forces, which consisted of different nationalities including Jews, Greeks, Byzantines, Persians and even Jats of Sindh, besides Arabs and other converts to Islam.²¹ He reduced in rank two eminent generals, Khalid bin Walid in Syria, and Musanna Shaibani in Iraq, to ordinary soldiers on account of their insubordination, and to establish the supremacy of the central executive authority.²²

Caliph Ali who had been a prominent member of the Council (Shura) during the preceding three administrations, not only strengthened this institution during his own Caliphate, but usually acted under its advice and guidance. To follow the advice of his Council and the army officers, Caliph Ali desisted from destroying Muawiyah's men in the Battle of Siffin, when they played the trick of tying copies of the Quran to their lances and sought quarter. He wanted to pursue them and finish the rebellion completely. Again, following the advice of the Council Caliph Ali agreed to refer the dispute between him and Muawiyah to arbitration.

Despite the fact that his times were difficult, Caliph Ali made significant contribution to the development of Islamic Law and jurisprudence. Like his three predecessors, Caliph Ali was Mujtahid in the interpretation of law. Although the Judiciary had been separated from the Executive, Caliph Ali was informed that there were instances of the poor citizens' sufferings at the hands of important state officials, and that the courts had failed to provide adequate relief to them due to the influence of such officials. In order to redress their wrongs, Caliph Ali founded a

powerful new central court "Nazar-al-Muzalim" (Reviewer of Wrongs), and himself participated in it as the first "Nazar" (Reviewer). Like Mujtahids, Caliph Ali as well as Caliph Umar, courageously interpreted and promulgated Islamic Law, based their executive decisions on "consultation", enforced human rights, and maintained the independence of the Judiciary.

Caliph Ali was very democratic, humane and lenient. According to Ameer Ali, had he possessed the sternness of Caliph Umar's character he would have been more successful in governing an unruly people. "But his forbearance and magnanimity were misunderstood, and his humanity and love of truth was turned by his enemies to their own advantage".²³

The Rightly Guided Caliphs followed the constitutional principles deduced from the Sunnah (Practice) of the Holy Prophet. The most significant constitutional principle added to Islamic polity, through the Sunnah of the Rightly Guided Caliphs was the diversity of methods of appointment of the Khalifah, the Head of the State. In essence the principle implied was that the appointment must be made with the approval of the Muslim community, and the traditional hereditary succession was specifically excluded. The different methods of appointment, indicated that any political order can be adopted to suit the prevailing conditions so long as it was democratic, efficient and prudent.

Clearly the real emphasis of Islam is on the establishment of a Community of Faith being governed by the mobile Shariah. The republican political order introduced in the state under the Sunnah of the Rightly Guided Caliphs, in the form of election, nomination, selection through an Electoral College, or through referendum, was important because it was followed immediately after the death of the Holy Prophet and was evolved under the watch of his closest Companions. However, the system collapsed for a variety of reasons.

First, the republican political order contained in itself the possibility of transformation into a hereditary/dynastic autocratic monarchy, for the Caliph was required only to consult the "Shura" but was not bound by its advice.

Second, the Caliph was presumably appointed for life, but no legal methodology was evolved for his impeachment or deposition in case a need arose.

Third, as the ancient tribal rivalries intensified suspicion and hatred, the differences of opinion among the political groups spawned militant confrontation and the struggle for power led to a civil war.

Fourth, three out of the four Rightly Guided Caliphs namely Umar, Uthman and Ali were assassinated. Caliphs Umar and Ali were murdered in the mosque - an exposed place for any popularly elected Muslim Head of State, making him extremely vulnerable, particularly when no arrangements had been made for his security. There was neither any garrison present in Medina nor had any guards been deputed for the protection of the house and person of Caliph Uthman. Caliph Ali was assassinated in accordance with a well-planned conspiracy of the Khawaraj, the political group which adopted terrorist methods for accomplishing their objectives.

It is a generally accepted principle that great men make history. The four Rightly Guided Caliphs, who laid down the foundations of republican Islam, were certainly the greatest men Islam has produced after the Holy Prophet. But history is made by great men only if they have the cooperation of the people united behind them. The efforts of the Rightly Guided Caliphs for the permanent democratization of Islam failed, not because of any lapse on their part, but owing to the failure of the Muslims of those times to realize that democracy had its own discipline. If they had understood this political message, very ably projected by the Rightly Guided Caliphs, the "Shura" could have developed into a representative institution and the process of "Ijtihad" might have been initiated in the form of law-making through "Ijma" (Consensus of the Community). But the Muslims divided themselves into numerous intolerant religio-political groups, following the mistaken notion that "if you are not with us you are against us". These groups ruthlessly slaughtered each other. Ameer Ali rightly observes that the republic of Islam ended with Caliph Ali, and he closed the chapter of his book with a

quotation of Oelsner: "Thus vanished the popular regime, which had for its basis a patriarchal simplicity, never again to appear among any Mussulman nation".²⁴

SUBVERSION OF THE POLITICAL MESSAGE

In two spans of time from 661-1258, and from 1261-1517, the Caliphate was transformed in substance and form. The governor of Syria Muawiyah who had refused to accept Ali as Caliph, was proclaimed Khalifah in 661. Before his death he nominated his son Yazid as his Successor. The oath of allegiance was secured for Yazid, despite the protests of some jurists that it was illegal to swear allegiance to two persons at one place and at the same time. Muawiyah justified his son's succession with political explanation: that if he had nominated anyone outside his own family, or had appointed an electoral council as Caliph Umar had done, or had left the matter to be decided by the Muslim community, it would have led to a civil war among Muslims. Also, he cited the precedent of Caliph Abu Bakr in nominating the succeeding Caliph Umar. Following this explanation Marwan, his deputy in Medina, said to the people: "Verily the Commander of the Faithful hath seen it fit to appoint his son Yazid as the successor over ye according to the institutions of Abu Bakr and Umar". Abdur Rahman son of Abu Bakr interrupted: "Rather according to the institutions of Khusro and Caesar, for Abu Bakr and Umar did not do so for their children, nor for anyone of the people of their house". Promptly Marwan replied: "There was no legal bar for Abu Bakr and Umar to nominate their children or anyone of the people of their house if they had found them competent. But in the present case the Commander of the Faithful is nominating his son Yazid as successor over ye because he had found him fit and competent".²⁵

A basic change had taken place in the foundations of Islamic polity, yet only passive and ineffective voices were raised against the new political order. The new example was followed throughout the subsequent history of Islam. The reigning Caliph nominated one of his sons or kinsmen his successor, and the oath of allegiance was secured for him. During the Abbasid rule double designations were often made, the two successors

nominated to hold the office of Khilafat one after the other. This arrangement frequently led to wars of succession. The Milla/Ummah was made to accept monarchy because, the lessons of Muslim history taught that the instability engendered by the republican order among an unruly people may eventually lead to the destruction of the Muslim community. Moreover, the Quran was not averse or opposed to the institution of monarchy as some of the earlier Prophets mentioned in the Quran were also kings. Consequently, the original political message of the Holy Prophet, and the Sunnah of the Rightly Guided Caliphs was quietly discarded. The citizens were reduced to subjects and the republican order was replaced by an autocratic monarchy.

The later jurists and historians regard the Umayyads as usurpers or kings by right of power and Caliphs only in name. As an Arab aristocracy the Umayyads ruled from Damascus instead of Medina, and the Caliph had acquired kingly prerogatives. Besides the two earlier privileges, namely the Seal (khatm), and the Sermon (khutba), three more privileges were introduced by Muawiyah himself with viable justifications: the Throne (Sarir) was used by Muawiyah because he was corpulent and when he sat on the floor like the Arabs as was the Arab custom, two persons had to assist him to stand up. But if he were to sit on a higher place like a chair or a throne, then he could get up without anyone's help. A Protected Enclosure (Maqsura) in the mosque for the exclusive use of Muawiyah was built for security reasons, since a Kharijite had made an unsuccessful assassination attempt on him while he was offering prayers in the mosque. While the Muslim coinage (Sikka) was struck during Caliph Umar's rule, the Umayyad caliph's name was carved on the coinage as a prerogative of the reigning monarch. Arabic was made the court language, and the earlier simplicity gradually gave way to luxury and splendour.

The executive and judicial institutions of Islam were also effected along with the vital transformation of the political order. In other words the political changes were designed to avoid the possibility of their conflict with the order established by the Umayyads. After the tragedy of Karbala, and disillusioned by the

political conditions, the best minds in the Islamic world turned to mysticism (Sufism), or to other-worldliness. A school of determinist philosophy was developed by the Murjites, who maintained that whatever happens in this world, is willed by God. The Umayyads supported this school and encouraged its development, because it propagated the view that the tragedy of Karbala or whatever happened there had actually been willed by God.

The Umayyad rule was replaced by the Abbasid rule at the Battle of Zab (750). Consequently the Caliphate passed from the second to the third phase of its development. Under the Umayyad rule (661-750) the unity of the Muslim Ummah had remained a political reality. But within six years of the accession of Abul Abbas al-Saffah, who was acknowledged as Abbasid Khalifah in 749, the unity of the Caliphate was shattered by the establishment of an independent Umayyad kingdom in Spain. The founder of this kingdom was Abdur Rahman I, a descendant of Marwan II, the last Umayyad Caliph defeated at the Battle of Zab. However the Umayyads in Spain did not assume the title "Khalifah" but adopted the title "Amir".²⁶

Under the Abbasids the capital was moved from Damascus to Baghdad, and the Caliphate was transformed into a monarchy on the Persian model, through the introduction of such institutions as the "Wazarat". Meanwhile the Amirs (hereditary Governors) of the dominions of Islam, who were kept in check by the Umayyads, came to acquire enormous power under the Abbasids as the centre gradually showed signs of weakness. The Amirs secured deeds of investiture from the Caliph, and were completely independent in their own dominions. Some of them paid tribute to the Caliph while the others did not, but most of them fought against each other.

During the tenth and eleventh centuries the world of Islam was divided into a number of petty principalities and a state of constant warfare prevailed among the Amirs.²⁷ North Africa was completely cut off first by the establishment of the Afrisid dynasty at Fez (in 785), then the Aghlabite dynasty (in 801),²⁸ and finally the Fatimid dynasty (in 909). The Fatimids (tracing their

descent from Caliph Ali and Fatima) occupied Egypt and gradually created an empire, extending over the territories of North Africa and Syria, Yemen and even the Hedjaz.

The Abbasid Caliph at Baghdad during the tenth and eleventh centuries was very weak. The Buwayhid troops had entered Baghdad (in 946), and the administration of the Caliphate had passed into the hands of the Buwayhid Amirs. (The Buwayhid dynasty which held sway over Baghdad was a Shia dynasty). The name of the Amir appeared with that of the Caliph on the coinage, and was mentioned along with the Caliph in the khutba. The Caliph could not issue the patent of sovereignty to anyone without the consent of the Amir. The function of the Caliph was only to bestow titles or honours. Nevertheless in theory the Caliph was considered as the religious as well as the temporal head of the Muslim community, and orders were issued in his name.

The Abbasid Caliphate was not acknowledged in North Africa, which was part of the empire of the Fatimids, who regarded themselves as Imams. When the Holy Cities passed into the hands of the Fatimids, Abdur Rahman III, the Umayyad ruler of Spain adopted the title "Khalifah" and was acknowledged as such in his own dominions. In the tenth century three separate, independent and antagonistic Caliphates had surfaced in the world of Islam: Cordova, Cairo and Baghdad. While the Umayyad power was declining in Spain by 1037 (the Muslims were finally expelled from Spain in 1610), and the Fatimid empire was taken over for the Abbasids by Salah al-Din in 1171, the Abbasid Caliphate survived in Baghdad until 1258.

The Baghdad Caliphate was at its lowest ebb during the tenth and eleventh centuries. The Buwayhids controlled the administration of the capital. The rise of numerous dynasties (e.g., the Tahirid, the Saffarid, the Samanid etc.), and the breaking up of Eastern Islamic land into a number of independent political units, had reduced the Caliphate to a constitutional fiction. It was during this period of weakness that a systematic exposition of Islamic constitutional theory was advanced by Ab'ul Hassan Ali bin Muhammad al-Mawardi (991-1058). Unlike al-Beruni

(973-1048) who recorded that the Caliphate had ceased to command authority over temporal affairs and had been reduced merely to a religious office,²⁹ al-Mawardi ignored the dependent position of the Caliphate. His account of the state in Islam, like the other Sunni jurists of different Schools of Fiqh (jurisprudence), is far removed from the conditions that actually prevailed.

Since the influence of the Caliphate had been reduced with the establishment of independent dynasties in the territories of Islam, al-Mawardi insisted that those who had usurped the authority of the Caliph must secure the deed of investiture from him so that their rule could be legitimised as legal. However the struggle for political supremacy between the Caliph and the politically independent Amirs continued and ultimately resulted in the development of "Sultanate" in Islam.

The word "sultan" occurs in the Quran and means authority, spiritual or magical power (i.e. good or evil power) etc. In the literature of Traditions the term appears to imply 'the power of God' or 'the governmental power'. In the early history of Islam "sultan" meant the temporal power of the Khalifah. Under the Abbasids when Spain and North Africa were lost to the Baghdad Caliphate, the Umayyad rulers of Spain were sometime addressed as "Ibn Sultan" (on the ground that they were the descendants of the Umayyad Caliphs of Damascus). Among the Abbasids, Caliph Mamun was addressed as the "Sultan of God".

Under the later Abbasids when the rise of independent dynasties led to the curtailment or usurpation of the Caliph's temporal power, the term "sultan" came to imply 'the secular ruler/sovereign' in contrast to the Caliph who remained, at least in theory, the supreme religio-political head of the Muslim community. Nevertheless when the Buwayhids dominated Baghdad, they received from the Caliph such titles as the Amir al-Umara, Sultan al-Daula, Shah, Shahen-shah, Malik etc., and the precedent of "Sultan" being given as a title by the Caliph had not been set. The independent sovereigns received the patent of sovereignty from the Caliph, under the advice of the Buwayhid Amir, for religious or political considerations, and they kept up

the semblance of the unity of the Caliphate and Ummah by mentioning the name of the Caliph in the khutba or by putting it on the coinage; but within their own dominions they were completely independent. In other words the Sultanate had been established, though it had not reached the stage of complete ideological emancipation from the Caliphate. It existed as an authority devoid of legal sanction and its use in official documents, correspondence, or on coinage had not yet become common.

The Caliph stripped of his temporal power retained such religious prerogatives as the appointment of the Qadis (judges), and the Imams of the mosque. He symbolized the unity of Muslim Ummah, and was unaffected by the rise and fall of dynasties.

The Buwayhids were superseded by the Ghaznavids, and yet the title "Sultan", although in use, remained without legal sanction. However when the Seljuqid forces entered Baghdad and the influence of the Ghaznavids came to an end, the title "Sultan" received official confirmation. Tughril Beg received this title from the Caliph in 1055,³¹ and it appeared on his coinage. Thus it can be assumed that it was not before the eleventh century that the Sultanate came to acquire a completely independent place and stood side by side with the Caliphate. The Sultan became the sole possessor of the temporal power of the Caliph. His power depended on the sword and could not be set aside by any means other than the sword. Consequently the confirmation of the Sultan by the Caliph meant no more than the acknowledgment of an already established authority. Yet the Sultanate could not displace the Caliphate due to the religious implications of the institution, the influence of the tradition, and the respect that the Abbasids commanded in the eyes of the Sunni Muslims.

The moralists (writers on political morality) of the eleventh, twelfth and thirteenth centuries either found a place for the Sultanate within the Caliphate, or justified the existence of the Sultanate in its own right. For instance, according to Nizam-e-Arudi it was difficult for the Caliph to manage the

affairs of the vast dominions of Islam singly, therefore it was necessary that he should have deputies who ruled over different territories of Islam³¹. Nizam ul-Mulk (1017-1091) does not appear to support the idea that the Caliphate was the source of the temporal authority of the Sultan. In his opinion the Sultanate was a divinely ordained institution, and therefore, the Sultan should rule according to the Shariah. Nizam ul-Mulk accepted the Caliphate only as a religious institution and regarded the Qadis (judges) as the deputies/representatives of the Caliph.³²

The Caliph's acknowledgment of the Sultan's power led to the duality of government and authority at Baghdad which generated conflict between the Sultan and the Caliph. The Caliph had occupied a dependent position, but when the wars of succession broke out among the rival Seljuqid claimants, the Caliph re-asserted his independence. Caliph al-Muqtafi managed to re-establish his temporal power, at least in Baghdad and the surrounding territories, to the exclusion of the Seljuquids. Since the Caliph had delegated his temporal power to the Sultan of his own free will, the Sultan re-asserted his claim to temporal power. In the later half of the twelfth century the renewal of the deed of investiture to individual rulers from the Caliph fell into disuse, as the supporters of the Sultanate contended that it was beneath the dignity of the Caliph to control temporal affairs. Barthold quotes an Atabeg of the last of the Seljuqid Sultans as having said that the Caliph in the capacity of the Imam should occupy himself with the performance of prayers (Namaz) and religious leadership as it was the foundation of the Faith and the best of deeds. As regards temporal affairs, these should be delegated to the Sultan.³³

When the Seljuquids declined, the Khwarazm Shahs claimed the privileges formerly enjoyed by the Seljuqid Sultans. Consequently a new struggle started between them and the Caliph. The Khwarazm Shahs were Shia and they never approached the Caliph for the confirmation of their Sultanate, as its power depended on their military strength. Although a Sunni dynasty and on good terms with the Caliph, the Ghorids also assumed the title "Sultan" before they were acknowledged by the Caliph.

The Khwarazm Shahs claimed Baghdad as their territory, and demanded on being acknowledged as Sultans, and that their name be mentioned with that of the Caliph in the khutba in Baghdad. Muhammad bin Takash aspired to restore the Universal Sultanate under him and carved on his seal the words: "The shadow of God on Earth". He secured a Decision (Fatwa) from the Shia jurists of his dominion to depose the Caliph and marched towards Baghdad, but failed to capture it. The stage had arrived when the Sultan could retaliate by omitting the name of the Caliph from the khutba in his dominion, if the Caliph was not willing to permit the Sultan's name to be mentioned in the khutba in Baghdad. While the Caliph could not depose the Sultan, the Sultan could depose the Caliph after securing a Decision (Fatwa) from the jurists.¹⁴

The conflict for political supremacy between the Sultanate and the Caliphate was also a Shia-Sunni conflict which resulted in the collective ruin of Muslims. In the middle of the thirteenth century the Mongols not only inflicted a defeat on the Khwarazm Shah but also sacked Baghdad (1258). Caliph Mustasim was mercilessly put to death, and for three years (1258-1261) the Muslim world remained without a Khalifah.

On its revival in Cairo in 1261, the Abbasid Caliphate came under the protection of the Mamluk Sultans of Egypt, and was completely transformed into a religious office. Sultan Baybars worked for its revival so that it could give a show of legitimacy to the Mamluk rule in Egypt. The Sunni jurists, Zahir's and Jalal-ul-Din Suyuti's aim was to support the Cairo Caliphate, and to extol the Egyptian Sultanate as the only legally valid Sultanate.¹⁵ The Caliph became part of the Sultan's train, and bestowed deeds of investiture on those rulers whom the Sultan approved. He had nothing to do with temporal affairs. Some traditional practices as mentioning the Caliph's name in the khutba and striking it on the coinage had ceased, yet the Caliph was still regarded as the sole authority for validating the rule of the Sultans, and the fiction that sovereignty without the confirmation of the Caliph remained illegal was maintained by the Sunni jurists of the fourteenth and fifteenth centuries. This

fiction projected that the Abbasid Caliph at Cairo was the successor of the Holy Prophet, and that a Sultan who possessed no deed of investiture from the Caliph was not authorized to appoint Qadis (judges) according to Islamic Law. If he did so, all the marriage contracts in his dominion would become invalid.³⁶ However the Meccan jurists were of the opinion that the Caliphate had ceased to exist in 1258, and that it had since then been substituted by the Sultanate.

After embracing Islam during the fourteenth and fifteenth centuries, the Mongol rulers adopted the title "Sultan" (or "Il-Khan"). They did not acknowledge the Cairo Caliphate, because their ancestors had fought against the Abbasids, and they were not on good terms with the Mamluk Sultans.³⁷ Against this background a new religious motivation was devised for the Sultanate in Eastern Islam. The Sultanate was lodged upon the phenomenon of "Power" (Dhu Shawka) and derived its strength 'from the Grace of God'. This theory postulated that, only the first four Rightly Guided Caliphs were the authentic successors of the Holy Prophet and under the Shariah were the proper Caliphs. But the Umayyads as well as the Abbasids were Caliphs 'by Right of Power' (Dhu Shawka). Since God was the source of all power, any Sultan could claim himself as Khalifah (i.e. the Successor of God). Probably on these grounds Shah Rukh, the son of Timur, proclaimed himself as Khalifah in the fifteenth century.

Through this route the Caliphate merged into the Sultanate, and the practice of mentioning the names of the Rightly Guided Caliphs with that of the ruling Sultan in the khutba, and the striking of their names on the coinage became common practice from the fifteenth century onwards in Eastern Islam.³⁸

The Ottoman Sultan Salim I conquered Egypt in 1517 and annexed it into the Ottoman empire. The resident Caliph Mutawakkil III was taken to Istanbul (Constantinople), where he transferred the office of the Caliphate to Sultan Salim I.

The Ottoman Sultans' claim to the Caliphate rested on the following grounds: (a) By Right of Power (Dhu Shawka); (b) Nomination (the same argument which was advanced at the appointment of Yazid as the successor of Muawiyah), and

election (by a limited number of high officials forming an Electoral College in accordance with the precedent of the election of Caliph Uthman); and finally (c) the Guardianship of the Holy Cities. Regarding the last ground, Barthold remarked that although the Umayyad rulers of Spain did not adopt the title of "Khalifah", because the Holy Cities were under the control of the Abbasid Caliphate, no eminent jurist has regarded the possession of the Holy Cities as a necessary condition for holding the office of the Caliphate.³⁸

The Ottomans were not Qurayshites, nor were they Arabs, but were Turks. Following Ibn Khaldun and Abu Bakr Baqelani the jurists of the sixteenth and seventeenth centuries did not attach any importance to the Qurayshite lineage as a qualification for holding the office of the Caliph. Under the Ottoman Sultan-Caliph the office of the Sheikh-ul-Islam gradually developed and the department of religion was separated from other departments of the state. The Ottoman Caliphate was acknowledged throughout the Ottoman empire. The Shia Iran and Mughal India however, did not recognize the Ottoman Caliphs due to religious and dynastic rivalries.

Because of its autocratic nature and inability to adopt itself to the requirements of the changing times the Ottoman Caliphate declined during the eighteenth and nineteenth centuries. Since the Ulema and jurists for centuries inculcated loyalty to the rulers, after submitting to God and the Holy Prophet, the Sunni Muslim masses were conditioned to accept tyranny in order to avoid anarchy. Consequently they submitted to absolute autocracy, or suffered under the despotic rule of one Sultan after the other. Throughout this period, with a few exceptions, the ruling elite appears to have remained above the law. If the Shariah was strictly enforced it controlled or subdued the poor masses, who had been reduced from citizens to subjects. Eventually the Arab subjects of the Ottoman Sultan-Caliph were attracted to the puritanic "Wahabi" movement, which violently established the supremacy of the Shariah. Also, the political dynamics of the West let loose powerful forces like individual freedom, nationalism, patriotism, liberalism, secularism, constitutionalism

and radicalism in the world of Islam. The Ottoman Sultanate, Caliphate and the office of Sheikh-ul-Islam were finally abolished by the Turkish nationalists under the leadership of Mustafa Kemal in 1923/1924. Turkey as a "nation-state" was declared a secular republic.

THE OPINIONS OF JURISTS, MORALISTS AND PHILOSOPHERS

Literature on Islamic constitutional theory, political ethics and philosophy started to appear in the Islamic world in the ninth century. This literature can be divided into three categories: (a) the jurists, (b) the moralists, and (c) the philosophers.

JURISTS

Among the jurists, al-Mawardi (991-1031) is the most eminent. His famous treatise "*Abkam-ul-Sultaniya*" (The System of Governance) was crafted to impress upon the Buwayhid Amirs the importance of the Abbasid Caliph as the supreme spiritual and temporal authority. It is noteworthy that the role of the Sunni jurists was to bridge the gulf between the ideal and the real, and theory and practice, by attempting to provide an Islamic rationale to every change with a view to maintain continuity of the Islamic character of the community.

Al-Mawardi maintained that the establishment of the Caliphate/Imamate is a religious obligation for the Muslims, because its main object is the defence of the Faith and the preservation of order in the world through the implementation of Revealed Law. In support of his argument he quoted that verse of the Quran in which David was appointed Khalifah on Earth by God (sura 38: verse 27). He is of the view that a secular state is based on the principles derived from human reasoning, and therefore it promotes only the material advancement of its citizens. Since the Caliphate is based on Revealed Law, it promotes the material and the spiritual advancement of the people.⁴⁰

Al-Mawardi divided the community that appoints the Caliph into three groups. In the first are the candidates for the Caliphate. A candidate for the Caliphate, in addition to being an adult Muslim of upright character, must be of Qurayshite lineage,

physically and mentally sound, possesses courage and determination, is well-versed in the arts of war, is just, knowledgeable and able to make independent decisions or pass judgments as a Mujtahid.

In the second group are placed the eminent members of the community who have acquired the authority "to bind and loose" and possess the right of electing the Caliph. In the third group are included the masses of Islam who should swear allegiance when the Caliph had been elected by the eminent few.⁴¹

Al-Mawardi regards both the election of the Caliph by the eminent members of the community or his nomination by the preceding Caliph as perfectly valid methods of appointment. According to him the reigning Caliph could appoint his son or kinsman as successor during his lifetime or make more than one nomination at one and the same time.⁴²

Obviously Al-Mawardi was rationalizing the actual historical situation. He was trying to justify the changes in the earlier republican methods of appointing a Caliph to suit the conditions of later times. The reigning Caliph, as noted earlier, usually nominated his son or kinsman as his successor during his life-time, and the leading Amirs, the eminent state officials who were mostly created by the Caliph himself, gave their approval. This approval after nomination constituted the election of the succeeding Caliph. While the Caliphate had been transformed into a hereditary/dynastic monarchy, the fiction was maintained that the Caliph held his office according to the established practice of the Rightly Guided Caliphs, nomination and election.

Al-Mawardi attempted to find support for his argument by citing examples from the early history of Islam: Caliph Abu Bakr was elected by the people who were not the creation or instruments of any preceding Caliph, and his nomination of Caliph Umar was merely a recommendation which was accepted by the Muslim community. Caliph Uthman was elected by the Electoral College and he was not designated. Similarly Caliph Ali was popularly elected. In any case, these examples have been used by al-Mawardi as precedents to legalize the hereditary/dynastic transfer of the office of the Caliphate within the Abbasid family.

as he was their employee. He even justified three successive designations on the basis of Harun-al-Rashid's precedent who made a threefold designation of his sons as his possible successors. Other jurists considered it valid on the ground that on one occasion the Holy Prophet had made a successive designation of generals in the battle-field. Al-Mawardi asserted that this method of designation can be adopted in the public interest (*masalih 'amma*). However he does not realize that the example of successive designation in the battle-field may not be applicable. On the death of a Caliph when one of his heirs has succeeded him, the new Caliph, as the supreme authority, is entitled to designate his own successor, and is not bound by the designation made by his predecessor.

Al-Mawardi enumerated the duties of the Caliph: he should guard the religion of Islam and suppress the growth of heresy; he should interpret Islamic Law as *Mujtahid* and promulgate it; he should keep armies on the frontiers in order to defend Islamic territories; he should champion the cause of Islam either by offering Islam to non-Muslims of the adjoining countries, or by waging war against them until they accepted the status of protected people; he should execute and preserve justice; he should implement a sound financial system; he should appoint only competent ministers, governors, tax-collectors, judges and other state officials and fix their salaries from the state treasury; and lastly, he should supervise all the departments of the state.

The duties of the Caliph were spiritual as well as temporal in nature, clearly indicating the unity of religion and politics, or church and state. The model of state advanced by al-Mawardi was an amalgamation of religious and secular aspects of the Muslim community's life. Whether such a situation existed in reality, was a different matter.

Finally, al-Mawardi speculated the conditions under which the office of the Caliph can be forfeited. He enumerated these conditions as well: if he fails to interpret the Religion correctly, becomes physically or mentally unfit, is arrested or overpowered or restrictions are imposed on his movements. At the same time he argued that if the Caliph was under the influence of a powerful

Amir, and the Amir ruled according to the Shariah, the need of either releasing or deposing the Caliph would not arise." Obviously the existing political conditions led al-Mawardi to adopt this thesis.

Al-Mawardi's exposition of the legislative, executive and judicial aspects of his state's paradigm can be briefly examined:

Theoretically, no one is empowered to legislate in his Islamic State, for God has laid down His laws in the Quran. These laws are in the form of broad principles, which require interpretation in the light of the Tradition (Hadith), the Consensus of the community (Ijma), and the use of analogical reasoning (Qiyas). There is also a very large field of legislation, which is not repugnant to the injunctions of Islam (i.e. the Quran and Sunnah). In respect of these laws, legislation has always been enacted by the Muslim rulers in the form of royal ordinances (Firmans).

The jurists interpreted those Quranic rules of law which were seemingly obscure, or where the interpretation of the preceding authorities differed. They did not object to the implementation of those man-made laws regarding which the Quran and Sunnah were silent. The Caliph as monarch was only an agent through whom the Shariah could be implemented. But sometimes he legislated even in this field as his sovereign act. He also had the power to appoint jurists and to authorize them to give decisions (fatawa) in matters of legislation, either by preferring the interpretation of a particular school which suited his needs, or by suppressing the decisions (fatawa) of some jurists on the ground that they were inexpedient or against public interest, or by authorizing only a few individual jurists to give decisions, who agreed with him. This arrangement suited the interests of the autocratic and absolute monarchy that had emerged from the early republic. The authority to interpret the Shariah was usually granted to individual jurists who were the appointees of the Caliph. The formation of an assembly composed of various sections of the jurists (Ijma) was discouraged, because it might become strong to restrict or curtail the arbitrary power of the sovereign.

In al-Mawardi's exposition, the state in Islam was a unitary form of government, highly centralized under a single supreme head, who was the chief executive. The Caliph in that capacity appointed the ministers (Wazirs), governors (Amirs), judges (Qadis), tax-collectors (Amils) etc., and supervised all the departments (Diwans) of the state.

The office of the "Wazir" (Minister) was introduced during the reign of the Abbasids, when the Caliphate came under the influence of the Persian concept of sovereignty. There existed no precedent for the establishment of this office. In justifying this appointment, al-Mawardi advanced the argument that the word "Wazir" is derived from "wazr", meaning "load", therefore the Wazir shares the load of the sovereign's responsibilities. According to him, the jurists had already sanctioned the appointment of one or more Wazirs by the sovereign. He further argued that in the Quran Prophet Moses was stated to have asked God about the appointment of a Wazir (sharer of burden) from his family (i.e. Aaron, his brother). He also maintained that the Holy Prophet consulted his Companions who shared the burden of his temporal responsibilities. Ibn Khaldun likewise justified the existence of this office on the ground that Abu Bakr was the Wazir of the Holy Prophet, Umar was the Wazir of Caliph Abu Bakr, and Uthman as well as Ali were the Wazirs of Caliph Umar.⁴⁴

It is interesting to note how the Quran and Sunnah were used by the subsequent jurists in support of any change that took place in the Muslim polity. It has already been noted that al-Mawardi advanced the argument that the establishment of the Caliphate was a religious obligation and God had set a precedent in the Quran by appointing David as the Caliph on Earth. But the institution of the Caliphate was not regarded as divinely ordained in the times of the Rightly Guided Caliphs. Similarly no precedent existed for the appointment of a Wazir or Wazirs. Nevertheless al-Mawardi made strenuous efforts in providing justification for this office through the Quran and Sunnah. This clearly demonstrated that jurists of every age could adjust the interpretation of the Shariah in accordance with the needs and

requirements of their times.

Al-Mawardi discussed three kinds of Governorship (Amarat), appointed or acknowledged by the Caliph. These are Governorship with General Powers (Amarat al-Aamah), Governorship with Specific Powers (Amarat al-khasah), and Governorship by Usurpation (Amarat al-Istela). The Governorship with general powers was like sovereignty, and with specific powers amounted to command over a specific department.

The Governorship by Usurpation came into being when a Muslim usurper occupied Muslim territory by force of arms (either by defeating the armies of the Caliph or by dethroning the reigning Amir). In these circumstances the Caliph had no choice but to confirm the usurping Amir in his dominion. Consequently under the doctrine of necessity, al-Mawardi introduced the concept that the confirmation should not be declined if the usurping Amir gives the undertaking that he would rule in accordance with the Shariah and maintain the unity of the Muslim community (Ummah/Milla) by swearing allegiance to the Caliph. The usurping Amirs on the other hand, solicited the Caliph to confirm them in their dominions because it gave an air of legitimacy to their rule. Some of them even paid tribute to the Caliph, others did not.

The practice of appointing Amirs (governors) for outlying provinces is very old. The Holy Prophet appointed such Amirs, similarly the Rightly Guided Caliphs, as well as the Umayyads, appointed Amirs and kept a strict watch over their activities. However, under the Umayyads the practice of hereditary governorship had been introduced and was maintained by the Abbasids. Consequently when an Amir died, his son or kinsman who succeeded him, was formally confirmed by the Caliph. But the Governorship by Usurpation, which transformed the unity of the Muslim world into a confederation and virtually made the Caliph impotent, was a much later development. It had no precedent in the early history of Islam. Al-Mawardi included it in his interpretation of the State in Islam⁴⁵ because his aim was, as it has already been pointed out, to impress upon the usurping

Amirs the importance of the Abbasid Caliphate which had lost its prestige.

Dealing with the executive responsibilities of the Caliph, Al-Mawardi also discussed the Judiciary (Qada) which had always been regarded as one of the most important organs (Wazifah) of the state. As the Muslim empire expanded, four major courts, with varying jurisdiction, came into existence. These were the Court of the Reviewer of Wrongs (Nazar-al-Mazalim), the Court of the Qadi with criminal/civil jurisdiction, the Court of the Moral Censor (Muhtasib), and the Court of the Police Magistrate (Sahib-al-Shurta). Al-Mawardi believed that it was the exclusive responsibility of the Caliph to appoint the Qadis at all levels, while he himself should preside over the Mazalim Court.

In the light of al-Mawardi's exposition, the state in Islam was a monarchy, reserved particularly for the house of Abbas, and generally of the tribe of Quraysh. The Caliph was (at least theoretically) empowered to appoint or dismiss his agents at will. If a sovereign existed within the world of Islam, he could only exist with the approval of the Caliph, otherwise his rule was illegal.

The executive and judicial institutions which had evolved were maintained with some modifications, and the administrative system of numerous independent dynasties in different territories was modelled after them.

To recapitulate, the peculiarities of the state in al-Mawardi's exposition are: the object of the state was to achieve the well-being of the Muslims, not only in this world but also in the next; the state stood for the unity of the Muslim Ummah and the oneness of the Muslim world, therefore only one Caliph should be appointed; if the Muslim world were to be fragmented then these units should exist only with the sanction of the Caliph; the state drew a line between Muslims and non-Muslims; only those taxes which had been recommended in the Quran could be levied; usury was forbidden; the Muslim subjects were to be governed under the civil law of Islam, and Muslim and non-Muslim subjects came under the jurisdiction of criminal law of Islam except that in some cases non-Muslims suffered half the

penalty as compared to Muslim offenders; and finally, the state in Islam had to maintain "Hisba" (religious censorship) to enforce the religious discipline of Islam on its Muslim subjects.

Al-Mawardi's paradigm of Islamic state became the norm for the later jurists. When the condition of the Caliph at Baghdad deteriorated further, more adaptations were made to cope with the political reality. For instance, in al-Ghazali's times (1058-1111) the Caliph was completely dominated by the Seljuq Sultan. In the light of this development al-Ghazali, like al-Mawardi, advanced the argument that the establishment of the Caliphate was a religious obligation for the Muslims under the Shariah, and not merely a rational necessity. He argued that after the death of the Holy Prophet the Caliphate was acknowledged as being an indispensable institution according to the Consensus of the Community (Ijma).⁴⁶ Therefore the appointment of a Caliph was imperative for the maintenance of a proper religio-political order, which could only be established by an Imam to whom obedience must be rendered. This line of reasoning was adopted to emphasize the legitimacy of the Abbasid Caliph al-Mustazhir on the Seljuq Sultan who wielded effective power, and also on the adherents of the Batinya sect who acknowledged his Fatimid rival at Cairo as the legitimate Imam.

Al-Ghazali also modified some of the qualifications of a Caliph to suit the case of Caliph al-Mustazhir. For instance, the ability to wage war (Jihad) was no longer an important qualification when force and prowess (Shawka) for waging war was possessed by the "loyal" Sultan, who could use it in place of the Caliph. Similarly the duty of the state administration could be delegated to the competent and conscientious Sultan as sharer of the Caliph's burden. Even the deficiency of Knowledge (Ilm), or the lack of Ijtihad ability on the part of the Caliph was to be ignored, as the Caliph could rely on the Ulema (theologians) who might be consulted and their advice could be followed. In other words al-Ghazali held the view that the Caliph should be a Muqallid and depend on Taqlid (following the legal opinions of the Ulema) rather than try to be a Mujtahid, if he was incapable of Ijtihad.⁴⁷

Aware of the politically subordinate status of the Caliph, al-Ghazali without hesitation maintained that the Caliph should delegate authority to the one who exercised effective power and swore allegiance to him. Al-Ghazali expected the Caliph to lead a religious life and to seek guidance from the Ulema. The Caliph was entitled to the obedience and loyalty of all the eminent personalities of the empire by virtue of his Sunnī religious convictions.

In al-Ghazali's time the Abbasid Caliphate had become so impotent that at times the Sultan appointed or designated the new Caliph. In light of the ground realities and the designation having been made by the one who was backed by military force, al-Ghazali acknowledged this new method of the Caliph's appointment as valid under the Shariah. To al-Ghazali, so long as the Sultan, the wielder of effective power, acknowledged or swore allegiance to the Caliph, his government was lawful according to the Shariah. The principle on which al-Ghazali based his thesis was that tyranny of a cruel Sultan should be accepted, but chaos and lawlessness must be avoided at all costs. Al-Ghazali's main argument is that since an attempt to overthrow a tyrannical Sultan, who was supported by the army, was likely to lead to chaos, such an attempt must not be made in the interest of the state and the welfare of Muslim community. Without citing the Quran (sura 4; verse 59), but placing reliance on some Traditions, he insisted that in addition to the Caliph, obedience must also be rendered to Amirs and Sultans who were usurpers of political power.⁴⁸

Moreover the views of two very eminent jurists, Ibn Jamaa (1241-1333) and Ibn Taymiya (1263-1328) on this subject may also be examined. Ibn Jamaa, like al-Ghazali, maintained that tyranny is preferable to anarchy. In other words, bad rule should be accepted in order to avoid disorder. Since the times of the Rightly Guided Caliphs the established interpretation of sura 4; verse 59 was that the obedience to the Caliph as Head of State was qualified and depended on his following the laws laid down by God and the Holy Prophet, and that if his actions were in conflict with the Shariah, he was to be deposed. But in the light

of new political reality, this interpretation was jettisoned by jurists like Ibn Jamaa. He held the view that every constituted authority must be obeyed and that this authority might be a usurper who was in effective control of the administration of the state and who, for his own expedience, had sworn allegiance to the figurehead Caliph.

Unabashedly Ibn Jamaa legitimized self-appointed Imam, who might have forcefully seized the government. Al-Ghazali went a step further than al-Mawardi in including the designation/appointment of a Caliph by the Sultan as a legitimate procedure. But Ibn Jamaa went even further by permitting a usurper of the supreme authority to appoint himself as the Imam. To Ibn Jamaa, obedience to authority was an absolute religious obligation on the Muslim community according to sura 4: verse 59 of the Quran, as it was identical with obedience to God and to the Holy Prophet. Consequently the self-appointment by a military commander to the office of Imam was lawful under the Shariah, and obedience should be rendered to such a ruler in order to maintain the unity of the Muslim Ummah. Ibn Jamaa also expected the Ummah to render obedience even to the subsequent usurper who defeated the earlier one and, after deposing him, became the effective Imam himself.⁴⁹

Al-Mawardi, al-Ghazali, and Ibn Jamaa, belonged to the Shafii school. They confirmed to compromise the Shariah interpretation with the deteriorating political reality, until they came to assert that the delegation of all the powers and functions of the Caliph to the Sultan or to any usurper was completely legal under the Shariah. In other words these eminent jurists of Sunni Islam clearly established the view that the Shariah is capable of numerous interpretations, and it is perfectly legal to make the Shariah adjust to any set of existing circumstances.

The voice of Ibn Taymiya (1263-1328), an eminent Hambali jurist, strikes a somewhat different note. Disillusioned with the attitude of the conventional jurists towards the state in Islam, he claimed the freedom of Ijtihad and went back to the basic sources of the Quran and Sunnah in order to make a fresh start. He did not concern himself with the Caliphate. He even denied

the necessity of this institution. He was mainly concerned with the supremacy of the Shariah and how the Muslim community (the rulers as well as the ruled) could regulate their lives by it. He emphasized the close connection between the Imam and the Muslim Ummah, but "Imam" according to him was any wielder of effective authority, whether he had acquired it legally or illegally.

While interpreting sura 4: verse 59, he advanced the argument that only those orders of the wielder of authority should be obeyed which were in conformity with the Quran and Sunnah. But while he absolved the Ummah from obeying those orders which were in conflict with the Quran and Sunnah, he refrained from preaching rebellion owing to his fear of anarchy or disorder in the state.

He expected the wielder of power and his agents to act in accordance with the Shariah. If he was unfamiliar with it, then like al-Ghazali, Ibn Taymiya advocated that he should seek the Ulemas' guidance. In other words, Ibn Taymiya was also of the view that the quality of being a Mujtahid was not essential in the Head of State and that he should practice Taqlid. Thus Ibn Taymiya and al-Ghazali desired that the influence of the Ulema in the governance of the state should increase as both believed that the Ulema were the real successors of the Holy Prophet, especially after the end of the era of the Rightly Guided Calphs.

Ibn Taymiya did not attach any importance to the struggle for power between the Caliph and the Sultan. He accepted the political situation as it existed in his times. He wanted to restore the Rule of the Shariah in the state so that the Muslims, for their collective survival, could lead their lives in accordance with an authoritative and strictly enforced law.³⁶ He stood for a puritanic and idealistic Shariah-government, and spent his entire life struggling for the implementation of his ideals. Since his interpretation of the Shariah was narrow, rigid, inflexible and unsuited to the prevailing political conditions, it was, generally ignored.

MORALISTS

The Moralists as a group of writers wrote books on political

ethics. These books were in the form of counsel for kings (also called Adab, Akhlaq, or Mirror literature). These moralists were neither concerned with Islamic constitutional theories as propounded by the jurists nor were they interested in the political thought of the philosophers. They wanted the Caliph to isolate himself from state affairs and preached that he should devote himself completely to religious matters especially offering prayers, observing fast, defending faith, and they considered the Sultan, as the real sovereign over his realm and the citizens, although theoretically a part of the Muslim Ummah, were his real subjects. The teachings of these writers were based mainly on political considerations. They did not bother to raise or answer the question as to whether a king held his office legitimately or illegitimately. They accepted the political reality as it existed and at the same time they tried to present the model of an Excellent King (Malik al-Fadal) or a Just Sultan (Sultan al-Adil). In order to realize their objective they imitated the style and methodology of the Persian writers of pre-Islamic times. This literature is obviously the product of an age when the Caliphate had gradually given way to the Sultanate.

While the moralists projected the universal concept of ethics, they remained attached to the Shariah. They wanted to see in an established absolute monarchy an ideal political order based on universal ethical values like justice and equity, the importance of which is also acknowledged by the Shariah. They freely used the examples and anecdotes of the pre-Islamic kings in order to demonstrate how virtuous they were and viewed them as models. Their works were in the form of guides to the Sultans or Maliks. Some of these rulers although literate, were in many ways tyrants or were even savages with little respect for ethical or human values. Advice could only be given through the art of flattery, while highlighting the qualities and duties of a ruler, his servants and functionaries, or delineating his relations with his subjects, or how best to manage the affairs of state. Some of the famous authors of this genre are Ibn al-Muqaffa (*Kitab Adab al-Saybir*), Jahiz (*Kitab al-Taj* and *Kitab Istibraq al-Umama*), Kai Kaus (*Qalms Nama*), Nizam ul-Mulk (*Siyasat Nama*), and al-Ghazali (*Nasihat*

al-Muluk).

Following the tradition of the earlier Sunni jurists, Ibn al-Muqaffa (724-757) expected the Caliph/ruler to be a Muftahid and to practice Ijtihad while implementing the Shariah. Jahiz on the other hand, referred to numerous manners, customs and anecdotes of ancient Persian kings, and in his *Kitab Istibraq al-Imama* maintained that the Shariah changes with the changing times, whereas the ruler and the government are permanent fixtures. As a ruling prince, Kai Kaus wrote his book in 1082, which was based on his own experiences, and it was designed for the guidance of his son. In his view the ruler must be a practicing Muslim, wise, just, truthful and in effective control of his kingdom. Nizam ul-Mulk (1018-1092) had served as Chief Minister of two Seljuq Sultans, Alp Arslan and Malik Shah. Like Kai Kaus, he also enumerated the essential qualities in a Muslim king and expected him to conduct himself as an absolute monarch, but within the boundaries of the Shariah. Since he emphasized justice, Nizam ul-Mulk wanted the ruler to pay special attention to the establishment of a pious and unapproachable Judiciary. He advised that women should not have any influence in the court. He opposed the appointment of non-Muslims to key positions especially when educated Muslims were unemployed, and finally he desired that the ruler must maintain an intelligence service in order to know what was happening in the kingdom, although spying has been specifically disapproved by the Quran.

Essentially a religious thinker, al-Ghazali discussed in his book (compiled in 1111) the spiritual beliefs a Muslim ruler must hold and highlighted the ethical principles he should follow. He attempted to reconcile his ideals with the existing political reality, but his efforts landed him into numerous inconsistencies. For instance, he believed that the Caliphate is an indispensable institution which is based on generally accepted Consensus of the Community (Ijma), and its establishment is mandatory for the maintenance of a proper religio-political order. But in *Nasbat al-Muluk* he preached that kings are appointed by God, who sends them to protect men from one another just as He sent

Prophets to guide men. Unhesitatingly he maintained that the Sultan is God's shadow on earth. He argued: "To dispute with kings is improper, and to hate them is wrong; for God on high has commanded: Obey God and obey the Prophet and those among you who hold authority - which means obey God and the Prophets and your princes. Everybody to whom God has given religion must therefore love and obey kings".⁹¹

Ironically a stage had arrived when a theologian of the stature of al-Ghazali regarded every king an appointee of God, who protected mankind and therefore he had to be viewed as "God's Shadow on Earth". Al-Ghazali did not discuss the main problem whether the Sultan should or should not obey the Caliph. On the contrary he wanted the Sultan to fulfil the functions of the ancient Persian or Sasanid kings, in addition to following the practice of the old caliphs. For the subjects, al-Ghazali viewed the abject obedience to the ruler as a form of worship of God.

Finally while the moralists attempted to keep the absolute monarchy within the confines of the Shariah, in reality the counsel of these men of affairs was based on political expediency. Certainly the political expediency is the only real criterion on which the entire mirror literature should be judged.

PHILOSOPHERS

Muslim thinkers endeavoured to interpret Islam in the light of Greek philosophy. Therefore their political thought was greatly influenced by Plato and Aristotle. They agreed with Plato that Law was the only real foundation of a state, and maintained that if a state was based exclusively on the Shariah and upheld its supremacy, it was truly "Islamic". If however in a state the Shariah was not enforced, or it was made to compete with man-made laws, then it would not be an Islamic state but a state established on "force" (Mulk). They also believed that the deeper meanings of the Shariah could only be understood through philosophy.

The views of at least three Muslim philosophers, al-Farabi (868-950), Ibn Sina (980-1037), and Ibn Rushd (1126-1198) are discussed first before an assessment of Ibn Khaldun's ideas (1332-1406) is made. Ibn Khaldun was not a jurist, nor a moralist,

or a philosopher. He was a political scientist with a pragmatic approach, and belongs to a category of his own.⁵²

Al-Farabi is accepted as the first Muslim political thinker; who was influenced by the ideas of Plato and Aristotle, yet he made his own interesting additions to them. Like his Greek masters, al-Farabi was concerned with the question of the ultimate aim of man. His conclusion like them was "to achieve happiness". Al-Farabi asserted that complete "happiness" could only be achieved by man if he led his life in accordance with the dictates of the Shariah. "Happiness" or "Perfection" could not be attained by man in isolation, he had to form a political association with other men for realizing these ideals. Logically the establishment of a state became necessary for man as "happiness" could be achieved only in a community or society through mutual help. In his view the ideal state was that which provided facilities to its citizens to realize the two-fold "happiness" as envisaged by Islam, well-being in this world and preparation for achieving happiness in the hereafter.

Al-Farabi considered the ideal state real if it was governed initially by the Prophet-Lawgiver-Philosopher-Imam. In other words the perfect state was the one which was ruled by the Holy Prophet as Imam, since he was in direct communion with God, Whose Law was revealed to him, and he had the capability to understand its deeper meanings as a philosopher. Al-Farabi's theory can only be understood if we accept his views of "Prophecy". He believed that those who lived in the state of Medina when it was ruled by the Holy Prophet, attained happiness and excellence, and realized their true destiny. Since the Holy Prophet was the "Ultimate Interpreter of Law" (Imam al Mutlaq), he was an ideal ruler of an "Ideal State" (*Al-Madina al Adila*).

Since it was virtually impossible to create an ideal or perfect state in the absence of the Prophetic-Lawgiver-Imam, al-Farabi enumerated different types of imperfect states. Some of these imperfect states have been adopted from the works of Plato, but some are the product of his own speculation. These states included: One devoted to providing basic necessities of life

(al-Daruriya); vile/despicable state (al-Shawa); tyrannical state (al-'Aghallib); democratic state (al-Jamaiya); rogue/hypocritical state (al-Fasiqa); failed state (al-Mubaddala); and erroneous state (al-Dalla). He looked upon all imperfect states as "Jahiliya" (absence of wisdom/knowledge to follow the right path); and their inhabitants could never achieve authentic "happiness".

Al-Farabi believed that all imperfect states emerged from false perceptions of religion or corrupt convictions. Interestingly enough he considered "democratic" state (Madina al-Jamaiya) model closest to his perception of an ideal or perfect state. Perhaps he had in his mind the republican era of the Rightly Guided Caliphs, which immediately followed the ideal leadership of the Prophet-Imam. When he maintained that it is from a democratic state model that most of the "Jahiliya" states emerged, one cannot escape the conclusion that in the back of his mind was the transformation of the republican order into an absolute monarchy of different forms. Obviously al-Farabi had a very deep understanding of Islamic history, and whatever be the nature of the influence of Greek philosophy on him, he kept an eye on the historical experience of the Muslim Ummah.

In Ibn Sina's political philosophy three elements are amalgamated: the Greek ideas, the improvements made thereon by al-Farabi, and the orthodox theories of the Caliphate as advanced by the jurists. Ibn Sina, like al-Farabi and the Greek thinkers, believed that the ultimate object of man is to realize "happiness". He is also convinced that a state founded on the Shariah revealed to the Prophetic-Lawgiver was superior to the one founded on "Force" (Mulk).

For the Caliphate, Ibn Sina held the view that the Caliph, who is expected to be well-versed in the Shariah, must be obeyed because he is the successor of the Prophetic-Lawgiver. He described the same qualifications and duties of the Caliph as enumerated by the jurists, and then added that the Caliph should be elected by the Muslim community. If the electors made a wrong choice, then they would cease to be Muslims and become Kafirs (infidels).

Ibn Sina differed substantially from the jurists when he

advanced the view that the usurper (*mutaghallib*) must be fought against and if possible put to death. He maintained that those citizens who, despite having means to fight against the usurper and decline to act, must be punished. Ibn Sina asserted that the act of slaying a usurper is most pleasing to God. While Ibn Sina's position is unique, unfortunately there is a contradiction in his thought. He argued that if a weak and incompetent Caliph was replaced by a strong and intelligent rebel, then the citizens should acknowledge the rebel's claim, if he was otherwise fit to hold the office. Evidently Ibn Sina altered his earlier rigid stand in favour of an authority based on power plus intelligence. Obviously he attempted to make a point that a powerful and intelligent but less virtuous usurper should be preferred to a weak and incompetent but pious Caliph.

Ibn Sina also drew a line between religious obligations (*Ibadaat*) and worldly affairs (*Muamalaat*). He contended that it is necessary to perform religious obligations (*Ibadaat*), because they are beneficial to each member of the Muslim community. But he emphasized that the Imam must be primarily concerned with the worldly affairs of the citizens. Social relations should be regulated by him through legislation that protects life, property and transactions of the citizens. He recommended that the Shariah should be enforced and its opponents should be removed from the state. His two-fold concept of "happiness", the well being of man in this world and to prepare him for realizing bliss in the hereafter, is guaranteed by adherence to the Shariah.

Ibn Rushd like other Muslim thinkers, also believed that man cannot attain happiness or perfection in isolation. He must establish political relationship with others, as he cannot survive without a state. His assertion is logical, since a just state has to be based on Law, an ideal state is the one that is founded on the Divinely Revealed Law, and only in such a state man can realize authentic "happiness" or highest perfection. The ideal state's constitution is the Shariah. Since the philosopher alone has the capability of understanding Shariah's hidden meanings, and can interpret it, he has to play a very important role in the politics of the ideal state. While Ibn Rushd was a theologian, and a jurist of

the Maliki school, and was Qadi of Cordova, he considered the philosophers more competent than the theologians (Ulema) and the jurists to understand and interpret the Shariah.

Ibn Rushd maintained that with the end of the era of the Rightly Guided Caliphs, the state in Islam ceased to be the ideal state and was transformed into a "Mulk" (based on force). Thereafter this "Mulk" variety of state spawned different forms of imperfect states in the history of Islam. In his view the Shariah is perfectly capable of providing an opportunity to establish the ideal state, yet weaknesses in human character always create imperfections in the states. Hence it has become virtually impossible to realize the ideal of a state based purely on the Shariah.

Ibn Rushd considered the Caliph as identical to Plato's philosopher-king. But he differed with al-Farabi in maintaining that the ideal ruler could only be the Prophet-Imam, and that real "happiness" was achieved only by those citizens who lived in the ideal state which was governed by the Prophetic-Lawgiver-Imam. Since he believed in the end of prophecy after the death of the Holy Prophet, he argued that the state which existed during the times of the Holy Prophet could not be recreated. However the imperfect states could endeavour to come as close to that ideal as possible.

Ibn Khaldun⁵³ drew a line between the state founded exclusively on the Shariah (*siyasa deeniya*) and the state founded on rational laws (*siyasa aqliya*). His view of history is mainly based on his concept of "Asabiya" which means: a group's (or dynasty's) claim to rule based on eminence acquired through collective achievement, strength of will, and striking power. According to this theory, so long as the "Asabiya" of a group (e.g., the tribe of Quraysh) or a dynasty (e.g. the Seljuq) does not show signs of decline, it retains its power over the state. When a group or a dynasty is eliminated some other group or dynasty with a fresh "Asabiya" takes over.

In Ibn Khaldun's times most of the existing Muslim states were power-states which were based on force. In his terminology those "states were based on man-made laws". He argued that the

Holy Prophet was the Lawgiver-Imam who knitted the Muslim community together under the Shariah, the supremacy of which was acknowledged throughout the era of the Rightly Guided Caliphs. Thereafter due to the decline of religious motivation, the Caliphate was transformed into Mulk which was governed mainly through the laws formulated by human reason (*siyasa aqliya*), although it was claimed that their original source was the Shariah.

Ibn Khaldun also discussed the importance of the Caliphate as a religio-political institution, and agreed with al-Mawardi that the Caliph should protect the religion of Islam and administer the state. But in his times the Caliphate had survived only as a purely religious institution at Cairo, and the Caliph had long ceased to have any say in the administrative or political matters.

As a pragmatist, Ibn Khaldun was convinced that even Mulk (power-state) through its man-made laws could work for the welfare of its citizens, while he recommended that Mulk should not break its links with the Shariah, as Mulk had originally emerged from the Caliphate. While acknowledging the Shariah's theoretical importance, Ibn Khaldun accepted the state as it was, and held that a "mixed" state which was administered partly in accordance with the Shariah, and partly with the "aqliya" (man-made) laws could serve its citizens. In other words, a Muslim state administered exclusively through laws formulated by human reason could work for the well being of its citizens. This position is different from that of the jurists and philosophers who laid emphasis on maintaining the purity of the Shariah in the state.

The jurists while maintaining the supremacy of the Shariah, interpreted it, particularly in worldly matters (*Muamalaat*), through "Ijtihad", in light of the requirements of the changing times. They kept the Shariah mobile by providing various innovative interpretations and did not permit it to become static.

It is evident that what makes a Muslim state "Islamic" is not the form of its government or the political system it adopts, but the implementation of those laws which are derived exclusively from the Shariah and no other source. Islam is indifferent to or unconcerned with the political order so long as the wielder of

power (legitimate or illegitimate) maintains the supremacy of the Shariah in the state. Mithaq-i-Madina arranged by the Holy Prophet, and after him the republican political system introduced by the Rightly Guided Caliphs, were social contracts of different varieties, laying down different forms of "Shura". However, Shah Wali Ullah an eminent jurist, included political systems as an integral part of the Shariah and maintained that under the Shariah only three modes were approved for establishing Head of State in Islam: election, nomination, and usurpation.⁵⁴ According to him the conventional Fiqh grants legitimacy even to usurpation as one of the modes, but with the condition that the usurper undertakes to enforce the Shariah. (If he does not do so, the Muslims are not expected to rise against him as God alone can punish him). According to a majority of the jurists, moralists and philosophers the real Islamic state is administered under the pure Shariah laws, regardless of its political system. If in a Muslim state the Shariah laws are made to compete or be applied along with the man-made laws or it is administered exclusively under the man-made laws (i.e. a secular state), then it is not an Islamic state. It would be categorized as power-state (Mulk). According to this criterion, only the state governed by the Prophetic-Lawgiver-Imam and subsequently by the Rightly Guided Caliphs was truly Islamic. Thereafter the state in Islam was transformed into different forms of "Mulk" based on force, coercion, hereditary/dynastic succession, conquest or through any other lawful or unlawful means, and the "repaganization" of Muslims' political ideals started. Also the claim was advanced that a power-state was competent to enforce the Shariah. Most of the power states in the Muslim world had been governed by "mixed" laws (i.e., some Shariah laws and other man-made laws). Man-made laws were usually enforced through a royal decree or ordinance, and possibly as "sovereign" acts on the part of the wielder of power. Consequently every power-state in the world of Islam can aspire to become an 'Islamic' state, but as the movement of time is not cyclic, there is little possibility of realizing this ideal.

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- ¹ These Traditions are well known and quoted by many scholars. For instance see *The Caliphate*, by T.W. Arnold, p. 184 etc.
- ² For English translation of *Mithaq-i-Madina*, (The Constitution of Medina), see *Muhammad at Medina*, by Montgomery Watt, 1962 Ed. pp. 221-225.
- ³ Ibn Ishaq's *Sirat Rasul Allah*, trans. as *The Life of Muhammad*, by A. Guillaume, 9th Pak. Ed. 1990, pp. 504-507, *Tarikh-i-Tabari* vol. 1 (*Sirat-ul-Nabi*), Urdu trans., Nafis Academy, Karachi, 1967 Ed. pp. 335-339.
- ⁴ *Muhammad at Medina*, pp. 51,52.
- ⁵ *Kitab-al-Futuh wal-Ashraf*, by al-Masudi, pp. 235,236 etc.
- ⁶ Suyuti's, *Tarikh-al-Khulafa*, Urdu trans. by Shabbir Ahmad Ansari, pp. 9,10.
- ⁷ Tabari's source of information is Waqadi. See *Tarikh-i-Tabari* (*Sirat-ul-Nabi*), vol. 1, Urdu trans., p.527.
- ⁸ *Introduction to Islam*, by Dr. Hamidullah, p. 111.
- ⁹ *The Caliphate*, pp. 45-50.
- ¹⁰ *Introduction to Islam*, pp. 110,111.
- ¹¹ Ibn Ishaq's, *Sirat Rasul Allah*, pp. 683-687; *Tarikh-i-Tabari*, vol. 1, pp. 529-535.
- ¹² *Tarikh-i-Tabari*, vol. 1, p.535.
- ¹³ Amcer Ali's, *A Short History of the Saracens*, 1951 Ed. pp. 21,22; Also see *Tarikh-i-Tabari* vol. 1 p. 579; Ibn Ishaq's *Sirat Rasul Allah*, p. 687.
- ¹⁴ *Tarikh-i-Tabari*, vol. 3, p. 27; *The Orient under the Caliphs*, p. 19.
- ¹⁵ *Kitab-al-Kamil of al-Mubarrad* ed. by W. Wright, (Chapter on Khawaraj), pp. 527-600; *Ibn Khaldun's Muqqaddama*, pp. 196-202; *Sociology of Islam*, by R. Levy, vol. 1, pp. 301-304; *The Caliphate*, by T.W. Arnold, pp. 148-189; *A Literary History of the Arabs*, by R.A. Nicholson, p. 207-220; *The Development of Muslim Theology*, etc. by D.A. Macdonald, pp. 7-63.
- ¹⁶ *A Muslim Commentary on the Universal Declaration of Human Rights*, by Sultan Hussain Tabandeh (Nazi Mazhabi be Nilama Huquq al-Bashr) English trans. F.J. Goulding, 1970 Ed., pp. 31,32.
- ¹⁷ Shibli's, *Al-Farooq*, pp. 254-256.
- ¹⁸ *Ibid.*, pp. 448-450, 478,479.
- ¹⁹ *Quam Digest*, Farooq-i-Azam Number, March 1983, Article Dr. M. Hamidullah, p. 28.
- ²⁰ *Al-Farooq*, pp. 395,396, 518.
- ²¹ *Ibid.*, pp. 345,346.
- ²² *Ibid.*, pp.179,181.
- ²³ *A Short History of the Saracens*, p.52.
- ²⁴ *Ibid.*, p.54.

- ²⁵ Suyuti's, *Tarikh-al-Khulafa*, Urdu trans., p.224, English trans. by S.H. Jarrett, pp. 197,199-209.
- ²⁶ *Muhammadan Dynasties*, by S. Lane-Pool, p.20.
- ²⁷ *The Damascus Chronicle of the Crusades*, trans. by H. A.R. Gibb, pp. 22, 23, 34.
- ²⁸ *Muhammadan Dynasties*, P. 36.
- ²⁹ Al-Beruni's, *Chronology of Ancient Nations*, trans. by E. Sachau, pp. 129,131.
- ³⁰ *A Baghdad Chronicle*, by R. Levy, p. 188.
- ³¹ *Chahar Maqalat*, trans. by E.G. Browne, p. 11.
- ³² *Siyasal Nama*, pp. 5,42,43.
- ³³ Barthold's, *Turkistan Down to the Mongol Invasion*, trans. by H.A.R. Gibb, pp. 346, 347.
- ³⁴ *Ibid.*, pp. 373-375.
- ³⁵ Barthold's, *Studien über Kalif und Sultan*, trans. by C.H. Becker. Der Islam. 1916. pp. 352, 364-374.
- ³⁶ Barthold's, *Musalaman Culture*, trans. by S. Suharwardy, p. 69.
- ³⁷ *Literary History of Persia*, by E.G. Browne, vol. 3, pp.40-61.
- ³⁸ Barthold's, *Studien über Kalif und Sultan*, pp. 353,374-386.
- ³⁹ *Ibid.*, pp. 352,354-355.
- ⁴⁰ *Abkām-al-Sultaniyyah*, pp. 3; also see *Ibn Khaldun's Muqqaddama*, p. 190,191.
- ⁴¹ *Abkām-al-Sultaniyyah*, p. 4,5,42.
- ⁴² *Ibid.*, pp. 12,13,18; also see *Muqqaddama*, pp. 210-218.
- ⁴³ *Abkām-al-Sultaniyyah*, p. 23-32.
- ⁴⁴ *Muqqaddama*, p. 237.
- ⁴⁵ *Abkām-al-Sultaniyyah*, pp. 47-57; also see Von Kremer's, *History of Islamic Civilization*, English trans., pp. 242-261.
- ⁴⁶ *Kitab al-Iqtisad-fil-Atiqad*, pp. 95,96.
- ⁴⁷ *Kitab al-Mudazhiri*, pp. 83,92.
- ⁴⁸ *Ilm al-Ulum*, vol. 2, p. 124; *The Sunni Theory of the Caliphate*, by H.A.R. Gibb, (Archive Oriental vol. 3 9948) pp. 401-410. Al-Ghazali's Theory of Islamic Government, (*The Muslim World*, July 1955), pp. 229-241.
- ⁴⁹ *Tahzir al-Abkām-fī-Fadhīr al-Islām*, ed. and trans., by Köfler in *Islamica* vol. VI, pp. 349-414 and Vol. VII, pp. 1-64.
- ⁵⁰ *Kitab al-Siyasa al-Shari'ah*, pp. 40,56,63,169,170.
- ⁵¹ *Nasihat al-Muluk*, (Counsel for Kings) English trans., by F.R.C. Bagley ed. 1964 Macmillan, pp. 45,46. English trans., of *Kalim Nama* and *Siyasal Nama* can also be examined.
- ⁵² For a detailed study three works of al-Farabi can be consulted namely, *al-Madina al-Fadila*, *Kitab Siyasa Madaniya*, and *Kitab Tahsil al-Saada*. For a further study of Ibn Sina's political thought the last two chapters of his *Kitab al-Shafa* are recommended. As for Ibn Rushd, his relevant works are *Tahafut al-Tahafat*, *Fasl al-Maqal*, *Damma*, and *Manahij*. For this portion of my study I have also relied upon Rosenthal's, *Political Thought in Medieval Islam*, pp. 122-157, 175-209; *Studies of Muslim Political Thought and*

Administration, by H.K. Sherwani, pub. Sh. Muhammad Ashraf pp. 58-86, 135-167, 168-184, 185-203; and M. Hamudullah's, *Introduction to Islam*, pp. 105-119.

- ³¹ *Ibn Khaldun's Muqaddama*, is now available in Urdu translation as well as English translation, by Erwin I.J. Rosenthal.
- ³² *Hujjat U'llah al-Balegha*, Urdu trans., by Maulana Abdur Rahim, 1962 Ed. vol. 2, p. 607.

Chapter Two

FATE OF MUSLIM POWER-STATE IN INDIA

Some of the issues explored in this chapter relate to the Muslim rulers of India. What was the nature of their sovereignty and the source of their legitimacy? How was the power transferred from one ruler to a successor or from one dynasty to another? What was the nature of the political relationship of the Muslim state (in the predominantly Hindu environment) with the Caliphate or the rest of the Islamic world? How were the non-Muslim subjects treated? To what extent was the Shariah enforced? And finally, what were the causes of the decline of the Muslim power-state in India?

THE ARAB DOMINION

With the conquest of Sindh (including Multan) in 711 by Muhammad ibn Qasim, the Indus valley was annexed to the Umayyad Empire. The valley was ruled by the Arab Governors (Amirs), appointed by the Umayyad, and later by the Abbasid Caliphs. When the Abbasid Caliphate in Baghdad weakened, the Arab hold over Sindh loosened. By the close of the eighth century the Indus valley became the refuge of numerous fugitive heretics from Western Islam, particularly the Qarmatians. Thereafter independent local dynasties came into existence.

When Sindh came under the sway of Islam, its inhabitants were either Hindu or Buddhist and their temples and pagodas were located all over Sindh and Multan. However, Arab conquerors did not interfere with their religion or places of worship. They employed Brahmans (priests) for collecting "Jizya" (poll-tax taken from the conquered and protected non-Muslims), and the administration provided stipends to them for looking

after the temples etc.¹

Many eminent Hindus were appointed to important posts in the administration. Some of Raja Dahir's ministers including Se Sagar, Noba ibn Harn and Kishka were retained in their posts. Noba ibn Das and Bhadarkan were confirmed as Governors (Amirs) of the territories of Arwar and Nayron. A committee of four respected locals was created to administer justice in the civil court of Brahmanabad, after its conquest. Brigades consisting of Sindh soldiers were placed under the Brahman commanders to guard some of the forts in the region.²

The sources of revenue of this dominion were: Jizya (poll-tax taken from the non-Muslims), Zakat (alms tax collected from the Muslims), Kharaj (agricultural tax taken from the non-Muslims), Ushr (agricultural tax taken from the Muslims), Ghanima (spoils of war), and Import/Export duty imposed on the traders.

Conversions to Islam took place mostly at the hands of the Sufi saints who established their spiritual orders in the region. Many non-Muslims also embraced Islam at the invitation of Umayyad Caliph Umar ibn Abdul Aziz, who exempted them from the payment of Jizya.

According to Abu Zafar Nadvi's *Tarikh-e-Sindh*, when the Arabs consolidated their position they enforced the Hanafi code of law in Sindh, and the Judiciary was manned by the Arab Qadis, who were directly appointed under the orders of the Caliph in Baghdad.³ The Tax-Collectors (Amils) were likewise appointed, and were answerable to the Governor.

At the time when the Arab hold weakened, the local population was primarily influenced by Shia Islam, this influence having spread to Sindh and Multan via Balochistan. In 883 Fatimid preachers (dais) settled in Sindh and started preaching Ismaili doctrines, as well as organizing a rebellion against the impotent Abbasid Caliph in Baghdad.⁴ Against this religious background Sultan Mahmud of Ghazna, who claimed himself to be the champion of Sunni Islam, attacked Sindh after crushing the Ismailis in Multan (1001).

Towards the close of the twelfth century Sindh and the Punjab became part of the Ghaznavid Empire. When Sultan Mahmud's

descendants were hard-pressed by their rivals, the Ghorids, they settled in Lahore.

This was a period of turmoil in North-West India. Islam had penetrated into India as a conquering faith, and the relations between the Muslim conquerors and the Hindu conquered were far from being cordial. Although the Hindus served in the civil departments of the Muslim state, Hindu brigades in the armies of Mahmud were led by Hindu generals, and the sovereignty of some of the Hindu Rajas was acknowledged, the Hindus considered the Muslims and Islam, as an alien intrusion.

The earliest account of differences between the two communities has been provided by al-Beruni (973-1048) who came to India in 1001 along with Mahmud. He writes: "The Hindus entirely differ from us (i.e. Muslims) in every respect, many a subject appearing intricate and obscure which would be perfectly clear if there were more connections between us." Considering their manners and customs, he observes: "One might think that they had intentionally changed them into the opposite, for our customs do not resemble theirs, but are the very reverse; and if ever a custom of theirs resembles one of ours, it has certainly just the opposite meaning."

Al-Beruni enumerated the causes which separate Muslims and Hindus, and maintains: "All their (Hindus') fanaticism is directed against those who do not belong to them, against all foreigners. They call them *mleccha*, i.e. impure, and forbid having any connection with them, be it by intermarriage or any other kind of relationship, or by sitting, eating, and drinking with them, because thereby they think, they would be polluted. They consider as impure anything which touches the fire and water of a foreigner; and no household can exist without these two elements... They are not allowed to receive anybody who does not belong to them, even if he wished it, or was inclined to their religion. This ... renders any connection with them quite impossible, and constitutes the widest gulf between us and them."

However, due to the Muslims' contact with the Hindus in the armies of Mahmud, a new language evolved which later came to be known as Urdu. The word "Urdu" is originally Turkish and

means "army" or "camp". The formation of Urdu began in 1027 when Mahmud's armies were stationed at Lahore. In the early stages of its development, Urdu was a mixture of Persian, Turkish and old Punjabi, but when the Muslim armies moved to Delhi after 1193, it was influenced by the Braj dialect of Hindi. The Muslim armies in Delhi were known as "the Urdu" or "the Urdu-i-Mualla", i.e. "the Army" or "the Exalted Army". To begin with the language that the Army spoke had no name except "the Zaban-i-Urdu-i-Mualla", i.e. "the Language of the Exalted Army"; but later Urdu came to be regarded as the name of the language. Urdu penetrated into the Deccan by 1326. In the subsequent centuries it acquired the status of the language of Muslim culture, and played a very significant role in the Muslim freedom movement during the twentieth century.

Ever since al-Mawardi's exposition of Islamic constitutional theory, Sunni Muslims had accepted the view, that under the Shariah, the establishment of Universal Caliphate was a religious obligation, and that Muslim sovereignty anywhere would be legal only if it was sanctioned by the Abbasid Caliph at Baghdad. Thereafter almost every independent Sunni monarch, whether his claim to sovereignty was legitimate or not, tried to approach the Baghdad Caliphate for a deed of investiture. Mahmud of Ghazna was honoured by such an investiture by the Abbasid Caliph al-Qadir in the eleventh century. Sultan Mahmud's coins had the name of the Caliph along with his own, and in the Khutba the name of the Caliph was mentioned together with his own. His successors continued this practice at Ghazna and then at Lahore. Even Ala-al-Din Jahansuz, who subsequently sacked Ghazna and destroyed it completely, took pride in having received from the Caliph the grand eloquent title, "the Lamp of the House of Abbasids". Muhammad Ghori had likewise acknowledged the spiritual authority of Caliph al-Nasir and received a title in return.⁸

During the first decade of the thirteenth century, the Ghaznavid empire passed into the hands of the Ghorids, who made further conquests and penetrated deeper into India. When Muhammad Ghori died, the empire had extended over the whole

of North West India, Central India, and Bengal. Muhammad Ghorī appointed his freed Turkish slave, Qutb-ud-Din Aibak, viceroy over these territories, and in 1206, his descendants conferred the title "Sultan" upon him.¹⁰ The title of "Sultan" was originally conferred by the Caliph, but owing to the decline of the Baghdad Caliphate, any powerful sovereign could bestow this title upon his vassal.

THE PRE-MUGHAL SULTANATE

Qutb-ud-Din Aibak was the first Sultan of India. He did not ask the Abbasid Caliph for a deed of investiture. Early in his rule, the name of the Ghorid Sultan was mentioned in the Khutba delivered in the mosques of India, and was inscribed on the coinage.¹¹ Later on in his rule, he caused his own name to be so mentioned and inscribed on the coinage.¹¹

The Muslim law of inheritance has been meticulously laid down by the Shariah, but it is completely silent about the rule of succession to the throne. Islamic history demonstrated that a ruling monarch either appointed a successor during his life, or his death led to a war of succession.

Sultan Aibak died suddenly at Lahore, and his Amirs and Maliks then raised his son (or adopted son) Aram Shah to the throne. Aram Shah was not strong enough to maintain his position for the rest of his life. Sultan Aibak's two daughters, one after the death of the other, were married to Nasir-ud-Din Kubacha, the third was married to Shams-ud-Din Iltimish. These Turkish Maliks had started their careers as slaves and had attained high positions under the patronage of Sultan Aibak.

It is stated in *Tabaqat-i-Nasiri* that soon after the death of Sultan Aibak, India was divided into four portions: Territories of Sindh and Multan were captured by Kubacha, Iltimish took possession of the dominion of Delhi, and the Khilji Maliks appropriated Luckhnouti (Bengal). The territory of Lahore, according to alteration of circumstances, was seized upon, sometime by Taj-ud-Din Yildiz, sometime by Kubacha, and at another time by Iltimish.

Aram Shah was defeated by Iltimish and put to death. The internecine wars among the claimants to the Delhi throne lasted

for a couple of years, until Iltimish overpowered all his rivals (1212). Kubacha drowned himself in the river Indus, the rebel Khilji Maliks surrendered, and the territory of Lahore was annexed on Yildiz's defeat.

Soon after the consolidation of Iltimish's power in North India, emissaries from Abbasid Caliph al-Mustansir arrived in Delhi bearing honours and confirming him as the great Sultan of India with the title "Nasir-i-Amir-al-Muminin". Consequently Shams-ud-Din Iltimish, as the first Sultan of India, gave orders that the name of the Abbasid Caliph be mentioned in the Khutba and inscribed on the coinage beside his own.

This raises the question: did Iltimish apply for the diploma of sovereignty from the Caliph, or did the Caliph acknowledge Iltimish as the Sultan of India for some personal diplomatic reason? Probably Iltimish sought the Caliph's confirmation in order to validate his rule over India. Caliph al-Mustansir also desired to regain the lost prestige of the Caliphate by subduing the Shia monarch, Khwarazm Shah. This magnanimous policy of sending the patent of sovereignty to Iltimish served the Caliph's later purpose. According to Raverty, a patent of sovereignty was also received by the ruler of Luckhnauti (Bengal), but he preferred to use the title "Padshah" rather than "Sultan". Luckhnauti was subsequently conquered and annexed to the empire of Iltimish.¹²

Iltimish ruled over India for twenty six years. On his death a group of forty former slaves (known as "Chahalgani") who had risen to power became king-makers. They seated upon the Delhi throne Rukn-ud-Din Feruz Shah, a son of Iltimish from a Turkish slave girl Shah Turkan. According to Minhaj-ud-Din, the author of *Tuhfat-i-Nasiri*, Shah Turkan was the head-woman of the entire harem of Iltimish. She started to issue commands and managed the affairs of the state because Rukn-ud-Din Feruz Shah, as recorded by Minhaj-ud-Din, "Gave himself up to pleasures and began to expend, in the most profuse fashion, the funds of the Bait-ul-Mal, in an improper manner. Such was his excessive appetite for pleasure and sensual enjoyments that the business of the country, the concerns of the state, and the

regulation of the affairs of the kingdom fell into a state of disorder and confusion".¹³

Now Shah Turkan had the opportunity to wreak vengeance upon the other ladies of the harem for the many years of envy and jealousy which she had nourished towards them. She put to death, with much degradation, some of the free-born women who had been married to Iltimish. She treated the favorite concubines of the late Sultan with great ignominy. Shah Turkan, along with Rukn-ud-Din Feruz Shah, caused Qutb-ud-Din, the youngest infant son of Iltimish by another concubine, to be deprived of sight in both eyes, and then had him put to death. She even attempted to murder Raziya, the eldest daughter of Iltimish from his senior wife, the daughter of the late Sultan Aibak. Upon this occurrence the people of Delhi rose and attacked the Royal Palace. Shah Turkan and Rukn-ud-Din Feruz Shah were seized. There were rebellions all over the country and many people lost their lives.

Eventually the Turkish Amirs and Maliks pledged their allegiance to Raziya who became the Sultan of Delhi. Under her command Rukn-ud-Din Feruz Shah and Shah Turkan were executed.¹⁴ In the inscription on her coins she was described as, "Umdat-un-Niswan, Malika-i-Zaman, Raziya Sultan" (The Illustrious among Women, The Queen of the Age, Raziya the Sultan).

Three important points may be briefly considered before proceeding further. Assuming that the Shariah was fully enforced, then, as is evident from the example of Sultan Rukn-ud-Din Feruz Shah, its penalties were probably imposed only upon the poor subjects, the ruling elite were spared. The author of *Tabaqat-i-Nasiri*, Minhaj-ud-Din, who had been appointed as Chief Qadi of Delhi by former Sultan Iltimish and was a very eminent jurist, while describing the excesses of Sultan Rukn-ud-Din Feruz Shah, has stated: "His (i.e. the Sultan's) misfortune was this that his inclinations were wholly towards buffoonery, sensuality, and diversion, and that he was entirely enslaved by dissipation and debauchery.... His excessive waste of money was to such a degree that while in a state of intoxication,

seated on the back of an elephant, he would drive through a bazar of the city, scattering tangahs of red gold".¹⁵

Another notable point is about the practice of depriving someone of the sight of both eyes in order to disqualify him as a claimant to the throne. Probably this device was adopted because of the emphasis of al-Mawardi on the physical fitness (sight included) being an important qualification for holding the office of Head of the State. This practice was not of Indian origin, but was imported from the Muslim Middle East. The punishments devised in India by the Sultans included varieties of torture as well as trampling of the victim under the feet of an elephant. However, these penalties or punishments were not sanctioned by the Shariah.

The third interesting point is the acceptance of Raziya, the daughter of Iltimish, by the Turkish Amirs and Maliks as the Sultan of India and their pledging of allegiance to her. Minhaj-ud-Din justified Raziya's appointment since she exercised authority even during the life-time of her father, Iltimish, who had issued a decree naming her as his heir-apparent. He argued: "Whilst this decree was being written out, those servants of the state, who had access to the presence of the Sultan, made representation saying: Inasmuch as he has grown-up sons who are eligible for the sovereignty, what scheme and what object has the Sultan of Islam in view in making a daughter sovereign and heir-apparent? The Sultan replied: My sons are engrossed in the pleasures of youth, and none of them possesses the capability of managing the affairs of the country, and by them the government of the kingdom will not be carried out. After my death it will be seen that not one of them will be found to be more worthy of the heir-apparentship than she, my daughter". Minhaj-ud-Din concluded: "The case turned out as that august monarch had predicted".¹⁶

A large majority of Muslim jurists have maintained that a woman cannot be appointed as the Head of State in Islam, despite the fact that the Quran approvingly cites the example of the wise Queen Bilqees (Sheba) who accepted Islam at the hands of Prophet Sulaiman (sura 27;verse 44) and was subsequently

confirmed as the ruler of her dominions. Their objection is based on a Tradition attributed to the Holy Prophet. When Puran Dukht, the daughter of Khusro Parvez succeeded to the throne of her father in Persia, the Holy Prophet is reported to have remarked that a nation which accepted a woman as their leader would not survive. Some Ulema, including, notably Dr. Hamidullah, are of the view that the comments of the Holy Prophet were an assessment of the prevalent political conditions in Persia. This argument is indeed sound. If this Tradition had been authentic or of universal application, then neither would Talha and Zubair have persuaded Ayesha, the wife of the Holy Prophet, to lead them against Caliph Ali, nor would Ayesha have agreed to become their leader in the Battle of Jamal. Be that as it may, none of the Ulema, Sayyids, priests as well as Sufi recluses in Delhi, raised any Shar'i objection at the appointment of Raziya by her father as his successor.

Raziya Sultan wore male attire. She appeared in public, and being of warlike disposition, fought against the hostile Turkish Maliks. She was successful in subduing them and extending the power of the state. Her excessive favours to Jamal-ud-Din Yaqut, a black Abyssinian Amir, made the fair-skinned Turkish Maliks envious. They conspired against her, managed to seize Yaqut, and put him to death. Raziya Sultan was also captured and imprisoned by them in Pathindah fortress, at some distance from Delhi. However in Pathindah she accepted the proposal of Malik Ikhtiyar-ud-Din Altuniah and married him. Thereafter they together marched an army towards Delhi in order to retake the kingdom. In the meantime the Turkish Maliks had raised Muizz-ud-Din Bahram Shah, another son of the late Sultan Iltimish, to the Delhi throne. In the ensuing battle in the outskirts of Delhi, Muizz-ud-Din Bahram Shah's army defeated them. The troops of Raziya Sultan and Malik Altuniah abandoned them. While attempting to escape from the battle-field, they fell into the hands of the Hindus who killed them.

Sultan Muizz-ud-Din Bahram Shah tried to get rid of the "Chahalgani" (the Forty King-makers) but these Turkish Maliks were too strong for him. They intrigued against him and

succeeded in gaining possession of Delhi. The Sultan was imprisoned and subsequently put to death.

The Maliks then installed on the throne Ala-ud-Din Masud Shah, son of the former Sultan Rukn-ud-Din Feruz Shah. The reign of this grandson of Iltimish extended to a period of about four years. During his reign appeared on the coins, the name of the last Abbasid Caliph of Baghdad, al-Mustasim, and continued to appear even after his murder at the hands of the Mongols in 1258.

Sultan Ala-ud-Din Masud Shah, like his predecessors, attempted to bring the army under his control by either dividing the powerful Maliks or seizing and killing them. But he failed. According to the author of *Tabaqat-i-Nasiri*: "All his good qualities turned away from the laudable path and inclined him towards sensuality, pleasure, drinking, and the chase, to such a degree of excess that dissatisfaction began to spread through the country".¹⁷ The powerful Maliks and Amirs murdered him during his confinement in the palace.

Ala-ud-Din Masud Shah was succeeded by Nasir-ud-Din Mahmud Shah, the only surviving son of Iltimish. His reign lasted longer than any other successor of Iltimish; first, because his able and shrewd father-in-law, Malik Ghiyas-ud-Din Balban, virtually managed the affairs of the kingdom as his "Vazir"; and second, Balban, being himself a member of the "Chahalgani", was successful in completely destroying the power of this group of king-makers.

During the reign of Sultan Nasir-ud-Din Mahmud Shah, Baghdad was sacked by the Mongols and Caliph al-Mustasim was mercilessly beaten to death. But throughout his reign (1246-65), and that of his successors Ghiyas-ud-Din Balban (1266-87), and Muizz-ud-Din Kayqubad (1287-88), the name of al-Mustasim as Caliph appeared on the coins and was mentioned in the Khurba.¹⁸ There is no evidence that any Baghdad Caliph confirmed the descendants of Iltimish or Ghiyas-ud-Din Balban as Sultans of India.

Caliph al-Mustasim was murdered in January, 1258. According to Ferishta, Hulagu Khan's ambassador arrived in Delhi in

March, 1258 and was graciously received by Sultan Nasir-ud-Din Mahmud Shah.¹⁹ Three years after the murder of al-Mustasim, the Abbasid Caliphate was re-established at Cairo (1261). But in Muslim India the name of al-Mustasim continued to be retained on the coinage and was mentioned in the Khutba for almost forty years after his death. According to E. Thomas the practice of mentioning al-Mustasim's name in the Khutba and retaining it on the coinage was discontinued briefly during the reign of Rukn-ud-Din Ibrahim Khilji.²⁰

Why was this practice adopted in India? According to the author of *Tabaqat-i-Nasiri*, it was adopted until such time as a proper Caliph could be re-installed.²¹ During the reign of Sultan Ghiyas-ud-Din Balban nothing was heard of the Abbasid Caliph at Cairo, although Ferishta records the presence of "two princes of the race of the Caliph" in his court.²² The Mongols had driven a wedge into the world of Islam by establishing themselves at Baghdad, and waged war on the Sultans of Egypt on the one hand and on the Sultans of India on the other.

Professor Aziz Ahmad is of the view that Ghiyas-ud-Din Balban glorified the status of the Sultan of India by introducing innovations in court, such as prostration. He infers that through these devices Ghiyas-ud-Din Balban was trying to assert the Sultan's sovereignty "in his own divine right" like a seasoned monarch, as there was no Caliph in rightful succession of the Holy Prophet to bestow it upon him by investiture.²³

It is noteworthy that a new religious motivation was devised for the Sultanate in Eastern Islam in the fourteenth and fifteenth centuries when the Mongol rulers had embraced Islam. The Sunni jurists advanced the theory that the Sultanate was essentially founded on "power" (Dhu Shawka) or derived its strength "from the Grace of God". According to this view, ever since 661, the state in Islam had been founded on "power" or "force", and therefore, the Umayyads as well as the Abbasids were Caliphs only "by right of power" (Dhu Shawka). Whereas the First Four Caliphs, being true successors of the Holy Prophet, were the rightful Caliphs under the Shariah.

It is doubtful if Sultan Balban had introduced innovations in

his court in order to assert his own sovereignty on the basis of the above-mentioned theory. Probably that theory had not even been framed during his times. However, Sher Shah Suri's (1538-55) coins were struck bearing the names of the Four Rightly Guided Caliphs²⁴, instead of any reference to the contemporary Universal Caliphate, which had, by then, passed to the Ottomans at Constantinople.

T.W. Arnold maintains that the Sultans of India were not concerned with the fate of the Caliphate, and that if the name of Caliph al-Mustasim was retained in the Khutba and on the coinage for forty years after his death, it was merely in accordance with the established custom.²⁵

As noted, with the fall of Baghdad, a wedge had been created in the world of Islam by the Mongols. However, Western Islam being predominantly Muslim, did manage to repulse the attacks of the Mongols. Eastern Islam, particularly Muslim India, was under the constant threat of Mongol expansion. While the Mongols had been stopped, the early Muslim Sultanate in India felt isolated and insecure in its hostile Hindu environment. Consequently the extra-territorial allegiance to the Universal Caliphate amounted to maintaining strong spiritual ties with the rest of the Islamic world. This link provided it with a sense of security. Probably, for this reason, the name of Caliph al-Mustasim was retained on the coinage even many years after his death.

If this development was to be considered a valid reason then why was the revived Abbasid Caliphate at Cairo not acknowledged in India? The revival was not free from controversy as some jurists, including Qutb-al-Din of Mecca, were of the opinion that the Caliphate had ceased to exist on the death of al-Mustasim. If this view is accepted, then the argument advanced by the author of *Tabaqat-i-Nasiri* that this practice was adopted in Muslim India until such time as a proper Caliph could be re-installed, appears to be convincing. It is further reinforced when, in the later century, jurists like Zahidi and Jalal-ul-Din Suyuti, extolled the Cairo Caliphate and gave the "Fatwa" that the sovereignty of a Sultan who did not possess a deed of investiture

from the Cairo Caliph was not only illegal, according to the Shariah, but neither was such Sultan authorized to appoint Qadis (judges), and that if he did so, all the marriage contracts in his dominion would become invalid under the Shariah. Against this background, as will be examined later, Sultan Muhammad Tughliq (1325-51) sought the diploma of investiture from the Cairo Caliph.

However, in Muslim India, the reign of Sultans Nasir-ud-Din Mahmud Shah and Ghiyas-ud-Din Balban, covering a period of about forty years, had meant good administration, which in itself had brought peace and tranquillity to the kingdom. Sultan Nasir-ud-Din Mahmud Shah was a pious and conscientious Muslim. Ghiyas-ud-Din Balban as a Malik, according to Zia-ud-Din Burney, was very fond of drinking and gambling; but after becoming the Sultan, he gave up these habits and turned into a good practicing Muslim.²⁶ However he did not hesitate to destroy some of his dangerous opponents, i.e. the Chahalgani, by secretly administering poison to them in their wine.²⁷

After Sultan Balban's death everything fell apart. He had nominated as his successor, Kaykaus, the son of his elder son Muhammad who had been killed in an expedition against the Mongols. The rival Maliks raised to the throne Kayqubad, the son of his younger son, Bughra Khan, who treacherously got his cousin Kaykaus murdered.

At the age of seventeen/eighteen, Sultan Muizz-ud-Din Kayqubad sat on the throne. He loved to remain in the company of handsome boys and beautiful girls. He gave himself up utterly to carnal pleasures, so much so that, due to excessive drinking and sexual indulgence, he fell ill. While he was being treated for facial and general paralysis, the Turkish Amirs raised to the throne of Delhi his minor son Shams-ud-Din. In the meantime rebellions broke out all over the kingdom. During this power struggle the rival Turkish Maliks fought amongst themselves and killed each other. The name of Malik Jalal-ud-Din Khilji was included amongst those who were to be assassinated, but his guards saved him. Some assassins were sent to murder Sultan Muizz-ud-Din Kayqubad, who was actually dying from his

sickness. Nevertheless they wrapped him up in a sack and kicked him to death. They then threw his body into the river Jamna, ending the dynasties of Ilutmish and Balban.²⁸

Malik Jalal-ud-Din Khilji gathered strength and became the Sultan of Delhi at a rather old age. According to Zia-ud-Din Burney, he was a very kind-hearted person. When his enemies were captured and brought to him, he ordered their release, and invited them to a banquet in the palace to drink wine with him. Thus he forgave all the rebels, who should have been put to death. Zia-ud-Din Burney narrates that when his action was criticized by some of his close associates, the Sultan replied: "I have attained an old age in a strictly Islamic atmosphere. I am not in the habit of killing Muslims. I am more than seventy years old and during my whole life I have not killed a single Unitarian. How can you expect me to ignore Islamic commandments and the Shariah and to order beheading of Muslims for no other reason except to strengthen my short-lived rule".²⁹

After his victories over the Mongols, Sultan Jalal-ud-Din Khilji ordered that in the Khutba after his name be added "Mujahid fi-Sabil-lillah" (Warrior for the Sake of God). He regularly held drinking sessions to which he invited his friends and foes. He was very fond of the poet, Amir Khusro, who recited his poems before him everyday. His favourite cup-bearers (Saqis) were a couple of boys who were led by two handsome sons of one Haibat Khan. His favourite instrument-player was Muhammad Shah, singer was Faruha daughter of Faqai, and dancers were two extremely beautiful girls named Nusrat Khatun and Mehr Afruz.³⁰

There is an interesting anecdote in *Tarikh-i-Feruzshahi* about Sultan Jalal-ud-Din Khilji's "respect" for the Shariah. During his reign a Sufi Dervish, Syedi Maula, was arrested as a suspect of treason. The Sultan desired to make him go through the ordeal of fire, in order to find out the difference between truth and falsehood, and he sought the opinion of the Ulema and Mashaikh as to whether his contemplated action was in accord with the Shariah. They gave the verdict that the action of the Sultan would be against the Shariah, because fire is an element that burns, and burning cannot decide between truth and falsehood. They held

that only one witness levelled the charge of treason against the accused, and that under the Shariah, for a crime of treason, the testimony of a single witness was not sufficient. Consequently the Sultan abandoned Syedi Maula's trial through the ordeal of fire. However, he addressed a group of Haideri Qalanders (Sufi dervishes), who were present on that occasion, that they should judge between him and Syedi Maula. Immediately one of the Qalanders stood up and suddenly attacked Syedi Maula, causing him injuries with a razor-blade. Then Arkali Khan, the elder son of the Sultan, beckoned the elephant-keepers who made an elephant run over Syedi Maula. In this manner Syedi Maula was trampled to death under the feet of the elephant on mere suspicion and without any trial.

Zia-ud-Din Burney is of the view that the killing of the innocent dervish eventually led to the destruction of Sultan Jalal-ud-Din Khilji and his family. The Sultan was treacherously murdered by his own nephew and son-in-law Ala-ud-Din Khilji. His two sons, Arkali Khan and Rukn-ud-Din Ibrahim, along with their mother, Malika-i-Jehan, were captured. Malika-i-Jehan was confined in her house, and the two sons of the former Sultan were deprived of the sight of their eyes under the command of Ala-ud-Din Khilji.¹¹

Ala-ud-Din Khilji then became the Sultan as no one was left to challenge his authority (1295). Zia-ud-Din Burney recorded that during his reign the practice of arresting women and children, and persons accused of crimes was started. He further added that the close associate and "Wazir" of the Sultan named Nusrat Khan, went one step further. He commanded that the wives and daughters of those who had fought against his brother in the general rebellion should be handed over to the "Bhangis" (low-caste Hindus) so that they could be raped by them. He also ordered that their children should be cut to pieces before the eyes of their mothers.¹²

In his drinking sessions Sultan Ala-ud-Din Khilji frequently declared that he intended to formulate a new religion. He adopted the title "Right Hand of the Caliphate" and had inscribed on the coins the title "the Second Alexander" along

with his name. He directed that such designations be added to his name, and recited in the Khutba.³³

Sultan Ala-ud-Din Khilji asserted the superiority of his commands over the Shariah. His policy was determined by what he considered good for the state, and he did not care whether his policy was right or wrong according to the Shariah. For example, he himself gave up drinking and declared prohibition in the country not because it was forbidden by the Shariah, but because it was one of those numerous measures which was suitable for the suppression of rebellions of hostile Turkish Amirs and Maliks. Zia-ud-Din Burney recorded that the Sultan was illiterate, ignorant and bad-tempered. He never liked sitting in the company of the Ulema, and the Ulema rarely visited him. He rarely consulted them in any Shar'i matter pertaining to the affairs of the state.³⁴ According to Ferishta, the Sultan used to say: "That religion had no connection with civil government, but was only the business or rather the amusement of private life; and that the will of a wise prince was better than the variable opinions of bodies of men".³⁵

Instead of imposing the penalties of the Shariah, the Sultan had determined man-made punishments for certain crimes. For instance, under his law if anyone committed rape, he was castrated.³⁶ He made different categories of commodities, food-grain, cattle, horses, cloth, slaves as well as slave-girls, and controlled their prices. Ferishta recorded that the Sultan even divided the prostitutes into three categories on the basis of their looks and skill in singing or providing other services, and their rates were likewise controlled.³⁷ The price of a concubine (Kanizak Kinari) and handsome boy was fixed at between twenty and forty "Tankas".³⁸

The end of the mighty conqueror Sultan Ala-ud-Din Khilji was pathetic. In his last days, while he was seriously ill, he became very attached to a eunuch, Malik Naib, who started virtually ruling the kingdom. Tragically the Sultan was strangled by this eunuch while he was in a state of unconsciousness due to his illness.³⁹

On the death of the Sultan, the eunuch raised to the throne

the Sultan's five year old youngest son Shahab-ud-Din, and himself continued to run the affairs of the state. The Sultan's older sons Khizar Khan and Shadi Khan, who had already been imprisoned by the orders of the deceased Sultan, were deprived of the sight of their eyes under his command.

However, thirty-five days after the death of the former Sultan, Malik Naib was murdered in the bed-chamber of the palace by his four guards. These guards raised to the throne Qutb-ud-Din Mubarik Shah, another son of the late Sultan, who had also been imprisoned by the eunuch but was lucky enough to survive with his sight. Qutb-ud-Din Mubarik Shah deposed his younger brother, Shahab-ud-Din, and sent him to Gowaliar, where he was deprived of his sight. (Shahab-ud-Din and his two older brothers, Khizar Khan and Shadi Khan, were subsequently murdered pursuant to the orders of the Sultan). He then arrested the four guards, who had killed the eunuch and made him the Sultan, and beheaded them.

According to Zia-ud-Din Burney, Sultan Qutb-ud-Din Mubarik Shah was homo-sexual (catamite). He became very fond of a low-caste Hindu convert, Hassan Barwar, and gave him the title of Khusro Khan. He spent most of his time drinking, listening to music or engaged in other forms of physical pleasures. Almost everyone in the capital adopted the same life-style. As the demand for handsome slave-boys, beautiful eunuchs, slave-girls, and wine multiplied, their price also increased. Consequently all price-control restrictions imposed by the former Sultan lost their significance.⁴¹

While Sultan Qutb-ud-Din Mubarik Shah had continued the practice of inscribing the name of the last slain Abbasid Caliph on the coins, and mentioning it in the Khutba, the pleasure-loving Sultan stopped this practice, and adopted the title of "Amir-al-Muminin" and "Imam-al-Azam".⁴¹

As the Sultan grew older, the more degenerate he became. He executed some of his trusted men without any cause. Zia-ud-Din Burney recorded that the Sultan appeared frequently in the palace banquets wearing jewellery and women's apparel. He was in the habit of having respectable and pious men abused by court jesters

and lewd women. Zia-ud-Din Burney gives a detailed account as to how Sultan Qutb-ud-Din Mubarik Shah was eventually murdered in the palace, at the hands of his favourite homo-sexual partner, Khusro Khan, and how the women of the harem were raped by Khusro Khan's men.

Khusro Khan also jettisoned Islam and sat on the throne with the title of Nasir-ud-Din. The palace was filled with idols. Sometimes it appeared as if Hinduism had triumphed and the supremacy of Islam had come to an end. However in the rebellion that followed, the men of Khusro Khan were butchered by the army of Ghiyas-ud-Din Tughliq and Khusro Khan was put to death.⁴²

Since no one was left in the Khilji dynasty, Ghiyas-ud-Din Tughliq was acknowledged as the Sultan. According to Zia-ud-Din Burney the Sultan was a practicing Muslim, and never indulged in drinking or gambling. He always advised those who were close to him to refrain from such vices. The Sultan was killed when the roof of a newly constructed palace suddenly fell over him. According to another version he was murdered in that manner at the instance of his son, Muhammad Tughliq.⁴³

Muhammad Tughliq then became the Sultan (1324). Zia-ud-Din Burney records that he was "a freak of nature" in the sense that he was a man possessing contradictory qualities. For instance, while he was a pious and practicing Muslim, he nevertheless took special delight in killing Sayyids, Mashaikh, Sunni Ulema, obedient Muslim noblemen or warriors in the cause of religion.⁴⁴

Zia-ud-Din Burney writes that it occurred to him that whosoever had ruled, or would rule, without the confirmation of an Abbasid Caliph, had been, or would be, overpowered.⁴⁵ Ferishta also notes that the Sultan was certain that the calamities of his reign occurred only because he had not been confirmed by an Abbasid Caliph.⁴⁶ It is difficult to determine what made Sultan Muhammad Tughliq seek the deed of investiture from the Caliph. He made diligent inquiries from the travellers regarding the Abbasid Caliphate. Finally the Sultan discovered that a descendant from the line of Abbas existed as the Caliph at Cairo.

Negotiations were then opened and the Sultan secured confirmation from the Caliph with the title of "Deputy of the Caliphate".

The practice of mentioning the name of the Cairo Caliph in the Khutba and striking it on the coins was re-introduced. The Sultan issued an edict requiring the names of those preceding Sultans, who had been formally confirmed by an Abbasid Caliph, to be mentioned in the Khutba. The names of those Sultans, who had ruled without confirmation from the Caliph, were to be omitted. The following names of the preceding Sultans were retained: (1) Muhammad Ghorī, (2) Shams-ud-Din Iltimish, (3) Nasir-ud-Din Mahmud Shah, (4) Ghiyas-ud-Din Balban, (5) Jalal-ud-Din Khilji, (6) Ala-ud-Din Khilji, (7) Qutb-ud-Din Mubarak Shah, and (8) Muhammad Tughliq. With the exception of (1) (2) and (8), there is no evidence that the rest of the Sultans were formally confirmed by an Abbasid Caliph. Ferishta correctly maintained that among the names of the Sultans, who were considered usurpers, or whose rule was regarded as illegal or illegitimate, was the name of the Sultan's own father, Ghiyas-ud-Din Tughliq.⁴⁷

Sultan Muhammad Tughliq did not have a son. After his death, he was succeeded by his cousin Feruz Tughliq (1356), who was also confirmed by the Abbasid Caliph at Cairo.⁴⁸ As a good Muslim monarch, Sultan Feruz Tughliq attempted to implement some of the Shariah laws. For instance he reimposed Jizya tax on the non-Muslims which had been discontinued for a number of years. He ordered that the share of Ghanima (spoils of war) deducted for the state-treasury should not be one-third, but one-fifth, as recommended by the Shariah. The heretics were banished from the kingdom and their books were banned. Men were not permitted to wear silk clothes or use gold or silver utensils, and women were not allowed to attend the gatherings at the tombs of Muslim saints or Hindu temples. As a sovereign act, he forbade the imposition of some punishments, even if these were approved by the Shariah, such as amputation of hand, nose, ear, foot, or the taking out of eyes, the breaking of bones with an iron rod, burning alive, the hammering of nails in the hands and

feet, the removal of skin, or the slicing of the body into two pieces.⁴⁹

The death of Sultan Feruz Tughliq led to chaos in the kingdom and rebellions broke out everywhere. The former Sultan's sons and grand-sons fought against each other and killed one another. However, the name of the Cairo Caliph continued to appear on their coins. The chaos attracted an attack on India by Timur. As a result many cities, including Delhi, were sacked and Hindus and Muslims were massacred without any discrimination.

Timur appointed Khizar Khan as his governor over the Indian territories (1414). Khizar Khan did not adopt the title "Sultan". He regarded himself as the vassal of Timur, and later, of Shah Rukh, his son. Consequently instead of the Cairo Caliph, the names of Timur, and thereafter, Shah Rukh, were mentioned in the Khutba and inscribed on the coins during Khizar Khan's reign. His descendants, Mubarik Shah (assassinated at the instance of his nephew Muhammad Shah), Muhammad Shah and Ala-ud-Din, however, adopted the title "Sultan" and restored the name of the Cairo Caliph on the coins and in the Khutba.⁵⁰

The Sultanate eventually passed into the hands of the Lodhi family when Bahlol Lodhi was acknowledged as the Sultan of Delhi (1451). He was a strict follower of religion and the Shariah. Sultan Bahlol Lodhi was succeeded by his son, Sikandar Lodhi, who is also described by historians as a practicing Muslim and a just Sultan. Ferishta recorded that he was in the habit of performing the prescribed five periodic prayers all together in one session.⁵¹

Ferishta also cited an example of the Sultan's administration of justice. He stated that two brothers participated in a battle, and received as their share of spoils, one diamond each besides expensive clothes. The younger brother was told by the elder brother to return home and give his share of booty to his wife. But the younger brother changed his mind; he gave everything except the diamond to his brother's wife and kept the diamond for himself. Two years later when the elder brother came back, he inquired about the diamond from his wife. She informed him that

she did not receive it from his brother. He then asked his brother about the whereabouts of his diamond, who stated that it was delivered to his wife as directed by him. Finally, the dispute came up before the city Qadi, Bhuray Shah, who did not provide any relief to the woman as the witnesses produced by the younger brother gave their testimony against her. The Sultan summoned both the brothers, the woman and the witnesses and ordered that all of them should make a replica of the diamond in wax. The brothers and the witnesses made the replicas, but the woman declined saying that she could not make a replica of an object that she had not seen. As for the replicas made by the brothers and those made by the witnesses, they differed in shape. The Sultan thus deduced that the witnesses produced by the younger brother were false, and that the woman's statement was correct.⁵²

The last of the Lodhis was Sultan Ibrahim Lodhi, who succeeded his father Sultan Sikandar Lodhi, but was killed in the Battle of Panipat at the hands of Zahir-ud-Din Babur. Throughout the reign of the Sayyid and Lodhi successors of Khizar Khan, the name of the Abbasid Caliph at Cairo was retained on their coins and was mentioned in the Khutba.

The coins of the Kings of Bengal bore the name of al-Mustasim long after his death,⁵³ whereas there is no evidence that the Bahmani Kings of Deccan, the Sultans of Bejapore, Ahmadnagar, Golkanda, Malva, Gujerat, Kandeish, Behar, Junpore and Kashmir made regular use of the Caliph's name on their coins. According to Ferishta, the names of Twelve Imams were mentioned in the Khutba in Bejapore and Ahmadnagar.⁵⁴

Ferishta also pointed out that the coins of the Bahmani dynasty had on one side the Creed and the names of the First Four Caliphs, while on the other side was the Sultan's title and the year of his reign.⁵⁵ He added that the Bahmani Sultan Muhammad Shah received the deed of investiture, and an Ordinance from the Abbasid Caliph whereby he was granted permission to mention the name of the Caliph in the Khutba, and to inscribe it on the coins.⁵⁶

Ferishta further stated that during the reign of Sultan Muhammad Shah, the Bahmani kingdom was brought strictly

under the Shariah and anyone who violated the Shariah laws was severely punished. He narrated an interesting incident of a woman who was charged to have committed Zina (adultery) and was produced before a Qadi. The Qadi asked her why she was living with two different men at the same time. She replied that she was married to both of them on the grounds that under the Shariah a man could marry up to four wives at the same time, but that there was no law whereby a woman was specifically forbidden to marrying more than one husband. Since this was her interpretation of the Shariah on this point, she genuinely believed that she was entitled to marry more than one husband at the same time. However, she argued that if it was forbidden by the Shariah, then she sought forgiveness and promised to break up conjugal relations with one husband. Despite the generally accepted principle of jurisprudence that ignorance of law does not constitute defence, the Qadi gave her the benefit of doubt and acquitted her of the charge. Probably he took the lenient view for the reason that criminal provisions of law had to be strictly interpreted, and since under the Shariah the prohibition was not specific, the element of intention to commit the crime of Zina was lacking on the part of the woman and that she might have genuinely believed that her act was permitted by the Shariah, although it was not.⁵⁷

There is also the case of an unmarried woman, who gave birth to a "boneless" child. She was likewise accused of having committed Zina and brought before a Qadi. Owing to the sketchy knowledge of medical science, or perhaps being persuaded by the reasoning of her attorney, the Qadi acquitted the woman, holding that "boneless" child could not be the result of illicit sex between a man and woman which constituted the offence of Zina, but probably was the result of a relationship of some other nature not covered by that offence. Clearly in the criminal sphere whenever some of the Shariah laws were enforced, the tendency of the Indian Qadis was to mitigate the harshness of the penalty by adopting a liberal attitude, or to grant an acquittal even on far-fetched grounds in the Zina cases and especially when a woman was charged, or was likely to be

convicted and sentenced.

The pre-Mughal Sultans of India, possibly with the exception of the Sayyids (who claimed their descent from the Holy Prophet), belonged to different ethnic groups of either Turkish or Afghan origin. As for Babur, he brought with him a Turco-Mongol heritage. They all came to India from Central or North West Asia, where the seeds of Islamic faith had already been sown. The administration, as well as the judicial structure constructed by them, continued to exist with some modifications during successive Muslim dynasties.

The Muslim state in India in its hostile Hindu environment felt insecure despite its superior military strength. The state was also unstable because the Muslim rulers not only waged war against the Hindu kings, but also fought against one another. When Baghdad was destroyed, the Mongols split up the Muslim world. Eastern Islam in general and Muslim India in particular, were isolated from the rest of the Islamic world. Fearing instability, insecurity and isolation in India, the Sultans sought extra-territorial allegiance to the Universal Caliphate, which cemented closer ties with the rest of the Muslim world, and it also provided security to the state. Aziz Ahmad rightly observes: "The name, or in its absence, the authority of the Abbasid Caliph, was accepted practically throughout the period of the pre-Mughal rule in India as the source and sanction of the Sultan's legal authority. The use of coinage must have familiarized the common Indian Muslim with the position and authority of the Universal Caliph; and it will therefore be not unrealistic to hazard a conjecture that when the name of a particular Abbasid Caliph appeared on the coinage, it was also read out in the Friday Sermon (Khutba)"⁵⁶

To overcome the problem of insecurity the new-comers could also attempt to integrate with the indigenous population through a new religion or a new Shariah. The rigid caste barriers in India could only be broken by a new spiritual motivation. Before the advent of Islam, Buddhism was an unsuccessful attempt in that direction. The thought of developing a new faith in India did not cross the mind of the Mughal Emperor Akbar, but Sultan

Ala-ud-Din Khilji was the first Muslim monarch to initiate a new religion, and a new Shariah.

Two significant historians, Zia-ud-Din Burney and Ferishta, believed that Sultan Ala-ud-Din Khilji thought on those lines in order to satisfy his personal vanity that his name should be remembered forever. However he was persuaded to give up the fanciful project by one of his advisors, Ala-ul-Mulk, who warned him that if he introduced a new religion, all of his Muslim subjects would rebel against him.⁵⁹ The record of conversation of Sultan Ala-ud-Din Khilji with Qadi Mughis-ud-Din preserved by both historians revealed that the Sultan was probably aware of the political importance of evolving a new faith in the peculiar circumstances of India. In an encounter with a religious scholar and jurist like Qadi Mughis-ud-Din, the Sultan expected the Qadi to provide appropriate answers to his questions in the light of the Shariah. At the end of the session the observations of the Sultan are appropriate when he concluded by pointing out to the Qadi: "The problems of the world and particularly those of India cannot be resolved by merely following the Shariah. Unless strict measures are adopted in the light of political expediency, it is impossible to maintain peace and order in this country".⁶⁰

Ideologically the world of Islam constituted a single religio-political unit under the Universal Caliphate. After the eighth century, this unity had existed only in theory. Initially the Sultanate had no sanction under the Shariah, because there existed no legal principle of succession to the crown. The Sultanate developed in Islam through sheer force and had to be accommodated through "Ijma" (Consensus of the Community) under the doctrine of necessity. The Indian Sultanate was essentially based on force, and the Sultan was, in general, an autocrat, the state was his property. Theoretically the subjects were governed according to the Shariah, but in reality it was the arbitrary will of the Sultan which was the Law.

After the Sultan, the ruling elite exercised power. This elite supported the Sultan if he was strong, but opposed his authority if he was weak. When the central government was managed efficiently, the Sultan remained secure, but when weakness

appeared, the nobles declared their independence and became war-lords, the Hindu subjects rebelled and the state fell to pieces. The Sultan usually nominated his successor. This system encouraged intrigue on the part of ambitious nobles or led to wars of succession. The son rebelling against his father or the brother killing his other brothers had become customary during the Muslim rule in India, until the eighteenth century.

THE MUGHAL EMPERORS

Babur entered Delhi in 1526 and had the Khutba pronounced in his own name as the Padshah of India.⁶¹ The Abbasid Caliphate in Cairo had disappeared in 1517, nine years before Babur occupied Delhi, and had passed into the hands of the Ottomans of Turkey. The Mughals did not acknowledge the claim of the Ottoman Caliphs on account of domestic rivalries, while they addressed them as Caliphs in their diplomatic correspondence.⁶² There were some nobles who were even suspected of being the agents of the Ottomans, particularly during the reign of Akbar.⁶³

Mughal emperors made some innovations. The name of the Caliph was dropped; instead the coinage of the Mughals bears the names of the First Four Caliphs, (in light of the practice adopted in Eastern Islam during the fifteenth century). In some cases, only Caliph Ali's name appeared on the coins,⁶⁴ and a similar practice was adopted in the Khutba. The Mughal emperors regarded themselves as the Imams in India, and as they consolidated their power and expanded their empire, Mughal India became self-sufficient and strong enough to cut itself off from the rest of the Muslim world.

The sovereignty of the Mughals was founded on force, and suffered from the same defects which had resulted in the extinction of the earlier Sultanate in India. The Mughals were of Sunni persuasion, except Humayun who had to show inclination towards Shiism, as practiced by the Safavids, as the price for the Iranian help in regaining his empire from Sher Shah Suri. Although the Mughals maintained harems like the earlier Sultans, the wives or mothers of some of the Emperors were Hindu, who did not convert to Islam. Such marriages were acknowledged as

valid under the stretched out interpretation of the Shariah that Hindus were *Ka-mithl-i-Ahl-al-Kitab* (like the People of the Book). With the exception of Aurangzeb, the religious policy of the Mughals differed from the policy which had formerly been pursued by the Muslim rulers of India.

Some historians believed that Babur left in his will a confidential memorandum to Humayun in which he advised his son to refrain from slaughtering cows or demolishing the places of worship of his Hindu subjects. This document is stated to be preserved in the State Library at Bhopal and is quoted by Murray L. Titus,⁶⁵ although Sri Ram Sherma doubts its authenticity.⁶⁶

Humayun did not have the opportunity to evolve a distinct religious policy. Succeeding his father in 1556 as Akbar finally established himself the Emperor of India, he became concerned with the problem of Hindu-Muslim antagonism.⁶⁷ Unlike the other countries subjected to Muslim rule, India was the home of numerous races, creeds and religions. The Muslims were the ruling minority in India, and the Hindus' spiritual and moral values were diametrically opposed to those of the Muslims, and they far outnumbered Muslims. In order to maintain peace and order within his dominions and to ward off foreign aggression, Akbar tried to knit together the numerous peoples of India. He attempted to win over the Hindu majority by adopting a tolerant and liberal religious policy. Akbar brought the Muftis and the Ulema under his control, and in order to reduce opposition to his decrees, he made them sign a declaration according to which the Ulema accepted the superiority of the intellect of the *Sultan-i-Adil* (the Just Sovereign) and agreed that, in all controversial religious or legal matters the opinion of the Emperor would be final, either for public good or for political expediency.⁶⁸

This declaration gave extensive powers to Akbar to act as he liked. He abolished *Jizya* as well as pilgrimage tax imposed on the Hindus. Also he abolished *Zakat* as a state tax on the Muslims. He allowed the Hindu converts to Islam to revert to their ancestral faith if they so desired. He discouraged child marriage, imposed restrictions on "Sati", disallowed marriage between

cousins, and permitted remarriage of Hindu widows. He sponsored translation of Sanskrit books into Persian, encouraged the study of rational sciences and introduced a course in Sanskrit at the educational institutions. In the sphere of administration he appointed Hindus along with Muslims to the highest posts without any discrimination. He even went further and actually evolved a comprehensive religion, *Din-i-Elahi* (the Divine Religion) for his subjects so that he could be acknowledged as their sole head, religious as well as temporal.⁶⁹ The religion was a simplistic type of "national church", demanding complete obedience to the Crown,⁷⁰ the embodiment of the state.

Akbar met the Wujudi Sufi Sheikh Taj-ud-Din Ajodhani in 1578. The Sheikh was very much under the influence of the doctrines of Ibn al-Arabi and Abdul Karim al-Jili. Taj-ud-Din persuaded the Emperor to believe that he was holy and pure, that the expression "Insan-i-Kamil" (the Perfect Man of al-Jili) referred to him, and that God manifested Himself in Akbar. The Sheikh is reported to have invented the Sijdah (prostration) for the Emperor, and preached that the best way to please God was to obey the Emperor. Consequently expressions such as "the Unique", "the Absolute", and "the Perfect" came to be used as the Emperor's attributes.⁷¹ The ambiguous motto of the Emperor *Allahu Akbar* (God is Great or God is Akbar) came to be printed on all state documents, engraved on the royal seal and inscribed on the coinage. The Emperor was regarded as above sin, and he commanded that the formula "There is no god but God and Akbar is the Representative (Khalifah) of God" be publicly used. This led to strong protests from his Muslim subjects and he was obliged to restrict the use of the formula to a limited circle of his favourites.⁷²

The religion he evolved was a kind of mystical order (Tariqah) which revolved around his own person. It considered reason as its foundation, was against sensuality, lust, corruption, deceit, oppression, pride, disapproved of the destruction of life in all forms, and extolled the virtue of celibacy. Anyone who was prepared to sacrifice property, honour, religion, and life for the Emperor acquired the "Four Degrees of Devotion" and became

the Emperor's disciple. The process of entering into his "order" resembled that of a Tariqah. The oath of initiation implied the rejection of Islam-i-Majazi-wa-Taqlidi (worldly-wise and imitative Islam).⁷³ His disciples greeted each other with *Allahu Akbar* and *Jalla-Jalaluhu* (as the Emperor's name was Jalal-ud-Din Akbar).

The religious policy of Akbar was designed to secure unity among his heterogeneous subjects. Akbar could not adhere to the religion of any one specific community in preference to that of the other. He cut himself off from Islam. Evidence also supports the view that Akbar's rejection of orthodox Islam was largely due to the degradation of the Ulema of those times.⁷⁴ He was greatly attracted to the pantheistic teachings of the Sufis; in fact his religion was based on the Tariqah-i-Walayat.

The idea of an All-Embracing Deity, or of Unity of Being (Wahdat-i-Wujud) has exerted considerable influence on the mystics of Islam ever since Ibn al-Arabi expounded it. During the reign of Akbar more than fourteen mystical orders were established in India,⁷⁵ and under the influence of Wujudi philosophy many Muslim mystics forsook the Sunnah of the Prophet of Islam or considered themselves not to be bound by the Shariah.⁷⁶ This attitude was based on the view that the faith in an All-Embracing Deity did not necessarily include belief in Muhammad (may peace be upon him) as the Prophet of God. Against this background, Akbar had the courage of excluding the name of the Holy Prophet from the Friday sermon.⁷⁷ For the first time since Islam entered India, Hinduism showed signs of revival through the Bhagti movement which was designed to absorb the Muslim lower classes.

Akbar offended his Muslim subjects by abolishing Jizya, prohibiting cow-slaughter, and deliberately suppressing Islam. He also ordered that certain mosques be converted into stores and Hindu guard-rooms, or demolished to make way for temples.⁷⁸ Taking advantage of the one-sided policy of the Emperor, the Hindus attempted to absorb Islam into Hinduism by means of the Bhagti movement, which was a peaceful move, and the arming of the Hindu Yogis and Sanyasis with the sanction of the Emperor, which employed militant means.⁷⁹ J.N. Farquhar fixed

1565 as the year when the Sanyasis were armed under the sanction of Akbar, though he believed that the Yogis had taken to arms long before the Sanyasis.⁸⁰ The arming of the Hindu Yogis and Sanyasis sowed the seeds of Hindu militancy and caused much trouble during the reign of Aurangzeb. This dimension has been considered as one of the causes which led to the downfall of the Mughal empire.

Did Akbar's search of a new religion spring from his personal spiritual crisis caused by the rigidity and inflexibility of Sunni orthodoxy, or was he, like his predecessor Sultan Ala-ud-Din Khilji, interested in introducing a new faith in India because of political necessity? Whatever were Akbar's intentions, his policy of welding Hindus and Muslims together failed mainly because the two communities showed no inclination to merge themselves into one. This is evident from the instance when Akbar attempted to persuade Man Singh, one of his Rajput nobles, to become his disciple by joining *Dim-i-Elahi*; Man Singh stated: "If discipleship means willingness to sacrifice one's life, I have already carried my life in my hands: what need is there of further proof? If however, the term has another meaning and refers to Faith, I certainly am a Hindu. If you order me to do so I will become a Musalman, but I know not the existence of any other religion than these two".⁸¹ Muslims also resisted this absorption into Hinduism, whenever the Hindu majority tried to swallow up the Muslim minority.

The reaction against Akbar's religious policy came mainly from the Naqshbandiah Order, which had been introduced into India by Khwaja Muhammad Baqi Billah (1563-1603), and was firmly established by Sheikh Ahmad Sirhindi (1564-1624). Earlier in his career, Sheikh Ahmad Sirhindi appeared to have accepted Ibn al-Arabi's concept of Unity of Being⁸² and associated with Abul Fazl and Faizi, two famous free-thinkers who were blamed for weaning Akbar away from Islam. Sheikh Ahmad left their company because of their lack of respect for Islamic teachings.⁸³

Sheikh Ahmad realized that if Islamic monotheism (*Tawhid-i-Islami*) was to be identified with Unity of Being (*Tawhid-i-Wujudi*) it would lead to the disappearance of Islam

from India. His emphasis on the distinction between Islamic monotheism and Unity of Being was based on his own mystic experience. He was aware that Unity of Being was the underlying principle of most of his contemporary Sufi orders, the Bhagti movement as well as Akbar's religious policy. He attacked the concept of an All-Embracing Deity (Wahdat-i-Wujud) as alien and contradictory to Islamic teachings and denounced its identification with Islamic monotheism.

Sheikh Ahmad attacked Ibn al-'Arabi, the greatest among the Wujudi mystics of Islam, who held that the Essence and the Attributes are identical, that God is in Unity, Duality, Trinity as well as Multiplicity, that the phenomenal world is objectively non-existent, that the relationship between God and man is that of identity, and that the purpose of creation is yearning on the part of God for self-realization.⁸³

Sheikh Ahmad maintained that God is distinct from and transcends His Attributes, that the external world is not a shining forth of His Attributes because His Attributes are perfect as concepts, whereas the world is not, that the external world is real and exists separately from God its Creator, that God's nearness to man is beyond human comprehension (in fact man is different from God as a spider who spins its web is different from a Being who by one breath can wipe out the whole structure of heaven and earth), that God is perfect and self-sufficient, and that the purpose of creation is service (Ibadat) and not knowledge (or God's yearning for self-realization).

In short Sheikh Ahmad emphasized that Wahdat-i-Wujud (Unity of Being) is a subjective experience, an experience which does not take place in reality, but only appears to have taken place. Therefore it is Wahdat-i-Shuhud, i.e. an experience of apparent unity or identity. In reality God completely transcends human comprehension. For man Faith-in-the-Unseen (Iman-bil-Ghaib) is essential. Human beings are only to attain the stage of Servitude (Abdiyyat), and they cannot know more about God than what God has told them in the Revelation. Human beings therefore ought to turn exclusively to the Revelation (the Quran and the Hadith) and to the Ulema and the Jurists who

interpret it.⁸⁵

Sheikh Ahmad was unhappy with the sad plight of Islam under Akbar's rule, and insisted on the restoration of the Shariah in India.⁸⁶ His interpretation of Islamic monotheism stimulated a reaction against Akbar's religious policy. He acquired a vast number of followers and sent them to different areas to preach his doctrines. He started extensive correspondence with influential state officials who became his disciples. His widely circulated epistles were collected, compiled and published during his life-time. Nevertheless his mission was not successful during the reign of Akbar.

When Jehangir, Akbar's son ascended the throne (1605) the Sheikh started an active campaign against the religious policy of Akbar, which was also pursued by Jehangir. The campaign was confined particularly to the Mughal army because Sheikh Ahmad's supporters went around persuading the soldiers to take an oath that they would not obey orders which were contradictory to Islam.⁸⁷ Thereupon, Jehangir's minister, Asaf Jah, advised the Emperor to issue an order prohibiting the soldiers to visit the disciples of the Sheikh or to take the oath. Asaf Jah also suggested that the Emperor arrest Sheikh Ahmad. Consequently Sheikh Ahmad became a political suspect, and was ordered to present himself before the Emperor (1619). He was charged with expounding heretic doctrines in his epistles, and with refusing to prostrate himself (Sijdah) before the Emperor as was customary. The Sheikh was imprisoned in the fort of Gowaliar for two years. The author of *Rauzat-ul-Qayyumiyah* states that the Sheikh's followers, particularly those in the army, rebelled because of his imprisonment. Mahabat Khan the Governor of Kabul, also rebelled against the Emperor for the same reason.⁸⁸ On his release, Sheikh Ahmad was received with honour by the Emperor and acted as the Emperor's advisor for the remaining years of his life.⁸⁹

Sheikh Ahmad preached that the Muslims should follow the practice of the Holy Prophet (Ittiba'-i-Sunnat), and induced the Ulema to concentrate only on the Quran and the Tradition. He regarded Walayat (Sainthood) as qualitatively different and

inferior to Nubuwwat (Prophethood), and stressed the superiority of the Shariah (strict adherence to Islamic Law), as compared to the practices of Tariqah (Tasawwuf/Mysticism). Sheikh Ahmad articulated many demands to bring the Mughal state back into the fold of Islam: Sijdah (prostration) should be abolished; the demolished mosques should be restored; the edicts prohibiting cow-slaughter should be revoked; Jizya should be re-introduced; Muftis, Qadis and Muhtasibs should be appointed to enforce the Shariah; all innovations should be suppressed; and the people who had been imprisoned in contravention of the above should be released.⁹⁰

None of these reforms were implemented during the reign of Jehangir. However, long before Sheikh Ahmad Sirhindi became advisor to Jehangir, the Naqshbandiah (Mujjaddidiah) Order had succeeded in acquiring some influence over important state officials. Jehangir was fond of drinking and was used to taking drugs, especially opium, but as a believing Muslim was considered better than Akbar, although he followed Akbar's religious policy during his reign.

Shah Jehan, who succeeded his father in 1628, was a disciple of Sheikh Ahmad Sirhindi⁹¹ and later of his successor Muhammad Mausoom.⁹² During Shah Jehan's reign Sijdah (prostration) was abolished and a different form of salutation was introduced at the court.⁹³ The other un-Islamic practices at the Mughal court remained unchanged.

Muhammad Shibli has formulated an extensive Islamic indictment against the Mughal rulers. He stated that the Hindus took advantage of the religious freedom which Akbar had granted to them. They attempted to absorb Islam into Hinduism by forcibly carrying away Muslim women and marrying them, by teaching the tenets of Hindu religion to Muslim children, and by converting the mosques into temples. This state of affairs prevailed during the reigns of Jehangir and Shah Jehan, particularly during the later part of Shah Jehan's rule when the administration of the central government passed into the hands of Dara Shikoh.⁹⁴

The seventeenth century Mughal India witnessed the conflict

among the sons of Shah Jehan. Aurangzeb fought against his brothers and killed them. He imprisoned his father, and in the Deccan not only waged war against the Hindu rulers but also destroyed the Shia Muslim kingdoms. The struggle between Aurangzeb and Dara Shikoh was not only for gaining the throne or absolute power, but also between two contradictory trends of thought - Sunni orthodoxy and Sufi heterodoxy. The stage had been set when Indian Islam was called upon to take the ultimate decision: whether to merge into Hinduism or to preserve its identity through returning to orthodox Islam.

Dara Shikoh had encouraged scholars to translate *Bhagavad Gita* and *Upanishads* into Persian, and believed that Islamic sufism and Hindu mysticism were identical. In his famous work *Majma' al-Babrayn* (The Merging of the Two Oceans) he attempted to show the common features between Islam and Hinduism. Aurangzeb, being an orthodox Sunni, charged his brother Dara Shikoh of apostasy, and after his defeat and capture in the war of succession, this charge was advanced as the main argument for his execution.

On the accession of Aurangzeb (1658) the religious policy of the Mughals underwent a complete change. Aurangzeb discontinued all the un-Islamic practices. The solar calendar was changed to the Islamic lunar calendar (Hijra) and the celebration of the New Year (Nawruz) was discontinued. He revived the department of Hisba (Religious Censorship) to enforce the religious discipline of Islam on his Muslim subjects. Taxes which were not approved by the Hanafi code of law were abolished. Jizya was reimposed on non-Muslim subjects (1679), and the state was brought back into the fold of Shariah.

Did Aurangzeb succeed in eradicating crime through the strict enforcement of the Shariah? There is a very interesting incident reported about his legal reforms by Muhammad Din Fauq in his Urdu work titled *Wajdani Nishitar*. It is stated that Aurangzeb, in his religious zeal, issued an ordinance that all the prostitutes in his empire should get married within a specified period, and those who failed to enter into marriage contracts by the target date, would be taken in the boats to the river Jamna and drowned. In

compliance with the ordinance hundreds of prostitutes contracted marriages, but a large number still remained unmarried. Only one day was left before the target date and boats were kept ready to take them to the river for drowning. These were the times of the Sufi saint Sheikh Kalimullah Jahanabadi. A young and pretty prostitute used to come every day to pay him her respects. Every morning when the saint had performed his religious obligations, the prostitute would stand before him with folded hands, and when he raised his eyes, she would offer her "Salaam" to him and go away. On this occasion when she came, she plucked up enough courage to submit that her last "Salaam" may kindly be accepted. The saint curiously inquired what had happened and she narrated the story of Aurangzeb's decree. The saint recited some verses of Hafiz and directed that all the remaining prostitutes should learn them by heart. He further said that when they would be driven to the river they should sing these verses together in a loud voice. They acted accordingly and sang in a chorus with such a moving voice that everyone who heard could not resist holding his tears. When their voice was heard by the Emperor, he felt extremely perturbed and ordered that all of them should be set free. The power of poetry was also established as the verses of Hafiz changed the resolve of an orthodox Muslim Emperor Aurangzeb, who was bent upon establishing the rule of Shariah in Mughal India.¹⁵

It is difficult to say whether Aurangzeb was influenced by Sheikh Ahmad Sirhindi's teachings, although he is believed to have supported the Naqshbandiah (Mujaddidiah) Order and was a disciple of Muhammad Mausoom (the successor of Sheikh Ahmad Sirhindi).¹⁶ However it was during his reign that some of the reforms advocated by Sheikh Ahmad Sirhindi were implemented.

Aurangzeb offended his Hindu subjects by suppressing their religious and educational institutions, demolishing temples, prohibiting the celebration of Hindu festivals and reimposing Jizya on them.

The religious policies of Akbar and Aurangzeb represent two different attempts to settle the problem of Hindu-Muslim

antagonism which came to be known as the Communal Problem during the subsequent British rule. Akbar's experiment failed because the Muslim minority was not willing to merge into the Hindu majority; and Aurangzeb's attempt failed because by imposing some of the laws and institutions of the Muslim minority, he offended his Hindu subjects. Sri Ram Sharma correctly observes: "Unfortunately for him (Aurangzeb), the Muslim tradition of government had never had to deal with a vast majority of non-Muslim subjects who could be easily converted....The result was that the comprehensive state of Akbar's reign gave place to the Muslim state of pre-Akbar days. With this change in its structure it is not surprising that it shared the same fate. The pre-Akbar Muslim state in India had no hold on the vast majority of its subjects whose active loyalty it had never been able to secure. Naturally three centuries of Indian history (1194-1526) had seen the rise and fall of several Muslim dynasties in Delhi....Their average life had not been more than sixty years. Aurangzeb could hope to fare no better. His religious policy lost him the active loyalty of his Hindu subjects....Aurangzeb thus destroyed the *raison d'être* of the Mughal dynasty".²⁷

Aurangzeb died in 1707, and the years that followed witnessed the break up of the Mughal empire. The wars of succession among Aurangzeb's descendants, the inefficiency of his successors, the weakness of the central government, the eruption of communal (Hindu-Muslim) as well as sectarian (Shia-Sunni) conflicts, the plundering of Delhi by Nadir Shah (1739), the rise of the Marathas, Jats and Sikhs, the attacks of Ahmad Shah Abdali (1749), the brief interlude of Rohella dominance over Delhi, and eventually, the triumphs of the British, resulted in the total liquidation of Muslim power in India.

It is evident that the Muslim "power state" in India was administered under "mixed" laws. The Shariah laws were enforced, but the wielder of power imposed "man-made" laws and sometime even modified Shar'i penalties by royal proclamations (Firmans) presumably as sovereign acts. This kind of legislation was called Qanun-i-Shahi. The principle justifying

the exercise of this power was that the Shariah always takes into consideration the temperament, customs and habits of every community, and that accordingly, the wielder of power has the right to temporarily suspend Quranic rules of law pertaining to penalties (Hudud), if the times and conditions so required.¹⁰⁸ The Sultan exercised the prerogative of mercy and had the power of commuting sentences in cases of treason, murder, dacoity, and theft.¹⁰⁹ According to Ameer Ali this prerogative was first used by Muawiya, although the Rightly Guided Caliphs had never used it.¹¹⁰ Customary law practiced by the inhabitants of India, even in conflict with the tenets of Islam, was allowed to prevail by the Muslim state as Qanun-i-Urf.¹¹¹ The panchayat system prevalent in the rural areas for resolving disputes was not disturbed.¹¹² If the lifestyle of the ruler or the ruling elite was not in conformity with the dictates of the Shariah, no one could dare touch them. Otherwise these Muslim rulers seldom attempted to tamper with the day to day administration of justice by the Qadis.

So far no extensive research has been carried out in compiling a legal history, the functioning of different courts, and the administration of justice in different phases of the history of Muslim India. Material is certainly available in the form of numerous famous works like *Hidaya*, *Fiqh-i-Feruzshahi* (compiled during the reign of Sultan Feruz Tughliq), *Ain-i-Akbari*, *Dastur al-Amul Alamgiri* and *Fatwa-i-Alamgiri* (compiled during the times of Emperor Aurangzeb). Some original works of history such as *Tabaqat-i-Nasiri*, *Tarikh-i-Feruzshahi*, *Tarikh-i-Ferishta* and Badayuni's *Muntakhabat al-Tawarikh* among others also provide useful information.

Qadis had always been appointed by the highest Executive Authority throughout the Muslim history. According to the practice which was established and followed during the course of centuries, the Qadis used their own reasoning or discretion (Qiyas) in cases where the Quran, Hadith (Tradition), and Ijma' (Consensus) did not provide guidance. A Qadi's judgement was not binding as a precedent on his successors. Consequently the compilation or preservation of case law was not encouraged. As a result, the sources of information respecting the judicial history

of Muslim India from 1200 to 1857 are limited. However there does exist an introductory work in this specific field on which reliance has been placed.¹⁰³

From the very beginning the Muslim state refrained from interfering in the religious practices or customs of the Hindu subjects. For instance, trials by ordeal of water or fire were resorted to according to the Hindu legal procedure in the Hindu territories under the protection of the Muslim state. Although the Shariah disapproved of such trials, the Muslim rulers did not interfere.¹⁰⁴ As for the Hindu subjects within the Muslim state, they were allowed to be governed by their own personal civil law if the parties to the litigation were Hindus. The system of employing Pandits (Brahmans) to expound Hindu law in civil/personal litigation in the court of the Qadis was introduced by Sultan Iltimish.¹⁰⁵ All the subjects, Muslim as well as Hindu, came under Islamic criminal law, while in offences of adultery, drunkenness etc. the Muslims were subjected to more severe penalties.¹⁰⁶ Non-Muslims were not prosecuted for selling liquor, maintaining pig farms or eating pork, or charging usury on money loaned to each other. They could deny the Holy Prophet Muhammad's status as the true Prophet of God and were not subject to punishment under any blasphemy law.¹⁰⁷ The Shariah laws respecting apostasy or violation of the Rights of God were applicable only to the Muslim subjects. These laws were enforced by the Muhtasib (Moral Censor). This office was introduced for the first time in Muslim India by Sultan Iltimish.¹⁰⁸

The rulers generally selected men of learning for appointment as Qadis. The appointment had to be announced and was for life, but the Qadi held office at the pleasure of the Sultan. Under the Hanafi school of law a woman could be appointed as a Qadi. Accordingly Raziya Sultan herself performed the functions of a Qadi and administered justice.¹⁰⁹ Sultan Muhammad Tughliq appointed Ibn Batuta, Qadi-ul-Quddat (Chief Justice) at Delhi and he administered the oath of office to the Sultan. Qadi-ul-Quddat was installed by the Sultan and he swore allegiance to the Sultan.¹¹⁰ The staff consisting of Muftis, Pandits, Muhtasibs and Dadbaks (clerks of court) was attached to the

Qadi's court.¹¹¹ The Sultans built separate and spacious court buildings, and were known as Dar-ul-Qada or Dar-ul-'Adl. During the times of the Mughals these buildings were expanded and were called Kachahris.

The duties of Qadi, in addition to administering justice (criminal and civil), included Imamah (leading Friday and Eid congregational prayers in the mosques), Nikah-Khwan (sanctioning the marriage tie), acting as Muhtasib (Moral Censor) managing Auqaf (religious endowments), and distributing the estates of the deceased person.¹¹² Under Emperor Aurangzeb, Qadis also collected Zakat from the Muslims and Jizya from the Hindus. In pre-Mughal times it was the duty of the Qadi or Qadi-ul-Quddat to mention the name of the Caliph and the ruling Sultan in the Khutba (Sermon), and to pray for them. During the Mughal era Khutba was recited in the names of the Rightly Guided Caliphs and the ruling Mughal Emperor. Under the Mughal practice the Qadi could pass any sentence in a criminal case, including a fine. If the death sentence was passed by him it had to be confirmed by the Emperor or the Governor.¹¹³ A British traveler, Fryer, who visited India during the reign of Emperor Aurangzeb, noticed a Muslim marriage being solemnized by a Qadi. He observed that the practice in Europe of a marriage ceremony taking place and being registered with the justice of peace may have been borrowed from the Muslims.¹¹⁴

The pre-Mughal Sultans who were acknowledged by historians for maintaining a high standard of judicial administration included Qutb-ud-Din Aibak, Iltimish, Raziya, Nasir-ud-Din Mahmud, Balban, Feruz Tughliq, Bahlol Lodhi and Sikandar Lodhi.¹¹⁵ Iltimish had ordered that an aggrieved person should wear a coloured dress for his identification and a chain was hung outside his palace which any petitioner could pull praying for justice. Occasionally Iltimish went around the courts incognito to verify the fair administration of justice by the Qadis.¹¹⁶ Muhammad Tughliq established a Correctional Court for hardened criminals, which was abolished by his successor Feruz Tughliq. Feruz Tughliq removed a number of Qadis who had a

reputation for being corrupt. By a Royal Proclamation (Firman) forbidding the amputation of limbs of a convict, he modified the punishments prescribed by the Shariah as "Hadd" (fixed penalty). Sikandar Lodhi created an additional court of Mir Adl to try exclusively civil cases.¹¹⁷

In some instances Sultans Jalal-ud-Din Khilji, 'Ala-ud-Din Khilji, Muhammad Tughliq and Mughal Emperor Akbar attempted to suppress the Shariah. Being aware of the resentment of the jurists and Muslim subjects, they abandoned the plan of establishing such traditions which were repugnant to Islamic injunctions.¹¹⁸

Emperor Akbar introduced trial by ordeals to please the Rajputs but the project was opposed by the jurists and was abandoned. Before him Sultan Jalal-ud-Din Khilji wished for Sidi Maula to be thrown into fire in order to test if he was innocent or guilty of treason. However, the Ulema refused to permit this, since it was prohibited under the Shariah.¹¹⁹

The highest courts of Criminal Appeals (*Diwan-i-Muzalim*) and Civil Appeals (*Diwan-i-Risalat*) were presided over by the Sultan or in his absence by Sadr-i-Jahan. Sadr-i-Jahan also presided over the court which dealt with some matters falling within the category of Ihtisab (Moral Censorship). In addition to these courts there also existed the Sovereign's Court presided over by the Sultan, and the Chief Justice's Court headed by the Qadi-ul-Quddat. These courts heard all kinds of disputed matters.¹²⁰

Sher Shah Suri established an additional Munsif's court at the sub-division level to decide civil cases. During his reign the police regulations were elaborately drawn up for the first time in Muslim India.¹²¹

The Mughal Emperor, like the former Sultans, was the head of the Judiciary. As the Mughal empire expanded after 1526, the judicial system was further developed. Emperor Akbar separated the judiciary from the executive by withdrawing judicial powers from his Prime Minister and handing them over to the Qadi-ul-Quddat.¹²² The Emperor, as the fountain-head of justice, tried civil and criminal cases on the original side and heard appeals. He usually presided over a Bench consisting of Qadis

and decided questions of both law and fact.¹²³

The procedure in civil cases as prescribed in *Datava-i-Alamgiri* stipulated that the plaintiff should file his claim himself or through an authorized agent before the Qadi. After a preliminary hearing the defendant was summoned to admit or deny the claim. Thereafter issues were framed and the parties were called upon to produce evidence. The judgment was delivered after a proper appraisal of evidence. A decree could not be passed in the absence of the defendant or his representative.¹²⁴

The procedure in criminal cases provided that the complainant should appear personally or through a representative before the Qadi. State prosecutions were instituted by the Muhtasib or Korwal. The accused could either be produced by the police if he was under arrest, or be summoned by the court after recording some evidence on the complainant's side.¹²⁵

Emperor Jehangir is said to have employed his own methods of getting information about matters pending before him. He often left the Palace at night and visited taverns, and drank wine with the common folks, and thus collected information.¹²⁶ If this assertion is correct, one wonders why the jurisdiction of the Muhtasib did not extend to such drinking-houses in the Empire.

As for "Qisas" or payment of blood-money in a case of homicide, the Qadi had the discretion to allow homicide cases to be compounded, because according to the Shariah murder was considered as a private grievance; although no compensation could be awarded in "Hadd" offenses where penalties were fixed and were unalterable. However "Ta'zir" punishments could be regulated by the Qadi who could even invent new punishments such as cutting of the tongue, impalement and castration in a case of rape.¹²⁷

Contempt of court was severely punished. A Qadi in Agra sentenced an offender to death for abusing his court. The Qadi was empowered to punish a contemner under "Ta'zir" or report the matter to the Emperor.¹²⁸ Death warrants were signed by the Emperor or Governor, and executions were usually carried out after sun-set.

The Mughal Emperors and some of the Sultans gave

exemplary punishments for deterring crime. Sultan Balban ordered a Governor who had been convicted of manslaughter to be handed over as a slave to the heirs of the deceased. Sultan Muhammad Tughliq did not hesitate to publicly execute a pious man, like Shah Haidari, on suspicion of treason. In another treason case a well known holy man, Sheikh Had's flesh was roasted, mixed with rice and thrown to the elephants to be eaten, but they refused to touch it. Emperor Akbar ordered that a high official who had committed adultery be strangulated to death. He personally threw Adham Khan, convicted of murder, down the battlements of his fort. Emperor Jehangir took special interest in witnessing condemned prisoners being torn to pieces by elephants. In one case, under his orders, limb after limb of a highway robber with seven convictions was torn until he died. Emperor Shah Jehan caused a condemned man to be bitten by a snake. In another case poison was administered under his command to a corrupt police officer and the Emperor saw him die in the open court.¹²⁹

The sentence could be enhanced or commuted by the ruler. In the case of one Daryai Khatun, the allegation was that she had committed adultery with nineteen men and then sold her paramours into slavery. The Qadi convicted and sentenced her to "Sangsari" (stoning to death). The Governor, considering the sentence inadequate, submitted the matter to the Emperor, who ordered her to be torn to pieces by dogs. In another case the sentence of stoning to death a woman accused of adultery was remitted by the Governor. In a case a woman was convicted of adultery and was stoned for three days, but she survived, whereupon her sentence was remitted.¹³⁰

According to Ibn Batuta the elephants were specially trained to tear the victims to pieces. He stated that when a condemned person was thrown to them, they wrapped the trunk around him and tossed him up in the air, then took him with the tusks and threw him between their fore-feet upon the breast. Their feet were cased in sharp steel instruments like knives. If the victim was to be torn to pieces, the elephants would do so with their irons and then throw the pieces to the assembled multitude.

Traitors, thieves, and robbers were killed in this manner.¹³¹

Many judicial reforms were accomplished during the reign of Aurangzeb, some of which survive even today. During his rule *ʿAlamgiri* and Regulations for Court Procedure (*Zabita*) were compiled. He introduced the system of remand of an accused person under police custody through an order of the Qadi's court. A person could not be arrested by the police without legal evidence and he could not be confined to jail or lock-up without a charge. All criminal matters pending before the Qadis were ordered to be disposed of expeditiously. Provision was made for the appointment of "Wakils" (pleaders) to represent the parties to litigation before the Qadi. State Record of Rights in land revenue matters could be inspected by the public. The system of appeals in criminal and civil matters before the superior courts was reformed. Emperor Aurangzeb re-constituted "*Diwan-i-Mazalim*" (the highest court) in order to redress wrongs, and personally presided over it every Wednesday. With the passage of time he became quite lenient. He forbade the impaling of a convict who had been awarded the death sentence. Death sentences in most of the cases were commuted to life imprisonment by him. In the cases of those convicted of theft or robbery, indefinite imprisonment until repentance was the punishment, and the amputation of limbs as a penalty was forbidden under a royal decree.¹³² Emperor Aurangzeb also issued a Firman authorising a regular system of Police surveillance of suspects of crime.¹³³ He ordered the Qadis to inspect jails "bandi khana" periodically, and in case some convicts had been kept in jail for too long, they were to be released.¹³⁴

Most of the Ulema in the Muslim state tried to advise the Sultans that it was their religious obligation to adopt a harsh and insulting attitude towards the non-Muslim subjects. According to Zia-ud-Din Burney the Ulema were not pleased with Sultan Iltimish for his kindness towards the non-Muslims. Sultan Balban was told by Maulana Nur-ud-Din Mubarik Ghaznavi that one of the signs of being a good Muslim was that when the Sultan sees a Hindu, his face should turn red with rage. On the Ulemas'

insistence, and as a reaction to Akbar's religious policy, Emperor Aurangzeb issued a decree that Jizya should not be collected but every non-Muslim must personally come to pay Jizya (poll-tax).¹³⁵ According to these Ulema, the supremacy of Islam was to be formally demonstrated in Muslim India through cow-slaughter (Gow Kushi), and the collection of Jizya as well as pilgrimage tax from the Hindus.

After the death of Emperor Aurangzeb, his successors let the judicial system, so elaborately established by him and his predecessors, to gradually collapse. The powers of the judiciary were usurped by the executives at different levels. Their corruption and consequent injustices gave a pretext to the British to replace it by their own system of administration of justice.

During the eighteenth century, while the Mughal empire was disintegrating, the Muslim society in India and particularly in Delhi was in disarray. Aurangzeb's emphasis on Sunni orthodoxy had not only increased the hatred between the Hindus and the Muslims, but that also resulted in a conflict between the Shias and the Sunnis.

Aurangzeb's successor, Bahadur Shah, departed from his father's rigid Sunni policy and ordered that in the Khutba honorific "Sayyid" be added to the list of his titles. Incidentally he claimed Sayyid descent from his mother, Nawab Bai Begum's side. He further ordered that the Khutba delivered during his father's times should be changed. The new Khutba retained the names of Caliphs Abu Bakr and 'Umar but dropped the name of Caliph Othman, adding additional titles for Caliph 'Ali as Wasi (Executor of the Holy Prophet's will), uncle's son of the Holy Prophet, father of Hassan and Husain, and Leader of the great Imams. The Sunnis objected to the recital of this new Khutba in the mosques of Lahore, Delhi and Ahmadabad. In Ahmadabad the reciter of the Khutba (Khatib) was murdered by a Sunni Muslim from the Punjab. In the Jamia Mosque at Delhi the recitation of the verses in praise of Caliph Ali led to the killing of the person who chanted the prayer-call in the mosque (Muezzin). Similar incidents occurred in other cities, as a result of which, Bahadur Shah was compelled to withdraw his order and to

restore the traditional Sunni Khutba.¹³⁶

The Hindu-Muslim riots also became common during this century. In the second year of Farrukhsiyar's reign a communal riot broke out in Ahmadabad, which lasted for three days, and many Hindus and Muslims were killed.¹³⁷ Communal riots broke out in 1720 in Agra and Kashmir, in 1725 and 1729 in Delhi, and several other cities of India.¹³⁸

Sufi impostors and charlatans appeared everywhere, and their orders began to exert a terrible influence over the masses. The descendants of Aurangzeb for instance, started a Sufi order of their own and the courtiers became their disciples. The pseudo-Sufism was so rampant that the last shadowy Mughal Emperor was convinced of his own mystic power to transform himself into a fly or a mosquito.¹³⁹ The Muslim middle and lower classes adopted numerous un-Islamic practices. The harems of the upper classes swarmed with eagerly sought-after beauties, and the brothel-keepers' touts and agents, including men and women, freely enticed away young girls from different social strata of Delhi to their brothels. The author of *Shah Wali-Allah and His Times* adds: "Drugs for the cure of gonorrhoea, syphilis and other venereal diseases could be bought in any quantity from the quacks who truly excelled in the art of advertising".¹⁴⁰

What were the causes for the decline of the Muslim power-state in India? A conflict had started between the Sunni orthodoxy and Sufi heterodoxy, as noticed earlier. In addition, an attempt was made to preserve the Islamic identity, but it further intensified enmity between the Hindus and Muslims. In the Muslim world as a whole and in Muslim India in particular, owing to a general lack of creative and innovative activity, an intellectual stagnation had gripped the Ulema and Fuqaha and they were incapable of offering solutions for the spiritual and temporal problems of the Muslim community in the changing times. The great Sufi orders, in the early stages, had won many converts to Islam through their compassion and dedication to the humanistic and egalitarian teachings of the Quran. However, with the passage of time, decadence had set in. The Sufi Tariqah bid fare-well to the Shariah and started indulging in practices, which

were not only alien, but were also repugnant to the injunctions of Islam.

The Muslim state in India had always been the property of the Sultan/Padshah. The inhabitants never enjoyed the status of citizens, but were merely treated as subjects. History indicates that the loss of political power is often destructive of a nation's character. The liquidation of the Muslim empire in India led to a rapid moral degradation of the Muslims. Muhammad Iqbal has correctly observed: "Ever since their political fall the Musalmans of India have undergone a rapid ethical deterioration. Of all the Muslim communities of the world they are probably the meanest in point of character. I do not mean to deplore our former greatness in this country, for, I confess, I am almost a fatalist to the various forces that ultimately decide the destinies of nations"¹⁴¹

NOTES AND REFERENCES

¹ *Tarikh-i-Sindh* by Maulana Abu Zafar Nadvi pp. 378,379.

² *Ibid.*, pp.377,378; *Chach Nama* trans. by Akhtar Rizvi, p. 278.

³ *Tarikh-i-Sindh*, p.371.

⁴ *Ibid.*, pp.124,125,363,370.

⁵ *Chronological Dictionary of Sindh*, p.195; *History of India* ed. & trans. by Elliot & Dowson vol.1. pp.459-461; *Tarikh-i-Ferishta* trans. by Briggs vol.4. pp.411, 422-443.

⁶ *Al-Beruni's India*, trans. by S. Sachau vol.1. pp.17,19,179.

⁷ *A History of Urdu Literature* by T. Grahame Bailey, pp.5-12.

⁸ *Studies in Islamic Culture in the Indian Environment* by Aziz Ahmad. pp.4-6.

⁹ *Tabaqat-i-Nasiri*, trans. by Raverty vol.1, p.525; *Tarikh-i-Ferishta*, vol.1, p.198.

¹⁰ *Tabaqat-i-Nasiri*, vol.1, p.525.

- ¹¹ *Ibid.*, p.528.
- ¹² *Ibid.*, pp.528-531, 544,590-595, 608,616.
- ¹³ *Ibid.*, pp.630-632.
- ¹⁴ *Ibid.*, pp.632-637.
- ¹⁵ *Ibid.*, pp.636-637.
- ¹⁶ *Ibid.*, pp.638-639.
- ¹⁷ *Ibid.*, pp.668-669.
- ¹⁸ *Ibid.*, vol.2. p.259.
- ¹⁹ *Tarikh-i-Ferishta*, vol.1. p.245.
- ²⁰ *Pathan Kings of Delhi*, pp.254,255.
- ²¹ *Tabaqat-i-Nasiri*, vol.2. p.1259.
- ²² *Tarikh-i-Farishta*, vol.1. p.251.
- ²³ *Studies in Islamic Culture in the Indian Environment*, p.7.
- ²⁴ *Ibid.*, p.10.
- ²⁵ *The Caliphate*, pp.87,88.
- ²⁶ *Tarikh-i-Feruzshahi*, Urdu trans. by Dr. Syed Moin-ul-Haq, pp.101,102.
- ²⁷ *Ibid.*, pp.104,105.
- ²⁸ *Ibid.*, pp.215-273.
- ²⁹ *Ibid.*, pp.288,289.
- ³⁰ *Ibid.*, pp.303,304, 307,308.
- ³¹ *Ibid.*, pp. 318-374.
- ³² *Ibid.*, pp.378,379.
- ³³ *Ibid.*, p. 391; *Tarikh-i-Farishta*, vol.1. pp.333,334.
- ³⁴ *Ibid.*, p. 424.
- ³⁵ *Tarikh-i-Farishta* Vol.1. p. 347.
- ³⁶ *Tarikh-i-Feruzshahi*, p. 434.
- ³⁷ *Tarikh-i-Ferishta*, Urdu trans. by Abdul Hayee Khawaja Vol.1. pp. 402-408.
- ³⁸ *Tarikh-i-Feruzshahi*, p. 461.
- ³⁹ *Ibid.*, p.534.
- ⁴⁰ *Ibid.*, pp.555,556.
- ⁴¹ *Pathan Kings of India*, pp. 179-183.
- ⁴² *Tarikh-i-Feruzshahi*, pp. 551-606.
- ⁴³ *Ibid.*, pp. 646,647.
- ⁴⁴ *Ibid.*, pp. 655,656.
- ⁴⁵ *Ibid.*, pp. 699,700.
- ⁴⁶ *Tarikh-i-Farishta*, vol.1. p.426.
- ⁴⁷ *Ibid.*, p.426; *Pathan Kings of Delhi*, p.256; Shams-i-Siraj Afif in his *Tarikh-i-Feruzshahi*, maintains that this practice was adopted by his successor Feruzshah Tughliq. See *History of India* by Elliot and Dowson, Vol.3.

- pp. 292,293; also see pp.249,250.
- ⁴⁸ *Tarikh-i-Feruzshahi*, pp. 832,833.
- ⁴⁹ *Tarikh-i-Farishta*, Urdu trans. by Abdul Hayee Khawaja vol.1, pp. 513,514.
- ⁵⁰ *Tarikh-i-Ferishta*, Vol. 1. p. 508. E. Thomas in *his Pathan Kings of Delhi* maintains that the coins of this period bear the names of the former Tughliq Sultans pp. 328,329.
- ⁵¹ *Tarikh-i-Farishta*, Urdu trans. by Abdul Hayee Khawaja Vol. 1. p. 604.
- ⁵² *Ibid.*, pp.606-608.
- ⁵³ *Pathan Kings of Delhi*, pp.194, 107,201.
- ⁵⁴ *Tarikh-i-Farishta*, trans. by Briggs Vol.3. pp.24,225.
- ⁵⁵ *Ibid.*, Vol.2. p.300.
- ⁵⁶ *Ibid.*, Urdu trans. by Abdul Hayee Khawaja Vol.1 p.841.
- ⁵⁷ *Ibid.*, p.880.
- ⁵⁸ *Studies in Islamic Culture in the Indian Environment*, pp.10,11.
- ⁵⁹ *Tarikh-i-Farishta*, Urdu trans. by Abdul Hayee Khawaja Vol. 1. pp.382,383-385.
- ⁶⁰ *Ibid.*, pp.397-401.
- ⁶¹ *Tarikh-i-Farishta*, English trans. by Briggs Vol. 2. p.46.
- ⁶² *Indian Islam* by Murray T. Titus. pp. 59,60.
- ⁶³ Badaoni's *Mutakhab-ut-Tawarikh*, trans. by W.H. Lowe Vol. 2. p.282
- ⁶⁴ *Pathan Kings of Delhi*, pp.378, 382.
- ⁶⁵ *Indian Islam*, pp. 59,60.
- ⁶⁶ *The Religious Policy of the Mughal Emperors*, p.9.
- ⁶⁷ Badaoni's, *Mutakhab-ut-Tawarikh*, vol. 2. p.203.
- ⁶⁸ *Ibid.*, Vol. 2, pp.278-280.
- ⁶⁹ *Ibid.*, Vol. 2, p. 323.
- ⁷⁰ *Ibid.*, Vol. 2, p. 299.
- ⁷¹ *Ibid.*, Vol. 2, pp.265, 266,311; *Ain-i-Akbari*, translated by Brochmann & Jarrett. Vol 1. pp.158,162.
- ⁷² *Ibid.*, Vol. 2, pp. 213, 317, 349, 367, 295, 281.
- ⁷³ *Ibid.*, Vol. 2, pp. 299, 304, 349.
- ⁷⁴ *Ibid.*, Vol.2, pp.267, 204, 205, 262, 206, 214. Sri Ram Sherma maintains that Akbar remained a Muslim. See *The Religious Policy of the Mughal Emperors*. pp.46-51.
- ⁷⁵ *Indian Islam*, p.111.
- ⁷⁶ Badaoni's *Muntakhab-ut-Tawarikh* trans. by W.H. Lowe Vol. 2. pp. 265, 266, 287.
- ⁷⁷ *Ibid.*, Vol. 2, p.268.
- ⁷⁸ *Ibid.*, Vol. 2, pp.317, 319, 332, 316, 324, 284, 388, 349, 310-312, 314, 315,

368. *Maktubat-i-Imam-i-Rabbani*, Vol. 2, pp. 92,270.
- ⁷⁹ "Organization of the Sannyasis of the Vedanta", *Journal of Royal Asiatic Society*, 1925. pp. 483-485.
- ⁸⁰ *Ibid.*
- ⁸¹ Badaoni's, *Muntakhab-ut-Tawarikh*, trans. by W.H. Lowe. Vol. 2. p.375.
- ⁸² *Maktubat-i-Imam-i-Rabbani*. Vol.1, Ep.31. pp. 75,76; Also see Indian Islam pp. 124,125. He claimed himself as the Mujaddid-i-Alf-i-Thani (The Renewer of Islam of the Second Millennium of the Islamic Era). See *Muktubat-i-Imam-Rabbani* Vol. 2. Ep. 4,6. pp. 21,23-25. Also see *Hazarat-ul-Quds* by Mulla Badr-ud-Din. Vol. 2, pp. 44,45.
- ⁸³ *Rauzat-ul-Qayyumiyyah* by Kamal-ud-Din Vol.1. pp.64-67.
- ⁸⁴ *The Mystical Philosophy of Muhyid-ud-Din Ibn al-'Arabi*, by A.F. Affifi. pp.4,5, 10-13, 16,17, 19, 24, 29-31, 40, 45, 54-55, 60,61, 149.
- ⁸⁵ *The Mujaddid's Conception of Tawhid* by Burhan Ahmad Faruqi. pp. 57-94.
- ⁸⁶ *Muktubat-i-Imam-i-Rabbani*. Vol. 1 Ep. 47, 51, 65, 81, 103, 163, 195. pp. 117, 118, 122, 144-146, 179, 210, 277, 323.
- ⁸⁷ *Rauzat-ul-Qayyumiyyah*, Vol.1. pp.171-174.
- ⁸⁸ *Ibid.*, Vol. 1. pp. 175-181; Also see *Hazarat-ul-Quds*, Vol. 2 pp. 89,90; *Toozuk-i-Jehangere*, ed. by Syed Ahmad Khan, pp.272,273.
- ⁸⁹ *Rauzat-ul-Qayyumiyyah*, Vol. 1. pp. 190,191; *Toozuk-i-Jehangere*, ed. by Syed Ahmad Khan p.308.
- ⁹⁰ The author of *Rauzat-ul-Qayyumiyyah* maintains that these reforms were promulgated by Jehangir, see Vol. 1. p.193. But this assertion is incorrect.
- ⁹¹ *Hazarat-ul-Quds*, Vol. 2. p.90.
- ⁹² *Rauzat-ul-Qayyumiyyah*, Vol. 2 p.18.
- ⁹³ *History of India* by Elliot and Dowson Vol. 7. p.170.
- ⁹⁴ *Aurangzeb Alamgir* by Muhammad Shibli. pp.59-63, 67, 69.
- ⁹⁵ The verse of Hafiz cited by Fauq in his *Wajdani Nishtar* is:

درکوئے نیک نامی مارا گذر ندادند

گرتو نمی پسندی تغییر ده قضا را

- ⁹⁶ *Rauzat-ul-Qayyumiyyah*, Vol. 2. pp. 38,39.
- ⁹⁷ *Religious Policy of the Mughal Emperors*, pp.168,169.
- ⁹⁸ *Al-Ma'arif* Lahore, *Journal of Inst. of Islamic Culture* Oct.- Dec. 1996, Jan.-Mar.1997 issue. p.71. Note 6.
- ⁹⁹ *The Administration of Justice in Medieval India* by Muhammad Basheer Ahmad. 1941. Pub. by the Aligarh Historical Research Institute, Aligarh University pp. 79-80; *The Judicial System of the Mughal Empire* by the same author. 1978.

Pub. by Pakistan Historical Society Karachi. Second volume is a revised version of the First.

¹⁰⁰ *The Spirit of Islam*, p.280.

¹⁰¹ *Ibid.*, pp.73,74.

¹⁰² *Ibid.*, p.127.

¹⁰³ *Administration of Justice in Medieval India* by Muhammad Basheer Ahmad.

¹⁰⁴ *Ibid.*, p.194.

¹⁰⁵ *Ibid.*, p.127.

¹⁰⁶ *Ibid.*, p.72.

¹⁰⁷ *Ibid.*, p.77.

¹⁰⁸ *Ibid.*, p.116.

¹⁰⁹ *Ibid.*, pp.82,85.

¹¹⁰ *Ibid.*, p.109. Sultan Iltimush was the first to start the practice that Qadi-ul-Quddat should install the Sultan p.97. The office of Sadr-i-Jahan was created by Sultan Nasir-ud-Din Mahmud for presiding over the Diwan-i-Mazalim (the highest court) and he appointed Siraj-ud-Din Minhaj as its President. pp.104,105.

¹¹¹ *Ibid.*, pp. 119,120.

¹¹² *Ibid.*, pp.121,122,154.

¹¹³ *Ibid.*, p.186.

¹¹⁴ *Ibid.*, p.154.

¹¹⁵ *Ibid.*, pp.98,99.

¹¹⁶ *Ibid.*, p.98. Mughal Emperor Jehangir also had a Chain of Justice hanging outside his Palace.

¹¹⁷ *Ibid.*, p.127.

¹¹⁸ *Ibid.*, p.99.

¹¹⁹ *Ibid.*, pp.194,195.

¹²⁰ *Ibid.*, pp.104,105.

¹²¹ *Ibid.*, p.129.

¹²² *Ibid.*, pp.137,138.

¹²³ *Ibid.*, p.142.

¹²⁴ *Ibid.*, p.181.

¹²⁵ *Ibid.*, pp.182,183.

¹²⁶ *Ibid.*, p.184.

¹²⁷ *Ibid.*, pp.225,226.

¹²⁸ *Ibid.*, p.230.

¹²⁹ *Ibid.*, pp.201,202,232-236.

¹³⁰ *Ibid.*, pp.202,203.

¹³¹ *Ibid.*, p.236.

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- ¹³³ Mirza Muhammad Hassan's, *Mir'at-i-Ahmadi*, ed. by Syed Nawab Ali. Calcutta. pp.296,297.
- ¹³⁴ *The Administration of Justice in Medieval India*, pp. 266-271, 201,202.
- ¹³⁵ *Ibid.*, pp. 225, 247,248.
- ¹³⁵ *Al-Ma'arif* Lahore. Journal of the Inst. of Islamic Culture Oct.- Dec.1996, Jan.-March 1997 issue, pp.44,45.
- ¹³⁶ *Ibid.*, p.71 Note 6.
- ¹³⁷ *The Administration of Justice in Medieval India*, pp.79,80.
- ¹³⁸ *Shah Wali-Allah & His Times* by Saiyid Athar Abbas Rizvi. Australia, 1980. pp.197-202.
- ¹³⁹ *Asbab Baghawat-i-Hind*, p.5.
- ¹⁴⁰ *Shah Wali-Allah & His Times*. pp.176,178.
- ¹⁴¹ *Stray Reflections*, pp.50,51.

Chapter Three

THE REVIVAL OF MILITANT "WAHABI" ISLAM

The revival of militant "Wahabi" Islam in India can actually be traced back to the eighteenth century, when the Mughal empire was disintegrating, and the early puritanical vigour of the Naqshbandiah (Mujjaddidiah) Order had gradually become indifferent to retaining the purity of faith. The Ulema and the Mushaikh were pitched against each other in controversies involving the interpretation of sacred texts, jurisprudence as well as the Sufi doctrines of Wahdat-i-Wujud and Wahdat-i-Shuhud. In these difficult times the remarkably outstanding figure of Shah Wali Ullah (1703-1762) became prominent. He and his descendants, including Shah Abdul Aziz, Shah Rafiuddin, Shah Abdul Qadir and Shah Abdul Ghani attempted to reform the Muslim society. They made the Muslims realize the manner in which to adapt to the forthcoming political, social and economic changes.

Shah Wali Ullah received traditional Islamic education under the guidance of his father, Shah Abdur Rahim, who also initiated him into different Sufi orders like the Naqshbandiah, the Qadiriyyah and the Chishtiyyah. He took keen interest in the study of Fiqh of all the four Sunni Schools of Law and the Hadith literature in which they were grounded. The habit of meditation at the grave of his father probably broadened his comprehension of Tasawwuf (mysticism). His early education helped him to develop a sense of moderation (Tawazan) and justice (Adl) in his scholarship. He criticized the Ulema and Mashaikh of his times for leading the Muslim masses away from Islam. He also reprimanded the Muslim masses for adopting

customs and practices which were alien to Islam.

Despite the fact that he was inclined to reject Taqlid (blind following of the former juridical authorities), he maintained that all the four Sunni Schools of Law were equally important and should be followed. He disapproved of the tendency of one school to criticize the concepts of the other, and always tried to reconcile the differences among them. He expected qualified jurists to make individual judgments through Ijtihad and in this process they could draw upon the ideas of the other schools in order to overcome any legal difficulty encountered in their own school of law. He held that it was the collective duty of the educated and the learned among Muslims of each generation to practice Ijtihad.

Since he had been initiated in different Sufi orders, Shah Wali Ullah felt that all the Sufi orders were spiritually of the same value. Against this background, he set himself up for resolving the dispute between the supporters of Ibn al-Arabi's concept of Wahdat-i-Wujud and Sheikh Ahmad Sarhindi's concept of Wahdat-i-shuhud. He was of the view that the two doctrines were essentially the same. However, unlike the supporters of Wahdat-i-Wujud, he considered Islam superior to Hinduism. According to Shah Wali Ullah, the performance of "Jihad" (Holy War) was one of the essential features of the Shariah. He urged the orthodox Muslims to reconcile themselves with Sufism because the "Shariah" and the "Tariqah" were the two facets of the same reality. The "Shariah" was the exoteric aspect which dealt with the protection of rights of God and human beings, whereas the "Tariqah" was the esoteric aspect which involved the purification of the heart through virtuous deeds. In short, Shah Wali Ullah's main role had been to remove contradictions and to reconcile differences (Tatbiq) in the spheres of theology, jurisprudence as well as mysticism.

His translation of the Quran in the Persian language was condemned as innovation by the conservative Ulema, for the following reasons: first, the translation had eliminated the miraculous effect of the original Arabic text, and second, it would encourage other scholars to translate the Quran into other

languages. His translation of the Quran in Persian lit up the form for his descendants to subsequently translate the Quran into Urdu.

Shah Wali Ullah's personality also had a political dimension. He was keenly interested in the restoration of the Mughal rule, particularly in Delhi. He wrote letters to Ahmad Shah Abdali to come to India and crush the Marathas who were in control of Delhi during his times. Ahmad Shah Abdali invaded Delhi and crushed the Marathas, not to restore Mughal rule, but to protect his acquired territories in the Punjab which were subject to their constant attacks. Ahmad Shah Abdali liquidated the Maratha power but also caused more damage to the Muslim power. For this development Shah Wali Ullah was criticised for his lack of political insight. In the same vein, he is criticised in ignoring the British victory over the Muslims in the Battle of Plassey in May 1757, which sealed the fate of the Muslim power in India. He remained attentive to security of Delhi, where he and his family resided and where he taught at his Madrassa.¹

Ironically Shah Wali Ullah inspired the "conservative" as well as the "liberal" Muslim thinkers and reformers who followed him. He was an ideal of the "conservatives" because his approach was basically conventional, and he emphasized the purity of orthodox Islam. Also the "liberals" took pains in establishing his image as a "liberal" scholar and possibly as a fore-runner of the "modernists" in Islam. What inspired the liberals' admiration was his courage to translate the Quran in the Persian language despite the opposition and resentment of the conservative Ulema, his rejection of Taqlid (blind following of the preceding legal authorities), and his acceptance of the right of Ijtihad by each and every generation of the Muslims.

On the conservative side, his own descendants, the so-called "Wahabi" militants like Syed Ahmad of Bareilly, Shah Ismael Shaheed, and a large majority of "Deobandi" Ulema who actively participated in the subsequent "Khilafat" movement, sought inspiration from him. As it has been stated earlier, in his view, political order of the Islamic state was an integral part of its legal order and that the Shariah approved only three modes of

constituting the Imamate: election, nomination and usurpation. On the liberal side, Sir Syed Ahmad Khan, Maulana Shibli and Iqbal, in addition to many less known scholars were greatly influenced by him.

Iqbal believed that Shah Wali Ullah was the first Muslim in India to realize the significance of "change". In order to show that Shah Wali Ullah did not have a conventional approach, Shibli rendered a passage from his *Hujjat-Allah al-Baligha* into Urdu in which he expressed the opinion that the Islamic legal "penalties" should not be strictly enforced on the future generations of Muslims. In supporting Shibli's viewpoint, Iqbal reproduced the substance of the Urdu passage into English in his Reconstruction Lectures, ignoring the foot-note of Maulana Syed Sulaiman Nadvi that the Urdu translation of the passage by Shibli was too general and did not convey the real meaning of the original Arabic text of Shah Wali Ullah, and that if it was read in the light of his chapter on "Hudud" (penalties) it would establish the reverse.²

It is problematic to determine whether Shah Wali Ullah was a "conservative" or a "liberal". His moderate scholarly approach enabled him to develop an intellectual method to remove contradictions and to reconcile conflicts (Tatbiq) in theology, jurisprudence, and even spiritual experience (Tasawwuf). For this reason he was indeed a source of inspiration to both "conservative" and "liberal" reformers who succeeded him.

The political decline of Islam especially in 1799 is said to have reached its climax with the fall of Sultan Tipu, which shattered Muslim hopes for political prestige in India. "But", in the optimistic interpretation of Muhammad Iqbal, "just as out of the humiliation of Germany on the day of Jena arose the modern German nation, it may be said with equal truth that out of the political humiliation of Islam in the year 1799 arose modern Islam and her problems".³ After 1799 the questions that occupied the minds of the Muslim jurists were these: Could India be considered a Country of Islam (Dar-ul-Islam), or had it become a Country of War (Dar-ul-Harb)? What was the real significance of the doctrines of Jihad (Holy War) and Hijrat (Migration) in Islam?

What did the expression "from amongst you" imply in the Quranic verse: "Obey God, obey the Prophet and the masters of the affairs (i.e. the rulers) from amongst you"? Was the Caliphate in Islam merely a religious institution? How were the Muslims of India or those living outside the Ottoman empire related to the Ottoman Caliphate?

The controversy which these questions raised was indeed very intense as the Muslim politicians, who had become aware of the approaching change in the political status of the Indian Muslims, eventually persuaded some of the jurists to adopt a line of theological argument that suited the situation. Yet "it was", as Iqbal put it, "not easy to conquer by mere logic the beliefs which had ruled for centuries the conscience of the masses of Islam".⁴

The Decisions (Fatawa) of the Muslim jurists that India had ceased to be a Country of Islam (Dar-ul-Islam) and had become a Country of War (Dar-ul-Harb) appeared time and again after the Battle of Plassey in 1757.⁵

For protecting and supporting the Mughal Emperor Shah Alam against the Marathas, the East India Company secured from him in return, the Diwani (the collection of revenue) of the whole of Bengal, Bihar and Orissa in 1765.⁶ This gave a show of legality to the irregular position of the Company. However, the servants of the Company, at the early stages of their political career, were careful not to assume the insignia of sovereignty on behalf of the Company, but to act merely as agents of the Mughal Emperor.

The Muslim system of governance had failed and the British were in the process of occupying a Muslim country. They were afraid that a formal assumption of rulership would make the Muslims conscious of a sudden change in their political status and might lead them to rise against the new rulers. Thus, while the Company took over one province after another, it left the fragile Muslim administrative machinery intact by affirming old or nominating new Muslim governors to conduct the administration. It retained the Muslim Code of Law as well as the Procedure and appointed Muslim Law Officers (Qadis) to carry it out.⁷ The Company retained the Muslim Emperor at Delhi,

struck coins bearing his name, and gave him a monthly grant to pay for his house-hold expenses. The Company called it 'the great game',⁸ yet the puzzle remained 'how to play the card'.⁹

India was passing from the status of Muslim India to British India, through imperceptible gradations, so the servants of the Company thought.¹⁰ With passing years the Company was firmly established and felt secure to remove the subordinate Muslim governors. The British Governors General, successfully terminated the Mughal court's ceremonial obeisances, which 'the inflated dignity of the house of Taimur' had demanded. In 1835 the coinage of India ceased to bear the superscription of the Mughal Emperor, and the Company's rupee bearing the impression of the British Sovereign was substituted for it. Despite these changes 'the mock majesty' that had previously been considered serviceable continued to exist, while it was, as Kaye and Malleson observed, 'a great sore.'¹¹ The fear of general Muslim uprising temporarily checked the imperialist designs of the British merchants, while the more militant among them insisted on removing the Emperor on the first favourable opportunity, who could be 'the suspected rallying point'.¹² The "Sepoy Mutiny" of 1857-58 provided that opportunity. After the rebellion was crushed the Emperor was exiled. The Muslims were held responsible for igniting the rebellion. Their lands were confiscated, their languages suppressed, legal procedure abolished, Law Officers (Qadis) dismissed and they were debarred from joining the Government service.¹³ Yet this fundamental change in the political status of the Muslims of India, which became a stark reality after 1859, did not escape the attention of the Muslim jurists.¹⁴

A political leader was needed to organize the Muslims in order to regain the political status they had lost. In filling this social and political vacuum Syed Ahmad of Bareilly (1786-1831) gained sudden prominence.¹⁵ Muslims wasted no time in gathering round him from all over British India. Since political revival in Islam has always occurred in tandem with religious revival (or vice versa), the leaders of the first Muslim socio-political and militant movement in India were primarily religious zealots.¹⁶

Syed Ahmad's religious tenets were similar to those of Ibn 'Abd al-Wahhab, whose efforts to stamp out corruptions introduced by the Turks in Arabia, had impressed him during his visit to the Holy Cities in 1822.¹⁷ He emphasized on God's Unity, the sufficiency of the Quran and the Tradition as guides for the Muslims, and urged complete rejection of all innovations or heresies. He beckoned his followers to hold fast to the doctrine of 'Tawhid (Unity of God), to live in conformity with the Sunnah (the Practice of the Holy Prophet), to avoid shirk (association of others with God's Unity which implies idolatry) and bidat (innovation or heresy).¹⁸

Shirk led to all kinds of innovation and heresies, especially when others were associated with God's Knowledge ('Ilm), or Power ('Asurruf), or Worship (Ibadat), or simply by Habit (Adat). The interpositioning of human or supernatural agencies between man and God, such as spiritual guides, saints, angels led to shirk, because none of them possessed powers of mediation. The offerings and prayers for the saints, pilgrimage to their tombs or lighting candles on their graves should be stopped. All other ceremonies or observances which did not exist during the life of the Holy Prophet or the orthodox Caliphs were not to be observed as they were introduced into Islam by the later Muslim generations.¹⁹

The Quran must be interpreted by the Muslims according to the light of their individual judgment. In case a reliable Tradition was found that contradicted the interpretation of the Quran by any authority, howsoever eminent it might be, ought not to be followed.²⁰ The Muslims should constantly search for an Imam (Leader) and render obedience to him.²¹ The belief in the 'essentials' of Islam such as, the Faith in God's Unity, Prayers and Fasting, Alms-giving, Pilgrimage and Holy War should not merely be matters of theoretical concern but all these obligations must be strictly observed in actual practice.²²

Syed Ahmad's puritanical reform which urged a return to the original simplicity of Islam was actually a protest against the moral, political and economic decay of the Muslims in India. If he and his followers had not been emphatic on the practical

observance of the fundamental religious obligations (which included Holy War) of Islam, the movement might have passed without making any impression. In view of Muslim India's political status which had been declared a Country of War (Dar-ul-Harb) as compared with other Muslim countries where Islam prevailed, it was natural for the religious reformers to by-pass questions of secondary importance and stress the primary need of Jihad (Holy War), and the establishment of an Islamic state.²³

On his way to Pilgrimage in 1822, Syed Ahmad traveled from Delhi to Calcutta, passing through Patna. The Muslim masses flocked round him wherever he went. Patna became the nerve-centre of revolutionary activity. He appointed deputies, agents and preachers for the purposes of collecting funds and enlisting volunteers who would lay down their lives for Islam. He returned from the Holy Cities by way of Bombay and on his northward journey preached Jihad (Holy War) against the Sikhs, who held the North Western territories of India and were ruling over the Muslims, particularly of the Punjab.²⁴ Not only the Muslims in large towns including Surat, Hyderabad, Madras, Calcutta, Patna, Lucknow and Delhi donated money to his Jihad but even in villages, almost every Muslim family contributed to the cost of war against the Sikhs.

After organizing the Muslims of British India, Syed Ahmad proceeded to Sindh and secured an alliance with its Muslim rulers against the Sikhs. Eventually in 1824, the Syed appeared on the Peshawar Frontier, leading the Afghan and Pathan tribes and the bands of Muslim volunteers from British India.²⁵ The Jihad (Holy War) against the Sikhs was formally declared on 21st December, 1826.²⁶ The plan was to establish an Islamic state in the North West of India (territories now constituting Pakistan). Peshawar, the Western capital of the Sikhs, fell in 1830, but was later abandoned due to the treachery of some Afghan chiefs. In 1831, Syed Ahmad and his devoted follower Muhammad Ismael, were slain fighting against the Sikhs at Balakot.²⁷

While Syed Ahmad was leading the Muslims against the Sikhs on the North West Frontier, one of his followers, Nisar Ali, led

the Muslim peasants against their Hindu overlords in Eastern Bengal.²⁸

A religious reform movement, similar to that of Ibn Abd al Wahhab of Arabia, had been established in Eastern Bengal by Shariat Ullah in 1804. Shariat Ullah had declared India to be a Country of War (Dar-ul-Harb). His son, Dudhu Miyan properly organized the movement. His followers were drawn primarily from among the Muslim peasants and working classes. "He asserted" in the words of Hidayat Hussain, "the equality of mankind, and taught that the welfare of the lowly and poor was as much an object of interest as that of the high and rich. When a brother fell into distress it was the duty of his neighbours to assist him and nothing.....was criminal, or unjustifiable, which might be used to that end".²⁹ He established his headquarters at Bahadurpur, divided Eastern Bengal into numerous sectors, and appointed deputies in those sectors to collect funds from the members of his sect. The funds were used for the protection of the Muslim peasants against their Hindu overlords.

Nisar Ali originally came from Chandpur. While on Pilgrimage, he met Syed Ahmad and became his disciple. On his return to Bengal he resided in Baraset and preached the doctrines of Syed Ahmad.³⁰ A peasant organization, already existed in Eastern Bengal. Nisar Ali's teachings were not different from those of Dudhu Miyan. His insistence on equality and religious unity of the Muslims soon made him popular among the down-trodden lower-classes.³¹

Nisar Ali's movement for religious reform and political revolution in Eastern Bengal was greatly strengthened by the successes of Syed Ahmad and his followers in the North West of India.³² The conservative Hindu landlords watched the Muslim organization with suspicion and adopted numerous methods to check its growth. Confrontation developed when one of the Hindu landlords, Krishna Rai of Poorna, imposed a tax of Rs. 2/8 on all his Muslim tenants who were members of Nisar Ali's organization, saying that it was a fine upon their beards. The tax was collected forcibly in the villages of Poorna and Surfrazpur. In Surfrazpur, the men of Krishna Rai came in conflict with

Nisar Ali and his followers. At the subsequent legal proceedings, the influence of Krishna Rai prevailed. He caused, it was believed, a number of Muslim peasants to be imprisoned who resisted the payment of the tax. Eventually a delegation of Muslim peasants went to Calcutta to lodge an appeal against Krishna Rai, but discovered that the judges were not present at the Court. Consequently this incident led in 1831 to an uprising of 500 peasants, under Nisar Ali and Meskin Shah. Jihad (Holy War) was declared against Krishna Rai.³³ The district police failed to crush the peasants and the troops were called in. The peasants were driven back with heavy losses into their entrenchment, but their fortified camp was taken by storm, and Nisar Ali fell in action. Out of 350 survivors, 140 were sentenced by the Court to various terms of imprisonment. Meskin Shah however, was hanged.³⁴

To return to the affairs of the North West, the fall of Syed Ahmad and Muhammad Ismael in 1831, brought an end to the first phase of the revolutionary movement. The followers of Syed Ahmad however, gathered at Sittana and elected Nasir-ud-Din as their leader till the arrival of Inayat Ali and his brother Wilayat Ali from Bihar. They had the support of the Muslim rulers of Sindh and Tonk, while the supplies and volunteers poured in from British India. The Sikhs were attacked and driven out of Balakot under the leadership of Inayat Ali. They were likewise defeated at Muzaffarabad and Mansera. The Sikh power declined shortly after the death of Ranjit Singh in 1839. The followers of Syed Ahmad therefore, brought the territory along the left bank of Indus, from Sittana to Kashmir, under their sway. So far they had not come in conflict with the British troops, though they sided with the ruler of Afghanistan when the British invaded his country.³⁵

By 1823, the greater part of India, with the exception of North Western territories of the Punjab, the Frontier and Kashmir (which were held by the Sikhs) and Sindh, had fallen into the hands of the British. In 1843, Sindh was annexed. At the defeat of the Sikh army in 1846, a Government under a puppet Sikh ruler was set up in the Punjab by the British. Inayat Ali and

Wilayat Ali were asked to return to their homes in British India. On their return they were bound down in bail to the effect that they would not leave Patna for four years.³⁶ In 1849, the Punjab was annexed.

Inayat Ali and Wilayat Ali had regarded British India a Country of War (Dar-ul-Harb). They believed that since there was no probability of success in waging war against the British, it was necessary for the Muslims to leave the country. The British, they maintained, were the Pharaohs of the age and Hijrat (Migration) from their Empire was as essential as the Exodus of the Israelites under Moses from Egypt.³⁷ Consequently after the period of bail had expired, they proceeded to Sittana along with their families. Wilayat Ali died shortly after his second arrival in Sittana. In 1852, the followers of Syed Ahmad and the Hassanzai tribe attacked the Khan of Amb whose friendship had been purchased by the British Government. In 1853 a British expedition was sent against them.³⁸ Between 1850 and 1857, in the words of W.W. Hunter, sixteen expeditions were sent out to subdue Syed Ahmad's followers, but on every occasion the revolutionaries seem to have avoided direct collision with the British troops. In 1857-58, while the Sepoy Mutiny was raging throughout British India, the Syed's followers fought against the British at Sheikh Jana, Narinji, Salim Khan, Chingtai, Panjar, Mangal Thana and finally at Sittana, which was destroyed by the British troops. At the decisive battle of Sittana, Syed Ahmad's followers fought gallantly. "They came boldly and doggedly on" observed Paget and Mason, "in perfect silence, without a shout or a word of any kind. All were dressed in their best for the occasion, mostly in white, but some of the leaders wore velvet cloaks".³⁹

Inayat Ali died twelve days before the destruction of Sittana. The British persuaded the tribes inhabiting the hilly region west of Sittana, to agree that they would not assist the Syed's followers in any way.⁴⁰

There was no armed activity on the Frontier for two years that followed, except that the mutineers, escaping punishment at the hands of the British Government, found refuge in this region and

were welcomed by the followers of Syed Ahmad. By 1860, they fortified themselves at Mulka, a little higher than their old settlement of Sittana. In 1861, they made an advance from Mulka and renewed their raids into the British territory. In 1863, they managed to re-occupy Sittana and again attacked their old enemy, the Khan of Amb. Consequently another British expedition was sent out, which after numerous battles eventually succeeded in destroying Mulka. But within five years the revolutionaries re-established themselves. The last campaign, with little benefit was led against them in 1868.⁴¹

Syed Ahmad's followers who surrendered during the conflicts on the Frontier as well as their supporters in British India, were sent up for the Trials of 1864 and 1866.⁴² A few of them were condemned to death, a considerable number transported for life or sentenced to various terms of imprisonment. By 1870, the centres of their revolutionary propaganda in British India were smashed.⁴³

A complex question arises whether Jihad (Holy War) that was formerly declared against the Sikhs by the pioneers of the militant movement, implied simultaneously a war against the British who were the Christian rulers of India. In a "Fatwa" Shah Abdul Aziz had stated that a Muslim country became a Country of War (Dar-ul-Harb) when the Muslims of that country or their neighbours failed to drive out (or believed that it would not be possible to do so) the non-Muslim invaders, and that the 'infidels' were strong enough to abolish or retain the ordinances of Islam and to collect the revenues of the country. Abdul Hayee, a relative of Shah Abdul Aziz and one of the devoted followers of Syed Ahmad had also given a "Fatwa" to the effect that the former Muslim India, which had been transformed into a Christian Empire, was a Country of War (Dar-ul-Harb).⁴⁴ In citing these Decisions (Fatawa), the British authorities maintained that Jihad (Holy War) of Syed Ahmad was not declared solely against the Sikhs but also against the British.

In 1831, while the Muslims were fighting against the Sikhs on the Peshawar Frontier, Nisar Ali, a follower of Syed Ahmad led

the Muslim tenants against their Hindu overlords in Eastern Bengal. He proclaimed the end of British rule and the re-establishment of Islam in India.

After the annexation of the Punjab in 1849, the British authorities held that they inherited the war on the Peshawar Frontier as the successors of the Sikhs. The followers of Syed Ahmad had made Sittana their headquarters and received a regular supply of arms and volunteers from as far away as Eastern Bengal.⁴⁵

Lord Ellenborough wrote in 1843: "I cannot close my eyes to the belief that this race (Muslims) is fundamentally hostile to us and therefore our true policy is to conciliate the Hindu".⁴⁶

The Muslim leaders of Sepoy Mutiny of 1857, had the support of Syed Ahmad's followers. Wilayat Ali, on his way to Sittana in 1850, passed through Delhi, preached Jihad (Holy War) and obtained the approbation of the Emperor.⁴⁷ The Muslims were already restless and discontented under the British rule. Hindus were won over by the propaganda that the British Government was going to annihilate Islam. "The rebellion" in the words of Sir James Outram, "was set on foot by the Muhammadans...It had been ascertained that prior to that Musalman fanatics traversed the land" preaching Jihad (Holy War). The Muslims induced the Hindus "the most credulous and silly of mankind, to raise the green standard and forswear their allegiance on the ground that we had determined to make the whole of India involuntary converts to "Christianity".⁴⁸ Accordingly they crowned the Muslim Emperor at Delhi and swore allegiance to him as their sovereign. Meanwhile they fought against the British till the destruction of Sittana in 1858.⁴⁹

Syed Ahmad's followers however, continued hostilities, and formed a new camp at Mulka on the Frontier, and engaged the British Government in a series of costly expeditions until the camp was burned down by the British in 1863. The last expedition was sent to the Frontier in 1868.⁵⁰

The State Trials of 1864 and 1866 indicated that the Muslims had been conspiring to drive out the British from India. The British authorities concluded that the Muslims had been a menace

to the stability of British rule in India. They had not cared to adapt themselves, as the Hindus had, to the political change which came over that country and therefore, they ought not to be relied upon, neither should friendship or loyalty be expected from them.⁵¹

The Muslim leaders refuted these charges. They maintained that the Decisions (Fatawa) of Shah Abdul Aziz and Abdul Hayee did not imply Jihad (Holy War) against the British. The Decision (Fatwa) of Shah Abdul Aziz, it was argued, was given in answer to two questions which were put to him: firstly, whether it was lawful for the Muslims to lend money on interest in India, and secondly, whether the Shariah permitted them to reside in India. In reply to the first question, he laid down that India had become a Country of War (Dar-ul-Harb), and that it was lawful for the Muslims to take usury. As to the legality of their residence, he replied that it was not incumbent on the Muslims to leave India unless the non-Muslim rulers interfered in the discharge of their religious duties. No reference was made as to the obligation of Jihad (Holy War) on the part of the Muslims against the British. Similarly the Decision (Fatwa) of Abdul Hayee stated that India had become a Country of War (Dar-ul-Harb) in the technical sense of the term, implying thereby that certain contracts considered illegal in a Country of Islam (Dar-ul-Islam i.e., a country governed by the laws of Islam) became legal for the Muslims in a Country of War (Dar-ul-Harb).⁵²

Syed Ahmad's Jihad (Holy War), the Muslim leaders held, was declared solely against the Sikhs who were persecuting the Muslims of the Punjab, and not against the British. The Government was aware of each and every step that the reformers took in pursuit of Jihad (Holy War) against the Sikhs. No suspicion about their disloyalty was entertained by the Government at that time. On the contrary, the Magistrates and the Commissioners were especially instructed not to interfere in the recruitment of Muslim volunteers or the collection of arms and ammunition; for the object of the reformers was not inimical, as was believed in official circles, but beneficial to the British. The militants therefore, openly preached Jihad (Holy War) against

the Sikhs in the whole of British India, yet there was not a single instance when any of the preachers aroused the feelings of the Muslims against the British. Once Muhammad Ismael, while preaching Jihad (Holy War) against the Sikhs in Calcutta, was especially asked to explain his reason for not declaring Jihad (Holy War) against the British, who were also 'Infidels'. He answered that the Muslims were not oppressed under their rule, therefore Jihad (Holy War) against them was illegal. Syed Ahmad's followers struggled for the emancipation of the Punjab and the Frontier Muslims were indeed watched with a sympathetic interest by the entire Muslim population of British India. Before the annexation of the Punjab in 1849, Inayat Ali and Wilayat Ali, who had taken over the command of the Muslim volunteers after the death of Syed Ahmad and Muhammad Ismael, returned from the Frontier to their homes in British India.

Regarding the uprising of 1831 in Bengal, the Muslim leaders maintained that it resulted from the grievances of the Muslim tenants against their Hindu overlords. The British civil authorities paid no attention to their sufferings, so for purely economic reasons they rose in arms against their Hindu overlords. The peasant's revolt had no connection with Syed Ahmad's movement. The leaders of the Muslim peasants, it was argued, could not have proclaimed the end of the British rule or the re-establishment of an Islamic state in India, when a feeble force of 500 was no match for the strong and resourceful British Empire.⁵³

Replying to the charges that by making Sittana their headquarters on the Peshawar Frontier, they fought against the British after the annexation of the Punjab in 1849, the Muslim authorities admitted that Inayat Ali and Wilayat Ali did proceed to the Frontier after the annexation of the Punjab, but with a view to fight against the Sikhs of Jammu, not the British. During their stay on the Frontier, arms and volunteers were supplied to them from Patna and Eastern Bengal. On their death which occurred a few years after 1851, their followers scattered. The people who fought against the British at Sittana in 1857-58 were

not the followers of Syed Ahmad, but the wild tribes of the Frontier who had, from time immemorial, remained a source of anxiety to every Government of India.⁵⁴

Similarly, the Muslim leaders continued that the Sepoy Mutiny of 1857 had no connection with Syed Ahmad's movement. His followers did not support the rebel chiefs who, having occupied Delhi, restored the Mughal Emperor. Syed Ahmad's followers had emphasized the original purity of Islam and were determined to purge Islam of what they called the un-Islamic institutions. They endeavoured to bring back the days of the Orthodox Caliphate and wrote treatises explaining the qualifications of a true Imam (Leader) to whom the Muslims should swear allegiance. To denounce the established but un-Islamic institution of Sultanate was part of their religion. Therefore, there was no truth in the statement that Wilayat Ali, while preaching Jihad (Holy War) in Delhi, obtained the approbation of the Emperor, nor was there any evidence to support the viewpoint that the restoration of the Emperor was part of an organized Muslim plot. One of the rebel leaders, Bukht Khan, threatened Mullah Mahbub Ali, a follower of Syed Ahmad residing at Delhi, to give the Decision (Fatwa) of Jihad (Holy War) against the British or forfeit his life. But he refused, reproaching him and his fellow-mutineers for the cruel treatment of the British women and children.⁵⁵ However, since the wandering preachers associated with Syed Ahmad's reform movement were active before and after the Mutiny, the blame of rebellion was placed upon them. Syed Ahmad's followers were made to suffer without any discrimination. In the words of G.O. Trevelyan: "After the capture of Delhi, every member of a class of religious enthusiasts named Ghazees (Syed Ahmad's followers) were hung, as it were, ex-officio; and it is to be feared that a vindictive and irresponsible judge, who plumed himself upon having a good eye for a Ghazee, sent to the gallows more than one individual whose guilt consisted in looking as if he belonged to a sect which, probably, was hostile to our religion."⁵⁶ The wrath of the British fell upon the Muslims. They were sewn in pig-skins, smeared with pork-fat before execution and their corpses were burnt.⁵⁷

The Muslim authorities held that the British campaigns against the Mulka camp from 1863 to 1868 could have not been sent out against Syed Ahmad's followers, because after the Sepoy Mutiny, mixed bands of Hindu and Muslim fugitive mutineers had assembled in that region. These eventually became a source of trouble to the British Government. It was erroneous, the Muslim authorities insisted, to consider a gathering composed of Muslims and non-Muslims alike as a 'Jihadi' community.⁵⁸

The Trials of 1864 and 1866 followed the Sepoy Mutiny. If there were isolated instances of Syed Ahmad's followers being involved in those trials, it was because some of them were forced to join the mutineers. Those isolated instances did not prove that the followers of Syed Ahmad or Muslims generally were conspiring against the British Government in India.⁵⁹

As for the charge that the Muslims had been a source of danger to the stability of British rule in India, the Muslim leaders protested that until 1858 there had been a considerable number of Muslims, including the followers of Syed Ahmad, in the service of the British Government. They remained faithful, and at the cost of their lives, protected the British women and children in the dark days of the Mutiny. The Muslims had never deviated from remaining loyal to those whose friendship had been vouchsafed to them, for God says in the Quran: "Thou shalt surely find the most violent of all men in enmity against the true believers to be the Jews and the idolators: and thou shalt surely find those among them to be most inclinable to entertain friendship for true believers who say we are Christians. This cometh to pass because there are priests and monks among them and because they are not elated with pride".⁶⁰

The truth however, was somewhere between the two viewpoints cited above. The pioneers of the reform movement had brought home to the Muslims that India had ceased to be a Country of Islam (Dar-ul-Islam). Whether the early reformers thought it expedient not to fight against the British, or actually believed that Jihad (Holy War) against them was uncalled for, is a different matter. As a matter of policy, they refrained from declaring Jihad (Holy War) against the British.⁶¹ As for their

proclamation of Jihad (Holy War) against the Sikhs who were, as it was believed, oppressing the Muslims in the Frontier and the Punjab, the British themselves were not disposed to the existence of a stable Sikh power so close to their unprotected border, because if a well equipped Sikh army was to march towards the British territories, there was no natural barrier to check its advance into the Gangetic plains. Any armed conflict within the Sikh occupied Punjab and the adjoining territories was very welcome so long as it did not involve the British Government directly. Thus Jihad (Holy War) against the Sikhs was openly preached in British India, arms and ammunition were collected and volunteers enlisted without any interference from the British Government.

Shortly before the annexation of the Punjab in 1849 Inayat Ali and Wilayat Ali were asked to return to their homes. From the British viewpoint, their presence on the Frontier was not required any more. Between the Sepoy Mutiny in 1857 and the abolition of the Muslim Law Officers (Qadis) in 1864, the events took a different turn. During this period the followers of Syed Ahmad led numerous campaigns against the British and were consequently declared rebels. In the words of Rajendra Prasad: "So long as the Sikhs were a thorn in the side of the British, the Musalmans were encouraged to carry on "Jihad" against them. Once the Sikhs had been defeated and the Punjab conquered, the Jihadis were declared rebels against the British and convicted and sentenced to transportation for life and their entire organization broken up."⁶²

Why did the Jihad (Holy War) against the Sikhs turn against the British? The catalytic impulse was discontent of the Muslims under the British rule. Between 1826-1857, while the Syed's followers fought against the Sikhs on the Peshawar Frontier, and the attention of the Muslim population of British India was drawn towards the events of that struggle, the East India Company remained busy replacing Muslims with British officials in the administrative hierarchy. The Muslim governors were dismissed and British commissioners were appointed in their place. In 1835 the Company ceased striking coins that bore the

name of the Emperor; it suppressed the Muslim court languages: Arabic and Persian, in 1837 substituting English for them. Yet it retained the shadowy Muslim Emperor at Delhi and the Muslim Law Officers (Qadis), whose connection with the Muslim masses was considered vital to the British interests. Finally the Sepoy Mutiny of 1857-58 provided an opportunity to dispense with the Muslim Emperor. India then officially came under the British Crown. Queen Victoria adopted the title of the Empress of India and the Muslim Emperor was exiled.

However, the banishment of the ex-Emperor caused no stir among the Muslims since he had ceased to be an administrative head in any positive sense. The Queen in her proclamation of 1858 had assured that her Indian subjects would have complete religious freedom and that they would be treated fairly and governed impartially.

Within six years of the Queen's Proclamation, the Muslim Legal Procedure was cast aside and in 1864 came the catastrophic abolition of the Muslim Law Officers (Qadis) which caused a great deal of resentment, because an old Decision (Fatwa) had stated that India would continue to be a Country of Islam (Dar-ul-Islam) so long as the Muslim Law Officers (Qadis) were retained.⁶³

The Muslim Law Officers (Qadis) were appointed by the Central Executive Authority for the administration of criminal and civil justice, as well as the Domestic Code of Islam, before the British took charge of the country. The British retained them when they were granted the Diwani (the administration of revenue) in 1765. The clauses of that grant obliged the British to act as deputies of the Muslim Emperor at Delhi, and to maintain the Muslim administration in all its aspects. These Law Officers (Qadis) were indispensable to the Muslims because they gave sanction to the marriage tie, decided disputes regarding inheritance, performed the functions of depositories, looked after religious endowments and led the congregational prayers.⁶⁴

The abolition of the Muslim Law Officers (Qadis) was perceived by the Muslims as a deliberate interference in the performance of their religious obligations, a suppression of Islam

and a breach of the promise of religious liberty granted by the Queen's Proclamation. The Muslims stopped attending the congregational prayers. The possibility that all future Muslim marriage contracts would be illegal, and the unlawful distribution of the Muslim property or the malversation of the Muslim religious endowments, intensified their dislike for the alien rule.

This change meant death of the 'old' political culture while the 'new' one had not yet been born. The mutual distrust between the British and the Muslims increased manifold. While the British regarded them with great suspicion, the Muslims on their part considered everything British, including their life-style, their mode of dress, their food, and even their language, abominable. In addition to the curtailment of religious privileges, and the decline in their political status, the Muslims passed through an economic upheaval. Throughout the Muslim rule, the Muslims and the Hindus had shown no inclination to merge themselves into one another. They remained, culturally and religiously distinct entities, the political link between them being the Muslim Emperor, to whom both communities owed allegiance. The Muslims, although a minority, monopolized the civil, administrative, judicial and military offices and constituted the class of landed aristocracy in India.

Within a few decades after the death of Aurangzeb, the Mughal Empire ceased to exist as a single political unit. In the eighteenth century Maratha, Sikh and British powers competed for supremacy on the ruins of the Mughal Empire. The successive wars that the Muslims had waged against the Marathas and the Sikhs for self-preservation generated bitter hatred among these communities. This antagonism lasted well into the twentieth century.

Since the grant of the Diwani (the administration of revenue) to the British, the Muslim landlords and the peasants suffered. In 1852, the Inam Commission was set up to inquire into rent-free tenures. The stated aim of the Government was to protect the peasant from exaction and to deal with him directly instead of through hereditary revenue collectors or middlemen. The members of the Commission scrutinized the claims of the Indian

landlords. Everyone whose title deeds had been lost or who had held his lands by prescriptive right was reduced to poverty. The Commission is reported to have confiscated 20,000 estates. With the annexation of Oudh in 1856, as R.E. Roberts observed, serious social unrest was caused by these changes.⁶⁵ The Muslim land owners were the chief victims of these land settlements. The Muslim peasants suffered even more, because the laws which the British introduced gave supremacy to the Hindu money-lenders rights. According to the 1873 statistics of the United Provinces, 50% of the claims of money-lenders were filed against the Muslims. In the same year in the Punjab, Muslim property worth 1,380,000 pounds was mortgaged or transferred into the hands of such money-lenders.⁶⁶

The suppression of Arabic and Persian, the introduction of English, and the debarring of Muslims from Government employment, brought to an end all honourable professions for the Muslims. It has been frequently asserted that the Muslims resisted the new culture because of their religion which inculcated aversion against any kind of progress or advancement. The position however was different. The Muslim resistance to the new culture was due not only to religious but, to a great extent, to economic considerations. As for their religion, Shah Abdul Aziz's Decision (Fatwa) favoured the learning of English. But was there, from the Muslim standpoint, any material advantage in acquiring the new learning?

The Queen in her Proclamation of 1858 had assured that her Indian subjects would be treated with equality and governed impartially. Yet the policy of the British Government, especially after the Mutiny, was to repress the Muslims. Preference was given to the Hindus and the Muslims were publicly singled out in the Government notifications and Gazettes for exclusion from all Government appointments. The Muslims could not "hope for any post above the rank of porter, messenger, filler of inkpots and mender of pens".⁶⁷

There was no place for the Muslims in the Oriental journals and libraries. The Asiatic Society devoted all its activities to Sanskrit, whereas sanction of a grant for the preservation of

Semitic culture was specially forbidden. This led the Muslims to believe that their culture was neglected.

The Government patronized the Mission schools which taught Christianity. It ran orphanages where the Muslim orphan children were brought up as Christians. The British officials were believed to have pressured their subordinates to convert to Christianity. The Government supported missionaries who preached in the public places, attended by guards and policemen, hurling insults and abuses on the founders of other religions, and circulating literature which offended the religious sentiment of the people.

Finally the Government misappropriated endowed funds which were provided for the maintenance of the Muslim educational institutions, where instead the Hindus were educated. In the words of W.W. Hunter: "Muhammadans were practically excluded".⁶⁸

During this period the Hindu-Muslim antagonism, which later developed into the Communal Problem, rose to the surface as the economic rivalry between the two communities intensified. Being aware of the prevalent animosity between the Hindus and the Muslims, the British exploited it to their advantage. "Divide et impera", said the Governor of Bombay in 1858, "was old Roman motto, and it would be ours".⁶⁹ Consequently the Hindu nationalists of later years emphasized that the Communal Problem in India developed solely from the British policy of 'divide and rule'. There is a grain of truth in this statement, but not the whole truth. Maulana Muhammad Ali, when referring to the Communal Problem in his speech delivered at the Fourth Plenary Session of the Round Table Conference in London, stated the whole truth: 'We divide and you rule'.⁷⁰

The cultural revolution spawned by the British rule in India made the Hindus fall back on their original religion. Their sources of inspiration were different from those of the Muslims. Raja Ram Mohan Roy (1722-1833), the founder of the first Hindu religio-social movement in Bengal, the Brahma Samaj, endeavoured to restore Hinduism to its original purity. Selectively he adopted some elements of Islamic mysticism, Christianity and

the Hindu Upanishads and concluded that the doctrines of Christ were "more conducive to moral principles, and better adapted for the use of rational beings, than any other". Consequently the New Testament was translated into Bengali and Roy gave his whole hearted support to Western education.⁷¹ The Bengali reformers who succeeded Roy continued to impress upon their followers the greatness of Christ, his supremacy and God-manness, and the equality and truthfulness of all religions.

The later religio-social movements of the Hindus, including Prathana Samaj and the Deva Samaj, worked for the moral and educational regeneration of the Hindus. The Arya Samaj founded at Bombay in 1875, and later moved to Lahore, aligned modernity with reactionary Hinduism. The movement condemned idolatry, superstition and caste prejudice among the Hindus. It laid emphasis on the acquisition of modern sciences and the necessity of social reform. At the same time, it insisted on the Hindus returning to the original Vedic faith, thereby eliminating alien religions such as Islam and Christianity from Hinduism. It stressed the sanctity and protection of cows and raised the cry 'India for Indians' (i.e. Hindus).⁷²

Clearly, Hindu revival was mainly determined by political and economic factors. Both Islamic and British cultures were foreign to the Hindus; they yielded to the British culture because it had better economic prospects. Consequently they supported modern education, and covered the country with schools that fulfilled their needs.

As noted, the Muslims were held responsible for the Mutiny. The Hindus not only convinced the British that they had nothing to do with the Mutiny, which was essentially a Muslim enterprise, but also convinced the British Government that the Muslims ought not to be raised from their fallen position. The Hindu Press carried on propaganda that the Muslims sympathized with a well defined class of disloyal Muslims (Syed Ahmad's followers) and that it would be dangerous to extend State patronage to them.⁷³ The British imperial interest, after 1858, necessitated that the government should encourage the Hindus to rise and let the Muslims go down. The Hindus were appointed to Government

services whereas the Muslims were debarred. This led to the widening of the gulf of prosperity between the Hindus and the Muslims. In the words of W.W. Hunter: "For the last forty years they (the Muslims) have separated themselves from the Hindus by difference of dress, of salutations, and other exterior distinctions, such as they never deemed necessary in the days of their supremacy."⁷⁴

F.C. Bayley, Secretary to Government of India, Home Department, in the course of his investigations regarding the Muslim question observed: "The Hindus under the Muslim rule accepted their fate exactly as they have done under our own. At present preferment depends upon a knowledge of English and they learn English. Formerly preferment depended upon a knowledge of Persian and they learnt Persian...When, therefore, we introduced English into the public offices, the facile Hindu immediately mastered the language necessary to his success in life. The former language of public business under the Muslims and the new one under ourselves, were alike foreign tongues to him. He was equally indifferent to both, except as a means of preferment. With the Muslims the case was altogether different. Before the country passed to us, they were not only the political but also the intellectual power in India. They possessed a system of education which was capable of affording a high degree of intellectual training and polish. During the first seventy-five years of our rule we continued to make use of this system as a means for producing officers to carry out our administration. But meanwhile we had introduced a scheme of Public Instruction of our own; and as soon as it trained up a generation of men, all Hindus, on the new plan, we flung aside the old Muslim system, and the youth found every avenue of public life closed in their faces. Musalmans did not accept this change. An ancient conquering race cannot easily divest itself of the traditions of its nobler past".⁷⁵

In light of these developments, it was natural for the Muslims to have regarded India a Country of War (Dar-ul-Harb) instead of a Country of Islam (Dar-ul-Islam). The followers of Syed Ahmad preached that it was incumbent on the Muslims to fight

against their 'oppressors', the British, or to withdraw from the 'accursed' land. Consequently a section of Muslims left India to wage war against the British on the Frontier and caused perpetual anxiety to the British Government. The majority of the Muslims, whether they liked it or not, had no other alternative but to accept their fallen position. It was impossible for them to leave India, where they had lived for several hundred years. Also it was impossible for them to fight against the strong and resourceful British Empire. Yet the Muslims' pride as the rulers of India was still fresh, and remained alive. The state through which the Muslims were passing can be judged from the following verses, where the exhortation of Jihad (Holy War) against the British by a wandering preacher, caused the poet to reflect retrospectively:

*War, is it? War, to the knife, for a Faith that is trodden down
By an Infidel unclean dog, and his hireling Hindu clown?
War in the name of Allah, the Merciful and the Just;
War in the name of his Prophet (may blessings attend that dust)
War: for the preacher has proved it, and the Book has said it: "Awake!
And gird up your loins for battle, and Strike for the Muslim's sake."*

Referring to the prevalent conditions he continued:

*Without are wrong and oppression, lying and lust within;
On the head of the Muslim, the tyrant: in the heart of the Muslim, sin.
Then suddenly breaking into a fit of self-hate he proceeds:
Peace to the men of Islam? Is it peace, or rather a flame,
On a race who know not of Allah, the Holy, the Just, but his name?
A race who know not of Islam, but are quick to traffic and cheat:
To whom the unclean is clean, and bitter is even as sweet.*

In reflecting on all the fruitless battles which the Muslims had fought for the preservation of their political status, he lamented:

*For Dakhini borders, and the Khalsa swords, had made the Kingdom
their own,
Ere the Nazarene came - a curse on his name - and crept to the Ghazi's
throne.
Have we not striven already? And on whom was the wrath of the Just
When the flag that we raised in the name we praised lay low in the Delhi
dust?*

Where are my brothers who fought for the Faith? - they lie in the scattered grave:

But the lands they tilled, and the garner they filled, have passed to a Hindu slave.

Gone are my brothers who fought: and I? Was it better to fight or to stay?

With whom is the gain, and on whom the pain,

When I work out the balance today?

Pointing towards the economic subservience into which the Muslims had been transformed, he asked:

Wrath to the stomach that starves! But what has the preacher to say,

If the Faithful, who find they are weak to resist, should be strong to obey?

Then follows the resignation to fate in utter hopelessness:

-And better an Infidel's easy rule than a sourfaced Zealot's law.

The poem ends with a note of bitterness:

What does he want with his preaching, and why can't he let us be?

If he comes this way, on another day, we may happen to disagree;

If he comes this way, on another day, with his cant and his snarl and his whine.

*I'll cut it short in the Magistrate's Court, and make friends with the Christian swine!*⁶

The controversy whether India was a Country of Islam (Dar-ul-Islam) or a Country of War (Dar-ul-Harb) was purely academic except in the opinion of the followers of Syed Ahmad. There were three aspects of the controversy followed by three lines of argument: first, that India was a Country of War (Dar-ul-Harb), and therefore it was necessary for the Muslims either to fight or to leave the country; second, that it remained a Country of Islam (Dar-ul-Islam), for there was no evidence of religious persecution, and therefore the 'fight or flight' option for the Muslims was uncalled for; third, that it was a Country of War (Dar-ul-Harb), but only in a technical sense, consequently there was no obligation for the Muslims to fight, though they could leave the country, without rising up in arms, if the Government oppressed them.

The first view-point, held by the followers of Syed Ahmad, was based on the conditions under which a Muslim country

became a Country of War (Dar-ul-Harb). This view was advanced by renowned authorities of the Hanafi Islam. According to Imam Abu Hanifa, there were three such conditions: firstly, when the rule of the non-Muslims was openly exercised in the former Muslim country; secondly, when there existed no intervening Muslim country from which help could be secured; and thirdly, when the religious security (Aman) of the Muslims as well as that of the Dhimmis (the non-Muslim subjects under the protection of the Muslim Government) was altered by coming under the domination of the non-Muslim rulers. However, in the opinion of Imam Muhammad and Imam Abu Yusuf the first of these conditions was sufficient to determine the question.

Supplementing the above were the Decisions (Fatawa) of Shah Abdul Aziz and Abdul Hayee, which had more or less on similar grounds stated that India had ceased to be a Country of Islam (Dar-ul-Islam). The supporters of this viewpoint arrived at the conclusion that India had become a Country of War (Dar-ul-Harb), because the British rule was openly exercised. There was no intervening Muslim country from which help could be secured, the route between England and the former Muslim India being the sea. The religious security (Aman) that the Muslims and the Dhimmis (non-Muslim subjects) enjoyed during the Muslim rule, had likewise been changed as the British abolished the Muslim Law Officers (Qadis), and they interfered with the religious usage of Dhimmis (non-Muslim subjects).⁷⁷ Since the Muslims, after God and the Prophet, owed allegiance only to those rulers from amongst them who enforced the laws of Islam,⁷⁸ and since the Islamic laws which were formerly applied could no longer be enforced in India, it was incumbent on the Muslims to fight against the 'Infidel' (i.e. the British) or to migrate from the 'accursed' land to a Muslim country.

The second viewpoint was supported by those who differed with the Syed's followers on religio-political grounds. The reform movement of Syed Ahmad was a revolt against the non-Islamic customs which had been adopted by the Muslim society. From the political standpoint however, the movement was a result of the economic decay of the lower-middle classes. Consequently it

had the backing, with a few exceptions, of the Muslim lower-classes. But the upper class Muslims opposed the movement. In the words of W.W. Hunter: "The presence of Wahabis in a district is a standing menace to all classes... possessed of property or vested rights... Every Musalman priest with a dozen acres attached to his mosque or way-side shrine has been shrieking against the Wahabis during the past half century". Thus the well-to-do Muslims who, as W.W. Hunter observed, "had the whole vested interests of the Musalman clergy to back them",⁷⁹ secured Decisions (Fatawa) to suit their purpose. Accordingly the Muhammadan Society of Calcutta declared that India remained a Country of Islam (Dar-ul-Islam), because the Muslims were permitted to deliver Adhan (call to prayers) or to conduct prayers in the mosques. There was no prohibition against the slaughter of cows for the purpose of sacrifice; and there was no governmental interference in the observance of Muslims' religious duties. Consequently fighting against the British or leaving the country was illegal. The Muhammadan Society also pointed out that the British Government had signed a treaty of peace and friendship with the Ottoman Sultan-Caliph of Turkey, which obliged the Muslims everywhere to respect that treaty.

The Muhammadan Society cited the supporting decisions (Fatawa) of the Hanafi, Shafi, and Maliki Muftis of Mecca, which mentioned that a country remained a Country of Islam (Dar-ul-Islam) so long as even some of the observations of Islam prevailed, and it became a Country of War (Dar-ul-Harb) only when all or most of the injunctions of Islam had disappeared. The Shia Ulema too gave a Decision (Fatwa) to the effect that India was a Country of Islam (Dar-ul-Islam).⁸⁰

The third viewpoint was articulated by Sir Syed Ahmad Khan. Reverting back to the source of the terms Country of Islam (Dar-ul-Islam) and Country of War (Dar-ul-Harb), Sir Syed maintained that the words did not occur in the Quran. The word Country of War (Dar-ul-Harb) was used in an unreliable Tradition, which allowed the Muslims to take usury in such country. When the Muslim jurists compiled the laws of Islam,

they applied the two phrases as legal technicalities to settle the disputed question, where Muslims could or could not lawfully lend money on interest.⁸¹

In examining the conditions stipulated by the Hanafi jurists specifying the two types of countries, Sir Syed argued that a country could either be a Country of Islam or a Country of War. Yet there remained several countries holding an intermediate position, which could be categorized as neither Dar-ul-Islam nor Dar-ul-Harb, though they could be termed as one or the other for certain reasons at the same time. India, according to Sir Syed, was such an example.⁸²

A Country of War, strictly speaking, could be considered in two different ways. First, a foreign country where the Muslims were permitted to take usury; and second, a country upon which Jihad (Holy War) was lawful for the Muslims. Jihad could be waged only against the non-Muslims; first, when the state declared it, second, when there was every probability of Muslim victory; third, when there existed no treaty of peace between the Muslims and the non-Muslims; and fourth, when there subsisted no relationship of the protected and the protectors between the Muslims and the non-Muslims.

Sir Syed held, on the authority of the eminent Hanafi jurists and the decisions (Fatawa) of Shah Abdul Aziz and Abdul Hayee, that India was a Country of War (Dar-ul-Harb i.e., a country not governed by the laws of Islam) only in the first sense and not the second. For the Muslims it was unlawful to proclaim Jihad against the British, because there existed a relationship of the protected and the protectors between them. Also the Muslims enjoyed peace and security under the British. Even if the Government interfered in the discharge of their religious duties, it would not be obligatory for the Muslims to rebel against the British. Under such circumstances they would be justified in leaving India. But there was no such interference; the abolition of the Muslim Law Officers (Qadis) did not impair the 'fundamentals' of Islam, and the British Government was also connected by a treaty of peace with the Muslim Government of Turkey. In light of these factors it was mandatory for the Muslims to remain loyal to their

Government. Sir Syed argued that no Islamic law forbade the Muslims from owing allegiance to their non-Muslim rulers. The Prophet Joseph served Potiphar, the King of Egypt, and was loyal to him in all things, although Potiphar was not of his religion. Islam enjoined the Muslims to remain faithful to their rulers, irrespective of whether they were Muslim or not.⁸³

Some of the critics of this line of reasoning maintained that to say that India was a Country of War and to insist simultaneously that the Muslims enjoyed religious security (*Aman*), was a contradiction in terms. Their interpretation was that Islamic Law and practice recognized a third border-line position between the two generally accepted positions - that was a Country of Security (*Dar-ul-Aman*), this being a country which could be considered neither a Country of Islam nor a country in which Jihad was lawful. Maulana Muhammad Shibli maintained that India was *Dar-ul-Aman*. Following the Fatwa of Shah Abdul Aziz, he also believed that taking bank interest was legal for the Muslims.⁸⁴

This controversy, which was a natural outcome of the religious (political as well as well as economic) movement of Syed Ahmad, might appear to be of transitory significance; yet it would be impossible to disregard its subsequent effects. Irrespective of their sectarian or class differences, the Muslims' realization that they had ceased to be the masters of India or that Islam was no longer the ruling religion in India, aroused in them the feeling of a communal (or national) entity.

Bengal was the first province where the British had established themselves. The uprising of the Muslim peasants against their overlords, and the protest of the working classes, particularly the craftsmen, against the introduction of machine goods, indicate that Syed Ahmad's movement in Bengal was linked with a class struggle, which the British occupation had intensified. His movement revived Islam among the lower-class Muslims of Bengal, but it was not primarily an anti-Hindu movement, as W.W. Hunter observed: "In the peasant uprising around Calcutta in 1831, they (the Muslim peasants) broke into the houses of Musalman and Hindu landlords with perfect impartiality".⁸⁵ In the words of W.C. Smith: "The Wahhabi movement...did not set

lower class Muslims against lower-class Hindus in open conflict, nor did it divert lower-class Muslims from economic issues to a false solidarity with their communal 'friends' but class enemies".⁸⁶

Nevertheless the movement encouraged communal (or national) attitudes. Religiously, it purified Islam. Almost all the later sects or schools of Muslim theology in India, including the Deobandi, the Breilvi, the Ahl-i-Hadis, and the Ahl-i-Quran, directly or indirectly derived inspiration from Syed Ahmad's movement. Similarly, Muslim liberal reformers and thinkers, from Sir Syed Ahmad Khan down to Muhammad Iqbal, were influenced by it.

Politically, the revolution that the leaders of this movement had nurtured could not be accomplished for a variety of reasons. First, there was no chance of success in fighting against the strong and resourceful British Empire. Secondly, mass Hijrat (migration) from India was impossible. Thirdly, division occurred among Syed Ahmad's followers during his life time. Muhammad Ismael, whom he supported, was a Ghair-Muqqallid (did not blindly accept the authority of the former Muslim jurists nor the four established Schools of Islamic Law), while Karamat Ali was a Muqqallid (followed the former authorities, believed in the four established Schools of Islamic Law and remained an orthodox Hanafi). Consequently Karamat Ali, substituting Islamic santhood for Jihad, separated.⁸⁷

Fourthly, Syed Ahmad's attempt to establish a "conventional" Islamic state by the strict promulgation of Shariah, in the Frontier region, where he temporarily dominated, came in conflict with the long established customs of the Pathan tribes. Syed Ahmad tried to reform their matrimonial custom, which virtually enabled them to sell their daughters to the highest bidder; enforce payment of Islamic taxes (Zakat etc.); and establish an Islamic Court of Justice. The Frontier tribes resented this sudden change.⁸⁸ Peshawar was lost owing to the double dealing of a few tribal chiefs. Similarly the tribes fell upon the Indian followers of Syed Ahmad after their defeat at Balakot. A. Gardner observed, "Several of the Hindustani fanatics who had joined them for protection; and whose clothing or equipment seemed to them a

desirable acquisition”⁸⁹ were killed.

In the words of M. Baqir: “The Muslims of the North West Frontier were not ready enough to accept the change of life which the militant reformers preached. They swallowed the remedy but with a distaste for the whole thing. They were not properly and adequately educated to comprehend the Islamic conception of life. They joined hands with them (the Syed and his Indian followers) but got rid of them as soon as they could get rid of them”.⁹⁰ In Bengal, the attitude of the Syed’s followers (or Nisar Ali’s followers to be more exact) was uncompromising. They also attacked the Muslims who did not see eye-to-eye with them.⁹¹

Fifthly, the ‘priestly’ class as well as the upper-class Muslims, who possessed property or vested rights opposed them. In the words of W.W. Hunter: “The Muhammadan land holders maintain the cause of the Mosque, precisely as English land holders defend the Established Church. Any form of dissent, whether religious or political, is perilous to vested rights. Now the Indian Wahabis are extreme Dissenters in both respects”.⁹² They could not find favour with any section of the comfortable classes and the ‘clergy’. Sixthly, the Hindus opposed the Syed’s followers and, through them, the entire Muslim community due to economic rivalry. Lastly, the Government, which regarded its followers as a menace to the stability of British rule in India, made every effort to crush the militant movement.

There are certain important lessons to be learned from the failure of this reform movement. While the movement purified Islam, it did not succeed in unifying the Muslim community. When it disintegrated, it gave birth to a couple of additional religious sects among the already divided Muslims of south Asia.

Politically, the leaders of the militant movement believed that India had become Dar-ul-Harb and that it was mandatory for the Muslims to join in the Jihad against their oppressors and for the re-establishment of Islam. The oppressors obviously were the British, yet Jihad was formally declared only against the Sikhs,

who controlled the Punjab and some areas of the Frontier. The strategy of the militants was to secure military assistance from Afghanistan to wage a war against the British in India. This is evident from some of the letters written by Syed Ahmad to his followers.⁷³ The North West Frontier was selected as the theatre of war because it was ideally situated as Muslim Afghanistan was contiguous to it. This region was overwhelmingly Muslim; and the Sikhs were already trying to bring it under their domination. The strategy was to start from this theatre of war, and to liberate the Punjab from the Sikhs. Thereafter, to undertake the major operation of conducting war against the British in India. The British Government was aware of this plan, but did not interfere so long as the militants were fighting against the Sikhs on the Frontier and weakening the Sikh power. However there were flaws in the strategy. Theologically, Jihad can be conducted only if it is declared by the state and there is a reasonable probability of victory of the Muslims. In this case, there was no well-established state to declare it, and no help came from Afghanistan. The militants were religious zealots but had no military training, nor were they familiar with modern warfare. They were totally ignorant of the advancements made in human knowledge, science and technology in Europe, and were not properly equipped with weapons. Nevertheless in combats they advanced in silence. Dressed in their best, leaders wearing velvet cloaks, became fodder of the long range guns of the British. Under such conditions it was not Jihad, but a mass suicide. Consequently, the Jihadis caused not only a tremendous loss to the entire Muslim community in India, but also retarded their material progress. In their first experience of seeking independence the Muslims learned a lesson that political leadership should not be entrusted to the religious zealots.

Another interesting feature of these times was the conflict in the decisions (Fatawa) of the conservative and pragmatic Ulema

as reflected in their Ijtihad. As maintained above, in the discourse on Dar-ul-Islam and Dar-ul-Harb or Jihad and Hijrat controversies a new category of countries was invented called Dar-ul-Aman (Country of Security). Despite the Quranic verse that obedience is to be rendered to the wielders of authority "from amongst you", it was held that the Muslims can remain loyal and serve their non-Muslim rulers. In support of this contention a precedent was cited from the Quran of the Prophet Joseph who loyally served his non-Muslim master. Decisions (Fatawa) were also issued in favour of Muslims' desire to learn English, serve the British, and even draw interest from banks which was not considered 'Riba' (usury). When the difficulties appeared as the Qadis were eliminated, the Muslims stopped attending the congregational prayers in the mosques, and it was also feared that their forthcoming marriage contracts would become invalid, it was the "Ijtihad" of the pragmatic reformers which saved the situation. The Muslims also learned a useful lesson that in the future contingencies they would be called upon to exercise Ijtihad in order to find solutions to their new and complex problems.

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- ⁷² *Ibid.*, pp. 43-45, 56, 58, 74-81, 173-182, 101-128.
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- ⁸⁵ *Our Indian Musalmans*, p. 107.
- ⁸⁶ *Modern Islam in India*, p. 162.
- ⁸⁷ *Musalmanon Ka Roshan Mustaqbil* by Syed Tufail Ahmad, p. 106; also see *Indian Islam*, pp. 186, 187.
- ⁸⁸ *Our Indian Musalmans*, p. 17, 18; *Sirat Syed Ahmad Shaheed*, pp. 150-193; Review on Dr. Hunter's, *Indian Musalmans*, pp. 13-16. The Syed's followers also differed with regard to the fitness of Syed Ahmad as the "Imam" of the Muslims.

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Chapter Four

INTERACTION OF MUSLIM INDIA WITH THE WEST

The reaction of the Muslims to the new ideas which came along with the penetration of the European Colonial Powers into the world of Islam, was either of total rejection, or total acceptance, or reconciling them with Islamic precepts.

The rejectionist Muslims, consisting mostly of religious extremists called "Wahabis", were considered "conservative". The second category of cooperative Muslims were called "Westernized"; and the third category of integrationists came to be known as "liberal-reformers". They were also described as Westernized Muslims by the conservatives who did not make any distinction between Westernization and Modernization.

The conservatives' resistance could not stop the advance of the European Colonial Powers into the Muslim world, because they were totally unaware of the sources of the West's power which included progress in human knowledge, science and technology. In India they fought with antiquated rifles or swords against the British who fielded long-range guns and they lost. Consequently the British repressed the entire Muslim community in India from 1858 to 1870.

The British policy of repression changed in 1870.¹ This change was brought about mainly by the efforts of Sir Syed Ahmad Khan (1817-1898), who is regarded as an apostle of reconciliation between the British Government and post-Mutiny Islam in India.² Murray T. Titus has made an assessment: "he sought to win the sympathy of the ruling power toward his people by showing that they were essentially loyal to the British Government. At the same time he diligently set about seeking to convert his community to the new attitude toward life which he was convinced would alone save it from complete destruction".³

The pre-Mutiny career of Sir Syed is not as important as his post-Mutiny activities. A scion of an old aristocratic family of Delhi which had been connected with the Mughal court, Sir Syed acquired an incomplete Muslim education. He joined the British service. During the Mutiny, he saved many British lives. Before 1857 he published a few religious and historical works, including the well known archaeological survey of Delhi, *Asar ul-Sanadid* (1847).⁴

When he published his memorandum, *Asbab Baghawat-i-Hind* (Causes of the Indian Mutiny), Sir Syed initiated his endeavours of reconciliation with the British (1858). In 1860-61, he published a series of pamphlets entitled *The Loyal Muhammadans of India*; in 1862, *Tabyin al-Kalam* (an incomplete Bible commentary); in 1868, a theological treatise called *Abkam Ta'am-i-Ahl-i-Kitab* (Rules for eating with the People of the Book) and in 1872, *Review on Dr. Hunter's Indian Musalmans*. In addition to these publications, he also published apologetics like *Khutbat al-Ahmadiyyah* (Essays on the Life of Prophet Muhammad) in 1870 and his *Tafsir al-Quran* (incomplete commentary on the Quran, also called *Tasamf-i-Ahmadiyyah*) in six volumes between 1880 and 1895. Moreover his lectures, speeches, and writings contained numerous passages through which he aimed to persuade the Muslims to constructively engage the West.⁵

At the time when *Asbab Baghawat-i-Hind* was written, the political climate for the Muslims in India was difficult. The Mutiny had been suppressed and the Muslims were held responsible for it. As Sir Syed decided to submit his brochure before the Government of India and the British Parliament, his friends advised him to refrain from doing so. Against their advise he sent the memorandum to the British government.⁶ He defended the Indians specially the Muslims against the charges that the Sepoy Revolt was a planned affair. The real causes of the Mutiny, according to him, were a misunderstanding of the people regarding the intentions of the Government; the enacting of laws which were contrary to the established customs of India; ignorance on the part of the Government of the conditions of life, modes of thought and grievances of the people; negligence

(or lack of friendly feelings towards the people) on the side of the British officials; and lastly, bad management of the army.⁷

In order to improve understanding between the British and the Indians, he suggested that Indians should be admitted to the Legislative Council, and that the Indians should not be debarred from higher judicial or administrative positions.⁸

In *The Loyal Muhammadans of India*, Sir Syed defended the Muslims against the allegations of disloyalty. He denied the charge that, religiously, Muslims were obliged to conduct Jihad against the British. He maintained that no community in India could be more faithful and loyal to the British than the Muslims, because the British as Christians were regarded as 'People of the Book' by the Muslims. The British believed in the Prophets, divine Revelation, and belonged to the same religious fraternity as the Muslims. He referred to a Tradition of the Holy Prophet where the same equal religious status was granted to the Christians and the Muslims.⁹

Sir Syed also wrote an essay, where he maintained that the term '*Nasara*' used in the Quran for the Christians was not derived from '*Nasara*' (Nazareth), but from *Nasr* (help). Quoting verses from the Quran he tried to establish that the Christians were 'helpers of God' and that their friendship had been vouchsafed to the Muslims, for God says in the Quran: "..... and thou shalt surely find those among them to be the most inclinable to entertain friendship for true believers who say we are Christians" ('*Nasara*' or 'helpers of God').¹⁰

Talhin al-Kalam (the Bible Commentary) was written in order to provide the Muslims with an improved understanding of Christianity, particularly when they held discussions with the Christian missionaries, and to improve the Anglo-Muslim relations by casting aside the doubts of the Christians about Islam, and these of the Muslims about the Christian Scriptures.¹¹ Sir Syed was the first Muslim to write a sympathetic commentary on the Bible. This commentary however remained incomplete because of the tedious nature of the subject and the way it was handled.¹²

Sir Syed believed that the Biblical texts were authentic while

the Muslims asserted that they had been wilfully corrupted.¹³ He highlighted the similarity between the Christian and the Islamic teachings by quoting passages from the Gospels, and the Quran or the Tradition.¹⁴ In explaining the disagreements between the two religions, he maintained that if a Biblical injunction was contrary to an Islamic precept, it indicated that the former pronouncement held good for a limited time.¹⁵

J.M.S. Baljon, who pointed out numerous inconsistencies in Sir Syed's work, concluded his analysis: "on the whole Ahmad Khan's attitude towards Christianity is fair, and, compared with most of the Muslim modernists, he is even remarkably tolerant".¹⁶

In order to encourage social intercourse between the Muslims and the British, Sir Syed wrote *Abkam Ta'am-i-Ahl-i-Kitab* (Rules for eating with the People of the Book), maintaining that the Muslim prejudice against dining with the Christians was taken from the Hindu custom. In citing the Quran, he established that it was lawful for the Muslims to eat with the Christians provided neither wines nor forbidden foods were served. He did not object to consuming the strangled or slaughtered chickens of his Christian (British) hosts.¹⁷

In his Review on Hunter's *Indian Musalmans* (1870), he defended the Muslim community, especially the followers of Syed Ahmad of Bareilly, against the charges of treason. The followers of Syed Ahmad, the so-called 'Wahabis', were charged for waging war against the British on the North West Frontier. Hunter had raised a provocative rhetorical question: "Our Indian Musalmans: are they bound in conscience to rebel against the Queen?" He argued that Muslims were under a religious obligation to rebel against the British, and that they were a source of chronic danger to the British power in India.¹⁸

Sir Syed praised the 'Wahabis' for their reformative zeal, insisted that their Jihad was directed against the Sikhs, and not the British, that they were loyal and that the people who fought against the British on the Frontier were not Syed Ahmad's followers but the unruly Afghan tribes or the fugitive mutineers.¹⁹

In *Khutbat al-Ahmadiyyah* (Essays on the Life of Prophet Muhammad) which he wrote in England, Sir Syed refuted the

allegations which William Muir had made against the Prophet's character and Islam in general. He maintained that Muhammad's advent had been foretold in the Jewish and Christian scriptures. Later, in his *Tafsir al-Quran* he brought up the subject again. In the second volume of his *Tafsir al-Quran* he offered rational interpretation of what the Muslims believed about the birth, miracles, mission, and death of Christ. There was no other religion except Islam, Sir Syed asserted, that paid so much respect to Christ and his teachings. He believed that friendship between the Muslims and non-Muslims based on natural affection, if not religion, was accepted by Islam.²⁰

Another subject that attracted his attention was the conditions under which Jihad became lawful for the Muslims. Sir Syed wrote extensively on Jihad, and his tone became apologetic. Jihad in Islam was in tune with 'nature'. Its character was defensive, just as the wars which the Holy Prophet waged were defensive. Islam forbade conversion at the point of the sword or violence, but only through peaceful persuasion. Islam could not be blamed for the misdeeds of the later Muslim rulers. Islam stood for largehearted tolerance. The Muslims were supposed to fight only for the defence of Islam. Islam enjoined obedience and loyalty upon its followers towards their rulers, irrespective of their religion. The Prophet advised a group of his persecuted adherents to seek refuge in the Christian kingdom of Abyssinia in the earlier days of his mission.²¹

Sir Syed adopted Turkish (European) dress and mixed socially with the British.²² One of the reasons for his trip to England, as Hali, his biographer observed, was to encourage the Muslims to follow his example.²³ Reconciling Indians and Muslims in particular, with the British remained a fundamental objective throughout his life and it found expression in numerous aspects of his reform movement.

At times he was bitterly disappointed by the attitude of the British officials. From his personal experiences a few might be highlighted. He walked out of the Agra Exhibition Durbar of 1867 protesting against the racial discrimination in the seating arrangement for the ceremony. On another occasion a British

official declined contribution to the M.A.O. College with a bitter comment: 'that the institution was a child of ours and not his, and that he would be rather inclined to spurn it than to hug it with paternal affection'. He reminded the British: "For a whole century or more, you gentlemen, have lived in the same country; you have breathed the same air; you have drunk the same water; you have lived upon the same crops of food as have given nourishment to millions of your fellow Indian subjects; yet the absence of social intercourse which is implied by the word 'friendship' between the English and the people of this country has been most deplorable". Towards the end of his life, his disappointment increased as he lost all hopes of equality of treatment between the 'conquerors' and the 'conquered', even in the distant future. A passage of one of his speeches reflects this disappointment: "In my opinion the time has not yet come, and perhaps will never come, when our European friends, conquerors of this country, and naturally full of pride of their conquest, will condescend to sit on the same bench with a conquered and naturally hated Indian, who is desirous of performing his duties with equal honour and respect to his high position. If the Indian wants to keep up his self-respect as an honest and well-bred gentleman, his life becomes unbearable... It is no secret that the treatment which English people accord to their own countrymen and that which they accord to Indians are as different from one another as black is from white. People might brag and contend that it was otherwise but the wise alone know the whole truth of the matter".²⁴

Sir Syed visited England in 1869 and was greatly impressed by the cultural advancement of Europe.²⁵ "Whereas", in the words of W.C.Smith, "before he had emphasized adherence to Britain politically, from now on his interest is also and enthusiastically in the cultural contribution; he saw his task as that of persuading his community not only to accept British rule, but also to acquire Western culture".²⁶

On his return to India in 1870,²⁷ Sir Syed started a campaign to reform the Muslim religious, moral, social, literary, educational, economic and political outlook. Since his reform movement was

spawned by the political, economic and cultural changes that had taken place after the establishment of British rule, it is appropriate to evaluate different aspects of his movement.

Sir Syed's religious ideas, according to Baljon, cover the period from 1870-98 (i.e. from the date of his return to India in 1870 to his death in 1898). His earlier theological works are orthodox, though a steady advance towards independent investigation can be traced.²⁸

He grew up in an atmosphere of religious tolerance. While his earlier treatises on theology reflected orthodoxy, he cultivated fondness for scholarly *Tahqiq* (impartial investigation) and avoided *Taqlid* (the blind following of the former authorities or the four established Schools of Islamic Law). In a big way this scholarly attitude was cultivated under the influence of Muhammad Ismael.²⁹ His early orthodox Islamic education had remained incomplete. Similarly he could not derive benefit from the new learning because his knowledge of English language was insufficient. This intellectual condition in Hali's opinion, proved a blessing in disguise. If Sir Syed had mastered the old learning, it would have been impossible for him to be free of *Taqlid* (blind following of the former authorities) and to reconcile himself with the new learning. On the other hand, the high standard of cultural advancement of Europe, which usually impressed the Indian students so profoundly that they became pessimistic about the possibility of progress of their own country, could not have that bewildering effect upon Sir Syed's mind because he was only partially acquainted with the new learning.³⁰

His main object in the reinterpretation of Islam was 'to grasp the transitory, the politic and the expedient'.³¹ The Muslims and the British, in his opinion, adhered to religions which were not antagonistic but were similar. He was also aware that the acquisition of modern sciences, which was necessary for his community, represented a threat to the very integrity of Islam, unless the foundations of Islamic theology were raised on rational principles rather than traditional. Lastly, he intended to defend Islam against the attacks of Christian missionaries who contended that Islam was an irrational religion and was opposed to cultural

progress.³²

During the Middle Ages, Sir Syed maintained that when the Muslims confronted the Greek sciences, they built their scholastic theology in conformity with those sciences. This method of absorbing the 'new learning' was advantageous, but only for some time because it was not realized that the academic and speculative nature of Greek sciences would eventually mislead the Muslims. Modern sciences, unlike the Greek sciences, are empirical and consequently led to skepticism. A new 'dialectical' theology (Ilm al-Kalam) was needed to stem the trend of irreligion engendered by contemporary sciences. If theology could be interpreted in the light of modern sciences, Sir Syed was certain, it would strengthen the faith of Muslims in Islam; for Islam, in his opinion, was a natural religion. The dictates of the Quran were in perfect harmony with the findings of modern sciences.³³ His researches in theology indicated a change of attitude rather than a change in the fundamental principles of Islam.³⁴ There was nothing radical in his views because he had selectively adopted the views of the renowned scholastic theologians of Islam of bygone ages.³⁵

Sir Syed's interpretations of Islam were rational as he stood for *Tahqiq* (impartial investigation) in matters concerning religion and he attacked *Taqlid* (the blind following of the former authorities), the 'conventional code of Islam'. Sir Syed maintained that so long as the spirit of impartial investigation lasted among the Muslims, Islam did not come into conflict with the progress of temporal sciences. The lack of this spirit brought intellectual mediocrities to the forefront; they could do no more than follow the modes of thought or the rules of conduct laid down by the former authorities. Jewish and Christian ideas as well as local customs found their way into the Muslim theology, so much so that the later Muslim divines felt obliged to introduce the fiction that the gates of "*Ijtihad*" (free inquiry) had been closed.³⁶

The criterion of *Tahqiq* (impartial investigation), Sir Syed maintained, was 'reason'. Islam was based on the principles of 'reason' and was in harmony with 'nature'. By 'nature', he meant the unique process of arrangement or form which existed in

material and non-material phenomena.³⁷ He used the expression to imply human 'nature', and 'nature' in the scientific sense.³⁸ The arguments which he favoured about the nature of God were Cosmological and Teleological. God as the Final Cause transcended human comprehension. God was the Creator-Designer of 'nature'. Hence 'nature' was perfect (i.e. the world was a 'cosmos', an orderly or systematic whole). All that concurred with it was 'natural'; all that did not was 'unnatural'.³⁹

Islam was in conformity with human 'nature' as it was in perfect agreement with the explanations of 'nature' given by modern sciences. Islam, or to be more exact, the Qurān, was the Word of God as 'nature' was the Act of God. There was perfect harmony in the Word and the Act of God.⁴⁰

Sir Syed distinguished between the 'foundational principles' (Ahkam-i-Mansusa laid down in the Qurān) of Islam, which he believed, were according to 'nature', and the 'deduced principles', which were either the opinions of former individual jurists or Agreements of the Community (Ijma). The 'deduced principles', in his opinion, were 'extra-natural' and consequently of little importance.⁴¹ In judging the authenticity of the Traditions, even if compiled by trustworthy authorities, he established a rigorous logical test, a necessary condition. Traditions for instance, that conflicted with the precepts of the Qurān, were rejected as unauthentic. He also drew a line between the Traditions which fell in the category of 'subsidiary revelation' (Wahi-i-Ghair Matlu) and those which were the Holy Prophet's opinions. The opinions of the Prophet, whether authentic or otherwise, had no binding force, for the Prophet never claimed himself to be super-human. In short, all Islamic theological literature other than the 'foundational principles' laid down in the Qurān should, in the opinion of Sir Syed, play only a secondary role in any sound representation of Islam.⁴²

Practically all the later theological writings of Sir Syed reflected a conscious effort to 'demythologise' Islam by giving it rational interpretations. This attempt was in agreement with the conclusions of empirical sciences. His *Tafsir al-Quran*, which was written to remove the doubts that the dissemination of Western

education had raised among the Muslim intelligentsia, strictly conformed to this principle.⁴³

Prophethood was described as an innate quality (like other qualities) which grew as a prophet matured in age and experience. The Holy Prophet Muhammad was an 'ummi' (illiterate) because God intended him to be a medium through whom the Word (i.e., the Quran) could be conveyed.⁴⁴ Miracles of the Prophet, the Hereafter, experiences of Heaven and Hell, and the Day of Judgment were interpreted rationally.⁴⁵ The objective existence of Satan and angels was denied.⁴⁶ The scholastic conceptions of seven solid heavens, the revolution of the sun around the Earth were repudiated, and it was pointed out that the Quran concurred with the conclusions of modern sciences with regard to the universe.⁴⁷ The traditional story of Adam was rejected and the evolution theory was accepted as in perfect harmony with the Quran.⁴⁸ Similarly the bodily night-journey of the Prophet to the heavens (Miraj), the splitting of the Prophet's chest (Shaqq-i-Sadar) were rejected, and it was held that these experiences were part of a vision.⁴⁹ To offer prayers with shoes on, to eat the meat of a fowl that had been wrung by the neck, to shave the chin were regarded as neither undesirable nor sinful for the Muslims.⁵⁰ It was argued that only the obligatory part of the prayers (Faraid) ought to be offered. Additional prayers and fasting was 'extra-natural' and consequently of little worth.⁵¹ Man was constrained by his instincts or 'nature', but remained free in his will. No act of a Muslim, so long as he believed in the Unity of God and the Prophethood of Muhammad, could make him an infidel (Kafir), because faith (Iman) was a matter that concerned the heart (Qulb).⁵² Islam did improve and constantly tended to improve the status of women. Polygamy therefore, as understood by the Muslims, was not permitted by Islam.⁵³ So was slavery contrary to the teachings of Islam which emphasised the liberation of slaves.⁵⁴

Sir Syed's objective, as he himself confessed, was to secure the general advancement of his community. Since it was impossible to achieve this without involving religion, he felt obliged to give a new interpretation of Islam.⁵⁵ His religious movement was devoid

of vitality in itself, since it was 'of a negative nature', the force of which lay 'in denying whatever could not be defended'. Consequently it 'lapsed into a sort of a social and political movement'.⁵⁶ Baljon maintained: "The theories of Ahmad Khan on religion have not much more in view than the cajoling and caressing of 'reason', the fondling of nineteenth century Western thought".⁵⁷ Smith writes: "To a considerable extent, the modernization of Islam was, in form, a reaction to the stimulus of Christian assault. Almost without exception, the reformers wrote their expositions of the new Islam as apologetic answers to the criticism of the missionaries....In essence, the Christian attack was this: that Islam failed to come up to the standard of humanitarianism and liberal idealism that Western bourgeois culture had produced (and the Western Christianity had absorbed)...The Indian bourgeoisie (Syed Ahmad Khan and the others, who) saw the point of missionary attack...reacted by producing an Islam which Christian writers often claim is mostly Christian. The Muslim peasant...did not accept it (i.e., bourgeois Islam) when Sir Syed and the others produced one for him".⁵⁸

Accordingly there developed, among the Muslim upper and middle classes, a strong opposition to his religious ideas.⁵⁹ His educational project was hindered by the suspicion that his religious ideology would eventually find its way into the Muslim educational curriculum. Decisions (Fatawa) declaring his apostasy were secured from the Meccan jurists. He was denounced as an anti-Christ (Dajjal) and condemned as an atheist. Even his life was threatened. But Sir Syed did not change his views.⁶⁰

Sir Syed's moral and social reforms, like his religious ideas, were the outcome of political conditions. Hindu reformers, such as Raja Ram Mohan Roy and others, attempted to reconcile their communities with the new culture from the beginning of the nineteenth century.⁶¹ The Muslims however, became conscious of the need for change at least fifty years later than the Hindus.

Sir Syed, shortly after his return from England, started a journal, *Tahzib-ul-Akhlaq*, to which he and his colleagues contributed articles with a view to bringing about a reform in the

religious and moral outlook of the Muslims, and urged them to adopt a progressive attitude towards life. *Tabzib-ul-Akhlāq*, as Hali observed, was modelled on the English magazines (the *Tattler* and the *Spectator* edited by Steele and Addison) of the early eighteenth century.⁶²

Sir Syed was of the opinion that reform could only come from within the Muslim community. Foreign domination was not the root of all ills, as the subjugation of Muslims actually lay in their ignorance, selfishness, false pride, fanaticism, lack of tolerance, practical energy, and the absence of social solidarity. He argued that the greatness of a community depended on the broad and progressive outlook of the individuals, who endeavoured to protect the interests of the community before protecting their own interests.⁶³

Tabzib-ul-Akhlāq stood for liberal-mindedness, justice, self-help and progress. It aimed at reviving the spirit of fellow-feeling among the Muslims. It emphasised the need for education, particularly the acquisition of modern sciences. It attacked reactionaryism, criticized indolence, uncouth manners, customs and everything that degraded the Muslims in the eyes of the civilized world. In short, it insisted on acquiring all that was good and commendable in the Western culture.⁶⁴

Sir Syed's campaign which he launched through this periodical continued for six or seven years. *Tabzib-ul-Akhlāq* succeeded in commanding some influence over a small minority of the Muslim middle class, who, as in the words of Hali, were 'neither wholly ignorant nor yet skilled in rational sciences'. The class of religious enthusiasts (conservatives) opposed it wholeheartedly, for they thought the periodical injured Islam. The illiterate and ignorant lower class of Muslims never heard of *Tabzib-ul-Akhlāq*. Similarly it could not reach the nobility for, as Hali puts it, "It was as difficult to point out to them that the Muslims were declining as it is to caution water fowl of an approaching tempest". To a large extent *Tabzib-ul-Akhlāq* was successful within its own limitations, in removing the barriers that obstructed Muslim progress.⁶⁵

Sir Syed's efforts also produced a new literary taste and style.

The Urdu poets so far had followed the Persian pattern which led to the rigidity of form and limitation in the choice of subject-matter. The new Urdu poets selected their themes with a set motive, i.e., the general advancement of the Muslim community. Prose likewise went through a revolution.⁶⁶ Sir Syed set an example for the organization of Muslim Press by establishing his own Press at Ghazipur in 1863. Since that time, Murray T. Titus writes, Muslim Press has developed "a ceaseless and ever increasing activity".⁶⁷

The services Sir Syed rendered in the cause of modern education, as it shall be observed, were very great indeed. Generally the Muslims had refrained from learning English for a variety of reasons. They, unlike the Hindus, as Hali points out, were not suited to acquire foreign languages, for wherever the Muslims settled they took their languages and literature (Arabic and Persian) with them. During the course of centuries, they evolved a system of instruction which was a strange mixture of theology and secular sciences. Still later, this learning came to be regarded as part of Islam. The Muslims guarded their method of instruction jealously because of the fear that any change would lead to the replacement of Islam by some other creed. Accordingly they protested when the Government intended to start English education in India in 1838.⁶⁸ The Muslims' attachment to their learning kept a spirit of cultural superiority alive among them.⁶⁹ A Muslim youth, unlike a young Hindu, was sent to a Maktab (Islamic elementary School) for acquiring the sacred learning before joining the Government-sponsored secular schools. Consequently he entered school much later than the Hindu. After completing his education, there was no career open to a Muslim, because he was debarred from Government employment. The economic impoverishment of the Muslims was another reason for their indifference towards higher education.⁷⁰ Hali observes that from 1858 (i.e., from the time when the Universities of Calcutta, Madras and Bombay had started functioning under Government patronage) to 1875, the number of Muslim graduates in India was 20, whereas the number of Hindu graduates was 846.⁷¹

The Scheme of Public Instruction which the Government introduced was not satisfactory. In addition to the difficulties in mastering a foreign language, its complicated curriculum, artificial uniformity, the imparting of superficial instruction, the faulty system of setting the examination papers and objectionable devices of enforcing school attendance were open to serious criticism.⁷² In some cases the enrollment of lower schools in the local registers were fictitious.⁷³ It was based on a common cultural background and accordingly succeeded in creating an atmosphere of unity among the educated few of numerous isolated communities; for all practical purposes however, it failed to surmount India's obstinate racial barriers.⁷⁴ Its secular nature encouraged skepticism.⁷⁵ The absence of ethical instruction had a negative influence on the morals of the students.⁷⁶ It brought Indians in contact with Western political ideas (radicalism in particular) and eventually paved the way for the national movement in India.⁷⁷

Mayhew is of the opinion that the Western education failed mainly because the British tried to impose an alien culture ignoring the social background of different communities in India, and produced generations that should have been brought up in accordance with their own cultural aspirations.⁷⁸

From 1870, the Government took a keen interest in promoting education among the Muslims.⁷⁹ The Muslim classical languages, Arabic and Persian, were recognized and their study was encouraged along with English. Grants-in-aid were provided for the Muslim educational institutions, scholarships were granted and inspecting officers were appointed to look after the Muslim educational interests. The Education Commission of 1882 had been very sympathetic in its recommendations for the advancement of education among the Muslims, who, as it was believed, had suffered because of their aloofness.⁸⁰

Sir Syed supported the spread of English education in India soon after the Mutiny,⁸¹ though for some years he attached considerable importance to the idea of translating Western literary and scientific works into Urdu for educational purposes.⁸² He was determined to bring the British and the Indians together

in the cultural field. Accordingly he founded a Scientific Society at Ghazipur in 1863. The Society had British and Indian members.⁸³ It undertook to translate standard English literary and scientific books into Urdu.

In 1864, Sir Syed was transferred from Ghazipur to Aligarh, and the assets of the Society moved along with its founder. The Society carried on its cultural activities more vigorously at Aligarh. It started publishing a weekly, the *Aligarh Institute Gazette* (1866-1898). The Weekly spoke for the need of moral and social advancement, and emphasized the acquisition of modern sciences. But its real objective was political, to acquaint the British Parliament with Indian affairs and vice versa.⁸⁴

During his stay in England, Sir Syed visited the University of Cambridge in order to study its management.⁸⁵ He realized that the Muslim system of instruction had become obsolete and it needed to be modernized. "The Old Mohammadan Books", he wrote on his return, "and the tone of their writings do not teach the followers of Islam independence of thought, perspicuity and simplicity, nor do they enable them to arrive at the truth of matters in general; on the contrary, they deceive and teach men to veil their meaning, to embellish their speech with fine words, to describe things wrongly and in irrelevant terms, to flatter with false praise, to live in a state of bondage, to puff themselves up with pride, haughtiness and self-conceit, to speak with exaggeration, to leave the history of the past uncertain, and to relate facts like tales and stories... All these things are quite unsuited to the present age and the spirit of the time, and thus instead of doing any good they do much harm to the Mohammadans".⁸⁶

Sir Syed established a Committee-striving after the educational progress of the Muslims. The Committee offered a reward to the contributor of the best essay on the subject dealing with the causes of backwardness of Muslims in modern education. He summarized all the essays that the Committee had received. The main points of his summary were:

(a) the enlightened Muslims did not attach any importance to the prejudices of the reactionary Muslims against learning English; on

the contrary, they regarded such prejudices dangerous for the Muslim community; (b) the number of Muslim students who attended the Government colleges and schools was alarmingly low as compared to the Hindu students; (c) the method of instruction adopted by the Government educational institutions was wholly unsuited to the Muslim requirements; (d) even if the Government were to replace that method by some other, still it would remain unsatisfactory for the Muslims, and (e) Muslims wanted to preserve their old learning, and at the same time, were interested in acquiring the new learning. There was therefore, no other way except that they should be allowed to choose their own method of instruction.⁸⁷

The last point was emphasized. Accordingly fund committees were established for the founding of a Muslim College. Contributions were solicited in the face of numerous odds and considerable opposition.⁸⁸ Eventually in 1877, Lord Lytton, the then Viceroy of India, was invited to lay the foundation stone of the Muhammadan Anglo-Oriental College.⁸⁹ In an address presented to Lord Lytton on that occasion, Sir Syed stated the aims of the College were to reconcile "Oriental learning with Western literature and sciences"; "to dispel those illusory traditions of the past which have hindered our (i.e. Muslim) progress"; and, which seems more important; "to make the Musalmans of India worthy and useful subjects of the British Crown; to inspire in them that loyalty which springs, not from servile submission to foreign rule, but from genuine appreciation of the blessings of good government".⁹⁰

Clearly the M.A.O.College, unlike other Muslim educational institutions that already existed or were later, founded was to provide education with a purpose in mind; that is to determine the right kind of political attitude. Abdul Hamid writes: "A system of education which challenges the foundations of a strongly established political order can never hope to endure. Consequently, we find Sayyid Ahmad working out concretely the implications of his political ideology in the field of education. The temple of learning raised by him was intended, among other things, to serve as a prop of the post-Mutiny political order in

India".⁹¹ Consequently he framed rules that made the appointment of British Principals and staff compulsory for administering the institution. To guard against the future possibility of nationalization of the staff, he prepared before his death, the Trustees Bill, which tightened the constitution of the College in accordance with his own plan. Despite stiff opposition the Bill was passed; most of his colleagues did not agree with him. On one occasion Sir Syed even challenged Sami Ullah Khan, one of his colleagues, to a duel in France.⁹²

Shortly after Sir Syed's death, the breach between the British staff headed by the British Principals one after the other, and the trustees of the M.A.O.College became very conspicuous. The British Principals of the College (who were primarily diplomats and only secondarily educationists) are believed to have overruled the trustees, their legal employers. Quite rightly it has been maintained, that the Principals of the M.A.O.College, including Beck, Morison and Archbold, acted more or less like British residents accredited to the court of an Indian prince.⁹³ How far did Beck play on Sir Syed's fears and how far were the Principals who followed Beck responsible for moulding the Muslim political trends in accordance with the wishes of the British Government, will be discussed later. However, it must not be ignored that the lines of policy which these Principals pursued were originally laid down by Sir Syed himself.

In the College provisions were made for the teaching of arts and secular sciences as well as theology. The Muslims objected to Sir Syed's religious ideas, therefore, he refrained from associating himself with the Faculty of Theology, and made arrangements for separate religious instruction for the Sunnis and the Shias, in the light of their respective religious tenets. The academic environment encouraged the growth of fellow-feeling among the students and love for sports. Hindu students were admitted to the College, but they were exempt from theological instruction. Cow-slaughter was forbidden and beef was not served in the College.⁹⁴

The religious enthusiasts opposed the institution asserting that its education would impart complete infidelity.⁹⁵ In view of the

economic backwardness of the Muslims, it was impossible for Sir Syed to support the cause of mass education. Consequently the lower-class Muslims remained completely unaffected by this institution. Sir Syed's object was to provide higher education to the Muslim upper and middle classes so that they could secure responsible posts under the protective wings of the Government.¹⁶ He resented the idea of Muslims taking part in the political life of the country.

Sir Syed's political ideology was, to a considerable extent, determined by his perception of the 'communal' economy of the Muslims. Hailing from the Mughal aristocracy, Sir Syed was acutely conscious that the Muslims had ruled over India for more than six hundred years, and that the British had taken power from them. The Muslim community's economic prosperity in the past, as he understood it, had depended on the patronage of the Muslim state. The Mutiny brought an end to the semblance of Muslim rule in India, and swept away the Muslim aristocracy, which had been the mainstay of Muslim middle and lower classes for centuries. With the establishment of the new political order came a new civilization. The British merchants' exploitation in the early nineteenth century, had drained India of her wealth. Muslim culture had deteriorated, and Islam became corrupt. The land settlements of the East India Company and the laws it passed giving supremacy to the money-lenders' class, engendered discontent among the Muslim peasants. The introduction of machine goods ruined the Muslim handicraftsmen. It was in protest against these developments that the revolutionary movement of Syed Ahmad of Bareilly gained prominence. The consequences of this revolutionary "Wahabi" movement were very discouraging indeed. The British wrath fell upon the Muslims. Sir Syed's peaceful movement was a reaction against this situation. He concentrated his efforts on the top layer of the Muslims, secretly believing that the prosperity of a community was always judged by its educated and well-to-do middle and upper classes.¹⁷ He did not concern himself with the lower-class Muslims, who according to him must raise themselves up and must never attempt to drag down the higher classes of the

society. "Syed Ahmad was of the opinion", runs a passage in the record of the discussion of the Committee for the Dissemination etc. "that the phrase 'nobility and meanness should not be held to consist in riches and poverty'; though very pleasant to the ears, was quite inconsistent with our manners and customs and he saw no reason why nobility and meanness should not be held to depend on riches and poverty".⁹⁸ Therefore he endeavoured to reconcile the Muslim middle and upper classes with the Government. The return of peace after the Mutiny and the consolidation of the British rule in India was a great blessing. "For centuries India has suffered" he said, "under the rule of the worst kind of autocrats; till it was ordained by God that the rulership of India be entrusted in the hands of an enlightened people (i.e., the British)".⁹⁹ During the course of one of his unusual speeches, he said: "The Muslims and the British never opposed one another. They (the British) had no revenge to wreak on us. The Crusades were undoubtedly fought owing to religious antagonism (between the Muslims and the Christians) but the British had very little to do with those wars. It is true that we ruled India for centuries and it is also true that we cherish the memory of our rule. But we bear no grudge or malice against the British on that account... We supported the British in establishing their rule in India for the benefit of our country. In this undertaking the cooperation between the Muslims and the British had been just as between the two blades of a pair of scissors. Nobody could tell which of the two people rendered more services".¹⁰⁰

The membership of the short-lived British India Association that Sir Syed founded at Aligarh in 1866, was confined to the upper classes, particularly the landed gentry (there were British members too, though there were only a few Hindu members). Its main object was to acquaint the British Parliament with the trends of Indian political thought. The representation of public opinion was contrary to its policy. Even the attempt to reduce its subscription is reported to have failed.¹⁰¹ The 'moderation' which was a characteristic feature of Sir Syed's political ideology, reflected the 'moderation' of the Muslim landed aristocracy.¹⁰²

Almost all the political organizations he founded during his lifetime, as it will be observed, were exclusive and consequently withered away.

Sir Syed resented it when he was called a conservative, and proclaimed that he was a liberal.¹⁰³ In one of his letters, he even declared himself to be a radical. "I have full and abiding faith in the religion of Islam", he wrote to a friend, "which teaches radical principles and is opposed to monarchy, hereditary as well as limited. It approves of the rule of a President elected by the people. It does not approve of the concentration of capital in one person. In accordance with the law laid down by the founder of Islam, the property must be divided among the heirs on the demise of its holder. Thus whatever extent of property or amount of wealth an individual person might possess, within two generations, it would definitely be sub-divided into countless shares. I am therefore, by faith as well as by blood a radical".¹⁰⁴

Sir Syed preferred to profess a specific kind of radicalism, say Islamic radicalism instead of Victorian radicalism. But it was merely an academic representation of a theory in an odd letter. The destruction of the post-Mutiny Muslim aristocracy troubled him considerably. He lamented over the extravagant habits of the handful of the remaining Muslim aristocrats.¹⁰⁵ While he was a member of the Viceroy's Legislative Council (from 1878 to 1882),¹⁰⁶ he drafted a bill concerning the amendment of the Muslim law of Trusts (Waqf). The object in view was to save the Muslim aristocracy from extinction by enabling a Muslim holder to invest his property perpetually among his descendants. The bill however, could not become law owing to some legal difficulties, while the Muslim aristocracy supported it. The religious enthusiasts, as it could be expected, opposed the bill.¹⁰⁷

The lack of social solidarity and the absence of communal economy were, in the opinion of Sir Syed, the real causes of Muslim poverty. He pointed out that improvement in the methods of agriculture was necessary for the prosperity of the Muslims. He spoke for the organization of industry and encouragement of trade.¹⁰⁸ But he addressed only the Muslim middle and upper classes. In fact he dissuaded the Muslims from

joining the Congress mainly because he realized that they were, collectively speaking, not only inferior in number and education as compared with their Hindu compatriots but also inferior in wealth. If a representative form of Government were set up in India, and here lay his real anxiety, the economically backward Muslims would be completely dominated by the Hindus. "Could you estimate", he asked the Muslims in one of his addresses, "the extent of property the Hindus possess and their annual income? Do you possess that much property and wealth? No. Not at all".¹⁰⁹

That he was by nature dictatorial, has been admitted by his biographer, Hali.¹¹⁰ Syed Sulaiman Nadvi is of the opinion that he supported monarchy.¹¹¹ Abdul Hamid writes: "His innate patrician temperament made him distrustful of the conventional concept of democracy in which theoretically every individual counts for one unit of influence and which, in the absence of effective correctives, might easily convert itself into a despotism of the numerical majority".¹¹² The real cause of Sir Syed's dislike for democracy was not, as Syed Sulaiman Nadvi holds, his love of monarchy, but India, which according to him, was not suited for democracy. Only he objected to the passing of the Central Provinces Local Self-Government and Municipalities Bill (1883), which recognized the principle of election for all the seats in the local boards. Despite the fact that Viceroy Lord Ripon who favoured elections for all seats, changed his mind, and reduced the number of elected seats to two-thirds, retaining one-third for the nominated members.¹¹³ Sir Syed's lines of argument against the Bill were: "India is a continent in itself, inhabited by numerous races professing different religions. The religious distinctions or the strict enforcement of the caste-system divides the neighboring communities. There is no homogeneity among the people. It is possible that the inhabitants of a single province may adhere to different religions or belong to different castes. One section of the population may comprise the traders or the rich property owners, and the other that of the educated or the generally respected. It is also possible that one group may be larger in number, more enlightened and perhaps standing on a

more advanced cultural level, as compared to the other. One may recognize the need that the members for the local boards or the provincial councils should be elected by the people, whereas the other may not attach any importance to it. Thus under such conditions, it is obvious that the introduction of representative institutions will lead to numerous social and political difficulties...My Lord! A country like India where racial and religious antagonism is so deep-rooted, where different sections of the population stand on varying levels of cultural advancement, I am certain that the introduction of the principle of election will raise many problems. So long as the racial and religious differences and the caste dissensions remain part of India's social and political life...it is not possible to introduce democratic institutions. The majority will undoubtedly hold the minority in thralldom...The racial and religious differences will sink deeper. My Lord, I have spoken on this subject...and notwithstanding that I am a faithful supporter of democracy, I have drawn your attention to those regulations of the institution, the applicability of which in India will certainly lead to the contradiction of the basic ideal of Democracy".¹¹⁴

Sir Syed thought that the principle of election in India would be detrimental to the interests of the economically backward Muslim community. "Our present condition is such", he said, "that if the Hindus want they can exterminate us in no time. The entire internal trade of the country is in their hands, whereas the external trade is controlled by the British".¹¹⁵ On another occasion he pointed out: "Supposing it were arranged that only those electors should be given the right to vote who received an annual income not less than Rs.5,000; then tell me the number of Muslims who have so much income".¹¹⁶ Or: "Consider the result of election. In no district are Hindus and Muslims equal in number. Can you say that the Muslims would overpower the Hindus and become masters of the 'self-government'? In Calcutta an aged bearded Musalman of a distinguished family met me and said, 'A calamity has befallen us. In our town eighteen members were to be elected. Not a single Muslim has returned. All the seats were won by the Hindus. Now I wish that the Government

should nominate some Muslim and hope that it would appoint me'. This is the state of things in all cities...Thus how can we tread on a path for which neither we nor our country is prepared".¹¹⁷

Sir Syed tried to win over the Hindu upper class (besides the Muslims) by reminding them of their noble blood and superior breeding. Election on the basis of franchise would enable everyone, even the tailors, cobblers and butchers to return. It would be very disgraceful for the Indian aristocracy to be ruled by people of low birth. "You should realize the importance of the fact", he said, "that the members of the Viceroy's Council ought to be of a high social position. Will our aristocracy tolerate a man of low-caste or low birth, even if he is highly educated and efficient, to have authority and power of making the laws that affect their wealth, property or prestige? Never. Nobody would like it. (Cheers) A seat in the Council is a position of great honour. Accordingly it is incumbent on the Government to select an honourable person for it, a person whom the Viceroy could treat as a brother, address as a colleague and invite to those magnificent banquets and exalted entertainments where he may have to mix with dukes and earls".¹¹⁸ As regards the 'imported' rulers of India, his opinion was this: "Those who come after passing the competitive examination in England, they are born and brought up at such a distance from our eyes that we do not know whether they are the descendants of lords or dukes or the sons of tailors. (Cheers) Consequently the fact that a man of inferior social status is commanding an authority over us, remains hidden. But it is not so in India".¹¹⁹

Sir Syed was not directly interested in the political process. His real preoccupation was, as he frequently declared, the educational uplift of the Muslims.¹²⁰ His detachment from the political life of the country or insistence on unconditional loyalty to the British has been judged severely by some of his critics, who regard him as a political opportunist.¹²¹ Mahadeva Desai maintains that he not only served as a tool in the hands of British imperialists but 'directed the footsteps of the Mussalmans along ways that fostered in them a slavish mentality instead of self-respect,

high-mindedness and breadth of political outlook'.¹²² A proper understanding however, of the conditions which determined his viewpoint would reveal that these judgments are harsh. Baljon considers his 'aloofness from political affairs' 'a proof of his political wisdom and his sense of realism'.¹²³ Abdul Hamid thinks that it was essentially his 'legal temper' that 'he came to have unbounded respect for the constituted authority'.¹²⁴ Maulana Muhammad Ali who dominated Muslim politics during the Khilafat movement and whose political ideology was the very opposite of Sir Syed's, said in 1923: "Reviewing the actions of a bygone generation today, when it is easier to be wise after the event, I must confess I still think the attitude of Syed Ahmad Khan was eminently wise, and much as I wish that some things which he had said should have been left unsaid, I am constrained to admit that no well-wisher of Musalmans, nor of India as a whole, could have followed a very different course in leading the Musalmans".¹²⁵

Sir Syed abhorred agitational opposition to the Government. This was one of the reasons why he opposed the Congress.¹²⁶ But his main concern was always the Muslims, who were victimized as a religio-political entity ever since the Mutiny. He had worked very hard to rebuild their political prestige, and was to a considerable extent successful in achieving this objective. If the Muslims joined the Congress, he was apprehensive that what was regarded as a mere agitation on the part of "mild" Bengali Hindus would, in the case of "easily excitable" Muslims, constitute a rebellion. Consequently he discouraged Muslims from joining the Congress.¹²⁷ In line with this policy, in order to check the advance of "Pan-Islamic" movement among the Indian Muslims, he wrote articles refuting the claim of Sultan Abdul Hamid of Turkey as the Caliph of the Muslim community.¹²⁸

A year after the establishment of the Congress, in 1886 Sir Syed founded the Muhammadan Educational Congress at Aligarh, because he believed that the Muslims needed an "educational" instead of a "political" congress. The name of this body however, was changed to the Muhammadan Educational Conference. The Conference was organized with a view to

discussing exclusively the educational problems of Indian Muslims. Its popularity among the educated Muslims led to the growth of a spirit of communal solidarity.¹²⁹

Bengal had come under the political and economic domination of the British earlier, and consequently was influenced by the new culture long before the northern provinces of India. The popularity of Western education there not only resulted in the organization of numerous religio-social reform movements among the Hindus, but also sowed the seeds of nationalism.¹³⁰ Indian intelligentsia came in contact with Victorian radical literature. As their fondness for representative institutions grew, the Indians longed for the establishment of Self-Government in India.¹³¹ However, the discussion of political issues remained a privilege only of the educated class.¹³²

In 1876, the Indian Association was organized at Calcutta. Surenranath Bannerjea had worked hard for the establishment of this Association. The Association started voicing the discontent of the Indian educated class with the Government's policy of reducing the age limit from 21 to 19 years for the open competitive examination of the Indian Civil Service. Bannerjea travelled all over India in order to organize public opinion against the new Government regulation. He addressed meetings and established branches of the Indian Association in different cities of India.¹³³ Thus political activity began with the agitation of the educated Hindu middle class for more jobs.¹³⁴

The Indian National Congress was organized in 1885 at Bombay, an area which had been considerably influenced by the new political, economic and cultural forces. The Congress started as a loyal body,¹³⁵ but under the influence of B. G. Tilak it underwent a radical change. Tilak, an aggressive politician, had very little appreciation of constitutionalism.¹³⁶ He carried on propagation among the Hindus, fermenting religious and racial hatred against the British and the Muslims. He revived the Marathas' aggressively anti-Muslim religious cult and organized fairs to pay homage to the Hindu God of Wisdom, which resulted in the Hindu-Muslim riots of Bombay in 1893. He formed an anti-cow-killing society and launched an agitation

against the government's ban on "music before the mosques".¹³⁷ The moderate Hindu politicians of Bengal, who had been endeavouring to secure Hindu-Muslim unity, were silenced. Indian nationalism came to be identified with Hindu nationalism.¹³⁸ Bipin Chandra Pal denounced the violently Hindu nationalist activity, which led the Muslims to seek the protection of the Government. These Hindu nationalists, in Pal's opinion, were swept away by "the foolish and suicidal ambition of once more (re)establishing either a single Hindu state or a confederacy of Hindu states in India. Some people thus secretly interpreted Swaraj as a Hindu Raj".¹³⁹

The Congress at its first three sessions passed resolutions demanding "the election of the Secretary of State's Council, an increase in the number of elected members in the Provincial Legislative Councils...simultaneous Civil Service Examinations in India and England...no increase in the military expenditure...no annexation of Upper Burma...trial by jury, separation of judicial and executive functions...enrollment of volunteers for defence purposes...the appointment of Indians to commissioned posts in the Army, the establishment of a Military College in India, the amendment of the Arms Act, exemption of incomes of less than a thousand a year from the Income Tax, and encouragement of technical education".¹⁴⁰

In reacting to these developments in Hindu politics, the Muslims established a Muhammadan Society at Calcutta in 1863 under Nawab Abdul Latif, who also opposed and denounced the 'Wahabis'. The Society was pro-British politically, and theologically.¹⁴¹ In 1877 Syed Ameer Ali founded the Central National Muhammadan Association at Calcutta to protect the Muslim interests and to encourage political training among the Muslims. Sir Syed was requested to support the organization, but he refused.¹⁴²

However, in commenting on the evolution of Sir Syed's political ideology, Tufail Ahmad Manglori has stated that he was a man of liberal ideas but only until 1884,¹⁴³ when he came under Beck's influence and his liberalism deteriorated into reactionary conservatism.

To substantiate this thesis, Manglori reviewed Sir Syed's major milestones of his career. In *Asbab Baghawat-i-Hind*, he emphasized the necessity of admitting Indian members to the Legislative Council. The British government accepted his advice and under the Indian Councils Act of 1861, three Indians were taken in the Viceroy's Executive Council.¹⁴⁴ Sir Syed detested racial discrimination. When in 1883 the Ilbert Bill (which empowered Indian magistrates to try British criminals, but was opposed by the British community in India) was presented to the Legislative Council, he supported it wholeheartedly. The Scientific Society, and later, the British Indian Association, were each established to reconcile the Indians (Muslims and the Hindus) with the British. Frequently Sir Syed spoke in favour of representative government, preached the principle of equality and firmly believed that all Indians were a single nation. Tufail Ahmad Manglori quoted numerous extracts from Sir Syed's speeches to that effect, and concluded that he was a genuine patriot.¹⁴⁵

Then in 1884 came a sudden change in Sir Syed's political ideas due to the influence of Beck, who was employed as the Principal of the M.A.O. College in 1883.¹⁴⁶ Beck won over Sir Syed's confidence, and exercised great influence over the old man. In 1884, the famous Bengali leader Bannerjea was invited to address a meeting at Aligarh. He spoke against the age regulation for the Civil Service Examination, demanded the scheduling of simultaneous examinations in England and India, and elections for the representatives to the Viceroy's Legislative Council. Beck commented that if this ideology of making demands remained confined to the "mild Bengalis" it would lead to no harm. But if this "storm" penetrated in the Northern provinces, which were the home of martial races, nobody could tell what might happen. He went round warning the Punjabis and the Pathans that if the Civil Service Examination was held in India their children would not be in a position to compete with the "clever Bengalis".

Beck took over the *Aligarh Institute Gazette*, and wrote extensively editorial columns against the Bengalis and their demands. These writings, were attributed to Sir Syed. Indeed

Beck sowed the seeds of discord between the two parties. He managed to detach Sir Syed from the British liberals like Lord Ripon, and made him an enthusiastic supporter of the Conservative Party. Therefore, in his famous Lucknow speech against the Congress (1887), Sir Syed, who formerly adhered to the principle of equality, now openly and enthusiastically supported class distinctions. He opposed the scheduling of Civil Service Examinations in India, denounced the Congress demand for representative institutions, and declared that Indians did not constitute a single nationality but numerous nationalities. These assertions indicated that Beck had been successful in his mission of separating Sir Syed from the national main stream. Shortly after his Lucknow speech, Manglori writes, Sir Syed was knighted.¹⁴⁷

In the same vein, Manglori maintained that under Beck's influence Sir Syed established the United Indian Patriotic Association in 1888.¹⁴⁸ It was called "United" because its members came from Hindu and Muslim upper classes. Its objective was to convince the British Parliament that Indians, especially the aristocrats and princes, did not support the Congress, but were loyal subjects who endeavoured to strengthen the British rule in India. One branch of the Association was established in England, at the house of Morison, the Principal who succeeded Beck. The Association was anti-Congress, and while it was "United" its business was transacted in the name of the Muslims.¹⁴⁹

In 1889, Bradlaugh's Bill seeking expansion of the Indian legislative councils, on representative lines, was brought up for discussion before the British Parliament. This set Beck in motion: He wrote a petition on behalf of the Muslims to assert that they were opposed to the Bill. Since India was a home of numerous nationalities, it was not advisable to introduce representative institutions. Groups of students were sent out to obtain the signatures of Muslims. Beck himself sat at the entrance of the Jamia Mosque of Delhi and supervised the signing of the petition. Eventually this document bearing 20,735 signatures was dispatched to the British Parliament in 1890. But

it did not succeed; the Indian Councils Bill which advanced the Indian Constitution a step further, became law in 1892.¹⁵⁰

Beck was not discouraged. Tilak's anti-Muslim (and anti-British) activities which led to the Hindu Muslim riots in Bombay in 1893, provided him with another opportunity to erect a barrier between the Muslims and the Hindus. In the same year he dissolved the Patriotic Association, and founded the Muhammadan Anglo-Oriental Defence Association of Upper India. The Defence Association was exclusively Muslim, protected Muslim political interests, and was strictly loyal and worked for the strengthening of the British rule in India. Through this Association, Manglori continued, Beck succeeded in breaking away Muslims from the rest of Indians.¹⁵¹

To solve this problem whether Sir Syed was a "liberal" until 1884, but became "conservative" under Beck's influence, as Manglori asserted, it is appropriate to determine whether he regarded Hindu-Muslim unity an accomplished fact. Abdul Hamid remarks: "Syed Ahmad's inconsistencies and contradictions can be easily solved if we bear in mind that he was not a 'democrat' or a 'nationalist' as we understand these terms. He did toy with 'democratic' ideas for some time, but they never really pierced the armour of his aristocratic conservatism".¹⁵²

Sir Syed's ingrained conservatism must be explored to understand his inconsistencies. In his well known memorandum, the Causes of Indian Mutiny, he cited the bad management of the Indian army as one of the causes of the Mutiny, and pointed out: "When Nadir Shah conquered Khurasan and the two countries of Iran and Afghanistan came under his sway, he raised two armies of equal strength. One composed of the Iranians and the other of the Afghans. If the Iranian army attempted to rebel, the Afghan army was ready to suppress it and vice versa. Our Government did not follow this precedent in India...the Government certainly put two mutually repellent races, Hindus and Muslims, in the same regiment...if exclusively Hindu and exclusively Muslim regiments had been raised, instead of combined regiments, the feelings of brotherhood among the sepoys would have not grown",¹⁵³ Smith thinks that this isolated

utterance of Sir Syed is not representative of him.¹⁵⁴ Certainly he was aware that the Muslims would never be able to regain their lost power. If the British were to withdraw, there would be chaos in India,¹⁵⁵ and the Muslims being numerically inferior would certainly be the losers. Naturally he endeavoured to reconcile the Muslims with the British, not only politically but also theologically, although his tone remained general.

He was a "conservative" and wanted Hindus to be so. The school he founded at Ghazipur in 1864, extended equality of treatment to all scholars, yet he carefully arranged that the caste-taboos of the Hindus were strictly maintained.¹⁵⁶ He expressed a desire for Hindu-Muslim unity in numerous speeches, especially those which he delivered during his tour of the Punjab (1884), where he addressed Hindu meetings more than once. Manglori quoted passages from these speeches. Abdul Hamid however, thinks that his speeches in Punjab read like addresses of a "good-will mission".¹⁵⁷ Hindus of the Punjab are reported to have requested him to grant scholarships to poor Hindu students from the Muhammadan Civil Service Fund, so that these students could go to England to take the Civil Service Examination. But he declined saying that since a Hindu lost his caste on crossing the seas, he would rather not help in the matter.¹⁵⁸

Undoubtedly he did his best to bring Hindus and Muslims together, but Hali observed that the Urdu-Hindi controversy in 1867 disappointed him greatly, and he felt that Hindu-Muslim unity was a lost cause.

Urdu had been used as the language of Indian courts of law ever since 1835. In 1867 however, the Hindus of Benares started a movement demanding the replacement of Urdu (which they contended was a foreign language) by Hindi. In order to support this demand numerous Hindu societies were established in Bihar, the United Provinces and the Northern Provinces.¹⁵⁹

The Hindu demand disturbed Sir Syed, Hali continued, and from that time onwards he thought in terms of the welfare of Muslims only. He said to Shakespeare, the Commissioner of Benares (who was surprised to observe this sudden change in Sir

Syed): "I am convinced that the two communities will never unite now. Although their differences are imperceptible at present, but as the number of educated class increases, their differences will lead to the growth of mutual distrust and hatred among them. Those who live after me shall see it".¹⁶¹

At any rate, the Lieutenant Governor of Bengal issued orders for the replacement of Urdu by Bihari in the courts of Bihar. Muslims protested in vain against it. Encouraged by the British government's decision Hindus of the Northern provinces started demanding the abolition of Urdu. Sir Syed devoted most of his time to this controversy which lasted for years. Even on his death-bed he wrote articles defending the cause of Urdu.¹⁶¹

Fuail Ahmad Manglori maintained that Sir Syed disapproved of representative institutions soon after 1884, that is when he came under Beck's influence. But his speech against the Local Self-Government and Municipalities Bill (1883) indicated that he considered the principle of election detrimental to the Muslim interests and accordingly approved of the device of nomination.¹⁶² His opposition to the Congress and its demands was likewise inspired by his anxiety over the educationally, economically and numerically inferior Muslim community. A democratic government in India, he was certain, would mean the rule of the majority. He would rather align himself with the "People of the Book" than accept the Hindu majority rule.¹⁶³ "Sir Sayyid", writes Smith, "may be taken as a man who devoted himself to the welfare of Muslim community...working out for them a religion, and a morality and a loyalty to their rulers, thinking of that community not at all as a unit over against any other; until, to safeguard the achievement, he opposed that other group, predominately Hindu".¹⁶⁴

Political developments made it clear to the Muslim educated class that Sir Syed was not altogether wrong. The Urdu-Hindi controversy was still raging. The Hindu Press of Bengal had launched a campaign against the Muslims. Meanwhile the Indian national movement, under the leadership of Tilak, was passing through a violently anti-Muslim phase and Muslims were reflexively driven to the protection of the Government.

Sir Syed's policy of abstaining from the political life of the country, or virtual dependence on favours of the Government in exchange for loyalty, had its disadvantages. Political backwardness was added to the educational and economic backwardness of the Muslims. The Government yielded more than once to the demands of the majority, and took the Muslims for granted. They wanted to have a political platform of their own, but the Government would not let them have one.

Sir Syed was the undisputed leader of the Muslims, and Aligarh was the center of Muslim politics. After his death in 1898, the M.A.O. College was involved in domestic troubles. Designed by Sir Syed, the Trustees Bill perpetuating the supremacy of British Principals and staff, strained the relations between the British staff led by Beck and a section of the trustees.¹⁶⁵ Syed Mahmood, son of Sir Syed became the Secretary of the College under the Trustees Bill. Mohsin-ul-Mulk (1837-1907) superseded him by a vote of the trustees.¹⁶⁶ In 1899, Beck died and with him died the Muhammadan Anglo-Oriental Defence Association of Upper India. He was succeeded by Morison.¹⁶⁷

Sir Anthony Macdonnel was the Governor of the United Provinces, when Morison took charge as the Principal of the College. As the Lieutenant Governor of Bengal, Macdonnel had issued orders for the replacement of Urdu by Bihari in the courts of Bihar, the Hindus naturally expected that he would take steps to displace Urdu in the United Provinces.¹⁶⁸ He passed orders in 1900, for the replacement of Urdu by Hindi in the United Provinces. This measure shocked the Aligarh loyalists, and the Muslims of the United Provinces. An Urdu Defence Association was organized under the Presidentship of Nawab Lutf Ali Khan, and a protest meeting was held at Aligarh. Mohsin-ul-Mulk delivered an exceedingly polite speech against the measure. A resolution urging the annulment of the orders was passed and sent to the Governor. An indignant Macdonnel did not change his order and his wrath fell on Nawab Lutf Ali Khan, who resigned from the Presidentship of the Urdu Defence Association. Mohsin-ul-Mulk was elected as the Association's

President, and in another meeting held at Lucknow he strongly protested against the high-handed manner in which Urdu had been replaced. Consequently he received orders from the Government of the United Provinces that he should either remain the President of the Urdu Defence Association or hold the office of the Secretaryship of the College. The Government did not appreciate his taking part in the Urdu-Hindi controversy which was a political matter. Macdonnel forbade the use of his title "Mohsin-ul-Mulk" in all official correspondence between him and the Government. Mohsin-ul-Mulk had to resign from the Presidentship of the Urdu Defence Association.¹⁶⁹

Mohsin-ul-Mulk did not lose courage and patiently waited for an opportunity when a political organization representing the demands of the Muslims could be established. He tried to revive the Muhammadan Anglo-Oriental Defence Association of Upper India, but Morison was opposed to the idea. While Morison remained the Principal of the College, the aspirations of the Aligarh loyalists were not realized. Through Morison, the Government made use of the College, staff and the students for diplomatic purposes abroad. Some members of the College faculty were selected to work in the British Political Department at Sheraz in Iran. These were the days when England and Russia were extending their sphere of influence in Iran. Under the direction of the British government a deputation of Aligarh students was sent to Iran in 1903. When the trustees objected, Morison informed them that the sending of the deputation would bear good results for the Indian Muslims.¹⁷⁰

While Mohsin-ul-Mulk as the Secretary of an "educational" institution could not take part in politics, Wiqar-ul-Mulk (1841-1917) worked hard for the political advancement of the Muslims.¹⁷¹ The Muslim educated classes did not join the Congress, because Sir Syed had convinced them not to, and events had proved that he was right. "Cursed be the hour", Wiqar-ul-Mulk declared, "which would strike our subservience to the people bent upon visiting the 'misdeeds' of Aurangzeb upon us. An occasion may arise when we have to line up and do or die under the British banner in defence of the constituted authority.

In so doing we shall not be doing a good turn to the British but to ourselves".¹⁷² He organized a Muhammadan Political Organization at Lucknow in 1901. The Organization's objective was to present respectfully the demands of the loyal Muslim community before the Government. But the efforts of Wiqar-ul-Mulk produced no result, because the Government was not prepared to recognize any political organization of the Muslims.¹⁷³

By 1905 the political situation changed, probably for the better as far as the Muslims were concerned. Lord Curzon, the Viceroy, had planned to redistribute the old province of Bengal (which included Bihar, Orissa and Assam) into two new provinces of West Bengal (including Bihar and Orissa) and East Bengal (including Assam). The reasons for the partition, official circles maintained, were the administrative difficulties that the old province encountered by virtue of its unwieldy size. Bengal was partitioned in 1905, which gave a decided majority to the Muslims in East Bengal. From the Muslim standpoint, the partition of Bengal was a satisfactory arrangement because it gave an opportunity for economic advancement to Muslim peasants of East Bengal, as Hunter pointed out in 1871.¹⁷⁴ The Congress opposed the partition, since it was detrimental to the interests of the Hindu landed gentry of East Bengal. The Congress accused the Government for deliberately creating a rift between the two major communities of India. The Hindus were aroused into a frenzy of violence which became widespread in the province.¹⁷⁵

Lord Curzon left India during the same year and was succeeded by Lord Minto, meanwhile the liberals came to power in England. Under the Congress pressure the introduction of representative institutions in India became urgent. Lord Minto and John Morley, the Secretary of State for India, made statements to that effect.¹⁷⁶ Mohsin-ul-Mulk was apprehensive that if the elections were introduced in India, the Muslims would be completely dominated by the majority community. Sir Syed had cautioned that the educationally and economically backward Muslim community would have no participation in the administration of India, if it were to be governed democratically.

While the Muslims numbered sixty-two million, they constituted only one fourth of the entire population of India. If representative institutions were introduced, Muslims would lose unless a system of separate electorates was introduced and they were given fifty per cent representation in the Viceroy's Legislative Council, which Sir Syed believed to be unlikely.¹⁷⁷ Consequently he advised the Muslims to remain content with the practice of nomination of the Muslim members to the Legislative Council. But the times had changed since Sir Syed had spoken on this subject.

Mohsin-ul-Mulk, in consultation with Wiqar-ul-Mulk, wrote to Archbold, the Principal of the M.A.O. College and the successor of Morison, to contact the Viceroy at Simla and to inquire "as to whether he would receive a deputation for submission of the Muslim memorial". The Viceroy was willing to receive a Muslim deputation. Accordingly Mohsin-ul-Mulk and other prominent Muslim leaders, including Syed Ali Imam, Imad-ul-Mulk, Wiqar-ul-Mulk, and Mian Shah Din, articulated the Muslim demands. The most important demand was the establishment of communal electorates and a Muslim share (according to the number and political importance of the community) in any modified system of representation, which might be contemplated for India.¹⁷⁸

Eventually on October 1, 1906, under the leadership of the Agha Khan, the Muslim deputation, including Mohsin-ul-Mulk, Hakim Ajmal Khan, Syed Ali Imam, Abdul Rahim and Mian Muhammad Shafi, waited on the Viceroy. The Viceroy assured the deputation that steps would be taken to safeguard Muslim interests in accordance with Muslim demands.¹⁷⁹

The Congress was in favour of mixed electorates, because the introduction of separate electorates implied a decrease in the number of Hindu representatives. Even Tufail Ahmad Manglori admitted the remoteness of the possibility of Muslims returning through mixed electorates.¹⁸⁰ The Hindu congress leaders contended that the Muslim deputation was 'engineered' in accordance with the wishes of the Government, the real object of the Government being "the pulling back of 62 million of people

from joining the ranks of the seditious Congress".¹⁸¹ Nevertheless leaders like Gokhale viewed Muslim apprehensions sympathetically, and raised no objection to the Muslim demand for separate electorates. Albiruni writes: "No critic of separate electorates, has, however, been able to suggest any effective alternative by which the interests of the minorities could be safeguarded in a country where the Hindus and the Muslims have been voting mainly for their co-religionists. Actually the Simla Deputation, by suggesting a procedure under which the Muslims could secure genuine representation without clinging to the official nomination, facilitated the introduction of a system of election in India".¹⁸²

The success of the Muslim deputation paved the way for the establishment of a Muslim political organization. In December 1906, Muslim leaders assembled at Dacca, and under the Presidentship of the Agha Khan the All-India Muslim League was formed. Wiqar-ul-Mulk was appointed the Secretary and Mohsin-ul-Mulk the Joint Secretary of the League, though Mohsin-ul-Mulk died soon after. The main object of the League was to protect and safeguard Muslim interests, and to present Muslim demands before the Government. The Muslim League was a thoroughly loyal organization and stood for friendly relations with other communities of India. At its informal Dacca session, a resolution supported the partition of Bengal as beneficial for the Muslims. However, the leadership of the Muslim League remained in the hands of the loyal Muslim upper class. Mass contact and agitation were excluded from its programme. While Muslim leaders created the League at Dacca, the Bharat Maha Mandal (originally founded in 1900) was reorganized by the Hindus at Lahore under the name of Hindu Maha Sabha.¹⁸³ This political organization came into prominence in 1924.

The first formal session of the League was held at Karachi in December 1907, under the Presidentship of Adamjee Pir Bhoi. The proceedings however could not be completed. A subsidiary session therefore was called at Aligarh in March 1908. After the death of Mohsin-ul-Mulk, Wiqar-ul-Mulk was appointed as the

Secretary of the M.A.O. College. Therefore he resigned from the Secretaryship of the League, though Aligarh remained the headquarters of the League.

In the five years' proceedings (sessions 1906-1910) of the League, resolutions were passed supporting the separation of administrative and judicial functions; demanding the extension of the principle of communal representation on local boards; the election of a Muslim member to the Privy Council; proportionate representation of Muslims in Government services; and the appointment of a committee to inquire into the Muslim law of Trusts (Waqf).¹⁸⁴

In 1908-9, shortly after Wiqar-ul-Mulk took charge of the Secretaryship of the College, the old conflict between the jurisdiction of the British Principal and the trustees resurfaced. Archbold and the British staff resigned when Wiqar-ul-Mulk wanted to examine the College timetable with a view to determining the number of hours the British staff put in. Sir John Hewett, the Patron of the College and the Governor of the United Provinces, in order to solve the deadlock, took action under the Trustees Bill. He gave a decision in favour of the Principal, maintaining that the Secretary had no right to interfere with the administrative powers of the Principal. The trustees however, supported the Secretary who was responsible to determine the financial policy of the institution. Meanwhile the Muslims held protest meetings against the decision of the Governor. Eventually the Governor yielded to the right of the Secretary to intervene in certain matters of the administration of the College. The resignation of the Principal was then accepted by the trustees; and the British staff withdrew their resignations. That problem was settled which had created so many complications ever since Sir Syed framed the Trustees Bill. The immediate outcome of the settlement was that Hewett communicated with the Agha Khan and in January 1910, the head office of the League was transferred from Aligarh to Lucknow. The banishing of the Muslim League, writes Tufail Ahmad Manglori, was a serious blow to the prestige of Aligarh as the centre of Muslim cultural and political activities. But it had

one advantage; the influence which the British Principals of the M.A.O. College had exercised for the last twenty-five years, in thwarting the rise of independent political thinking among the Muslims, came to an end.¹⁸⁵

In 1909 the constitutional Morley-Minto Reforms were promulgated in India. Under the new Indian Councils Act, the principle of election through separate electorates was introduced. The Legislative Council was enlarged and the number of non-official members elected to the provincial councils was increased.¹⁸⁶ The recognition of the Muslim demand for separate electorates established the Muslim community as a distinct political entity in India.

Unlike the "Wahabi" militants' confrontational attitude, Sir Syed started a dialogue of peaceful co-existence between Muslim India and the British for the benefit of both the rulers and the subjects. In the dialogue between Islam and the West, he succeeded in bringing home to the Muslims the fact that they were a separate and distinct "nation" in a multi-national country like India. Maulvi Abdul Haq correctly pointed out that before him the word "Quam" (nation) was used in a restricted and narrow sense as a "tribe", such as Syeds, Sheikhs, Mughals, and Pathans. But Sir Syed broadened its meaning to convey that all Muslims constituted a "nation".¹⁸⁷

He was the first "modern" Muslim in South Asia who took the initiative to reconcile the Western imported new ideas with Islam. He accepted the challenges of the new age and was the architect of a movement for educational, scientific, moral, cultural and political modernization of the Muslims of South Asia. He was convinced that conventional Islamic theology and law required a new interpretation to engender a new religious motivation among the younger generation of Muslims. He felt the urge to determine a fresh orientation of Islam. While he cannot be considered a Martin Luther of Muslim India, yet the movement he initiated was as necessary and urgent as "Reformation" in European Christendom.

In justifying Sir Syed's tendency of separatist politics, Ishtiaq Hussain Qureshi thought that since Sir Syed grew up in the

intellectual tradition created by Shah Wali Ullah's family, he acquired the belief in the distinct entity of the Muslim community. Consequently when he talked about the need of unity between the Hindus and the Muslims, he meant unity between two separate entities. But when he said that the people living in India were one nation, the statement was meant to be understood in the Quranic sense, i.e. all human beings constituted a single nation.¹⁸⁸ Hafeez Malik is likewise of the opinion that Sir Syed was first a Muslim nationalist and afterwards an Indian.¹⁸⁹

Indeed Sir Syed was profoundly influenced by Shah Wali Ullah, yet there existed a marked difference between the political approach of the two. While Shah Wali Ullah felt the need of change, he lived and thought in terms of the Middle Ages. In his efforts to revive the dying Mughal empire, his approach was that of a backward-looking romantic. Sir Syed was fully conscious that it was not possible to walk back into the past, and as a forward-looking realist, he definitely had a view of the positive character of the future of Islam in India.

The opponents of Sir Syed (particularly the Deobandi Ulema) declared him an "infidel" (kafir). They circulated a rumour that he had converted to Christianity. "Fatwas" were secured from the Ulema of Mecca and Medina declaring him to be "directly appointed Vicar (Khalifah) of the Devil (Satan) who had been specifically deputed to lead the Muslims astray and whose infidelity was far more condemnable than that of the Jews and the Christians."¹⁹⁰

One of the numerous objections against his thought was that, as a theologian, he wanted to revive the Greek-philosophy-based "rationalism" (Mutazillism) of the notorious scholastics of the Abbasid times. His realistic interpretation of Islam was not only in order to protect the Western educated young Muslims from becoming skeptical about religious realities, but it had a far wider significance. He attempted to present Islam as a scientific religion keeping in view the scientific spirit of the contemporary times.

Under Sir Syed's influence the Urdu language, poetry as well as prose, achieved new heights. It was transformed into a

language expressing national, political, social, moral, cultural, scientific and economic aspirations of Muslim India.

However, he has been condemned for his insistence on maintaining loyalty towards the British government. Primarily this attitude was the reflection of political expediency; at that point of time no one could imagine that the British would depart from India, after granting her independence. Probably Sir Syed genuinely believed in continuing a permanent dialogue between Muslim India and the West, as an exchange of ideas between these two civilizations, would be of cultural and material advantage to the Muslims.

Thirty-two years after the death of Sir Syed, Muhammad Iqbal, who articulated the concept of an amalgamated Muslim state in the Muslim majority areas of North West India, declared that the Muslims of Asia had not been able to comprehend the significance of Sir Syed's outstanding intellectual contribution. Iqbal asserted that he alone comprehended that Sir Syed's sharp vision was focused on much deeper and wider horizons which covered the future of religion and politics of the Muslims of Asia.⁽⁹⁾

NOTES AND REFERENCES

¹ Modern Islam in India by W.C. Smith. pp. 166, 167.

² The Reforms and Religious Ideas of Sir Sayyid Ahmad Khan by J.M.S Baljon. p. 16.

³ Indian Islam. p. 194.

⁴ For a list of his pre-Mutiny works see Bibliography of Baljon's The Reforms and Religious Ideas etc. pp. 99, 100. For Sir Syed's biographical account from 1817 to 1857 see Hayat-i-Javid by Altaf Husain Hali. Part 1. pp. 13-71.

⁵ Baljon's The Reforms and Religious Ideas etc. p. 14 and Bibliography. pp. 99, 100.

⁶ Hayat-i-Javid. Part 1. pp. 72-74; Asbab Baghawat-i-Hind. pp. 4,5,7-10,23,24,35,45.

⁷ Ibid., pp. 16-56.

⁸ Ibid., pp. 11-14, 45,46. According to Hali, the British Parliament accepted proposals of Sir Syed. See Hayat-i-Javid. Part 2. pp. 30,31.

⁹ Three Pamphlets (273 pages). Hayat-i-Javid. Part 1. pp. 75-81. An Account of the Loyal Muhammadans of India. No. 1 by Sir Syed Ahmad Khan. Meerut. 1860. (See the Preface).

¹⁰ The British understood that the Muslims regarded the followers of Christ as contemptuously as the Jews who spoke of Jesus as the man of "Nazareth." A Muslim was hanged in Cawnpur for calling the British "Nasara" (Nazarenes). See Hayat-i-Javid. Part 1. pp. 81,82.

¹¹ Baljon thinks that the derivation of "Nasara" from "Nasr" (help) was improbable. See The Reform and Religious Ideas etc. p. 17 (footnote).

¹² Hayat-i-Javid, Part 1, pp. 86-95.

¹³ Tabyin al-Kalam, Vol. 1. pp. 30-38, 64-95, 135, 148-50.

¹⁴ Ibid., Vol. 1, pp. 7-30; Vol. 2, pp. 26,27,56,108,123.

¹⁵ Ibid., Vol. 2, pp. 285-288.

¹⁶ Baljon's, *The Reforms and Religious Ideas etc.*, pp. 77-84.

¹⁷ *Abkam Ta'am*, pp. 2,3,8,11,12,15,28; *Tafsir-ul-Quran*, Vol. 2. pp. 112-120; See also *Life and Work of Sir Syed Ahmad Khan*, by G.F.I. Graham. p. 124. He was denounced as a "Christian" when he wrote his treatise by the religious zealots. But the enlightened Muslims agreed with him. See *Hayat-i-Javid*, Part 1. pp. 115-117.

¹⁸ *Our Indian Musalmans*, pp. 11,61,75,139.

¹⁹ *Review on Hunter's Indian Musalmans*, pp. 13-19, 20-27, 28, 45; *Hayat-i-Javid*, Part 1, pp. 144-152.

²⁰ *Ibid.*, Part 1, pp. 129-131. Part 2, pp. 114-153; also see *Khutbat-al-Ahmadiyyah* by Sir Syed Ahmad Khan, pp. 353-397; *Tafsir al-Quran*, by Sir Syed Ahmad Khan, Vol. 3, pp. 209-216; Vol. 2, pp. 9,10,15-48,149-168; *Akhiri Mazamin of Syed Ahmad Khan*, pp. 53-58; *Mazamin Tahzib-ul-Akhlāq*, Vol. 2, pp. 111-113.

²¹ *Tafsir al-Quran*, Vol. 4, pp. 33-37; see also *Hayat-i-Javid*, Part 2, pp. 177-189.

²² *Ibid.*, p. 42.

²³ *Ibid.*, Part 1, pp. 119,120.

²⁴ *Ibid.*, Part 2, pp. 44-47; *Life and Work of Sir Syed Ahmad Khan*, by G.F.I. Graham. p. 188,220; *Eminent Musalmans* (G.A. Natesan & Co.). p. 35.

²⁵ *Life and Works etc. by Graham*, p. 185; *Hayat-i-Javid*, Part 1, pp. 118-132, Part 2, pp.48-53.

²⁶ *Modern Islam in India*, p. 17.

²⁷ *Hayat-i-Javid*, Part 1, p. 132.

²⁸ Baljon's, *The Reforms and Religious Ideas etc.*, pp. 45-49.

²⁹ *Hayat-i-Javid*, Part 2, pp. 8,9; Part 1. p. 15; Baljon's, *The Reforms and Religious Ideas etc.* p. 77. (See Footnote No. 2); *Sir Syed Ahmad Khan as a Religious Reformer*, by Shah Din, p. 6.

³⁰ *Hayat-i-Javid*, Part 2, p.4.

³¹ *Sir Syeyid Ahmad Khan and the Genesis of the Muslim Separatist Movement*, by Abdul Hamid, p. 119.

³² *Hayat-i-Javid*, Part 2, pp. 112-114,170.

³⁵ *Majma' Lecture Hai Dr. Sir Syed*, ed. by Saraj-ud-Din, pp. 178-195; see also *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 161,181,182.

³⁶ *Indian Islam*, pp. 207,208. Murray compares him with the Mutazilites (Rationalist theologians in Islam of eighth century). But Hali maintains that he only accepted their views whenever they happened to concur with his own. *Hayat-i-Jamid*, Part 2, p. 200.

³⁷ *Ibid.*, Part 2, pp. 214. Hali enumerates those opinions which were held exclusively by him, pp. 208-216.

³⁸ *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 29,50,183; See also *Majma' Lecture Hai etc.* by Saraj-ud-Din, pp. 176-195.

³⁹ *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 21,22. *Khutbat al-Ahmadiyyah*, p. 4.

⁴⁰ *Indian Islam*, p. 208.

⁴¹ *Mazamin Tahzib-ul-Akhlaq*, Vol.2, pp. 302-306; See also Baljon's *The Reforms and Religious Ideas etc.*, pp. 51-53.

⁴² *Majma' Lecture Hai etc.*, pp. 184,185,190. He believed in "conceptual" revelation and not "verbal" revelation. *Khutbat al-Ahmadiyyah*, pp. 261-282; Baljon's, *The Reforms and Religious Ideas etc.*, pp. 53-58.

⁴³ *Khutbat al-Ahmadiyyah*, p. 6. (See the sub-heading "for us the Book of God is all-sufficient," p. 200)

⁴⁴ *Ibid.*, pp. 7, 202-227; *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 164-180. *He repudiated the charge of discrediting the Traditions*, p.309

⁴⁵ *Hayat-i-Jamid*, Part 2, pp. 162-172, 195-206, 298-317.

⁴⁶ *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 118-126, 197; Baljon's *The Reforms and Religious Ideas etc.*, pp. 58,59.

⁴⁷ *Tafsir al-Quran*, Vol. 2, pp. 1-8; Vol. 3, pp. 5-57; Vol. 5, pp. 5-9.

⁴⁸ *Ibid.*, Vol. 5, pp. 109-111; Vol.4, pp. 8-31; *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 194-197, 341-348.

⁴⁹ *Ibid.*, Vol. 2, pp. 226-289; *Akhiri Mazamin*, pp. 82,83,85-90.

⁵⁰ *Ibid.*, pp. 183-194.

⁵¹ *Khutbat al-Ahmadiyyah*, pp. 398-429; Vol. 6 of his *Tafsir al-Quran* deals with the subject in detail.

⁵² *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 210-216.

⁵³ *Ibid.*, p. 294.

⁵⁴ *Ibid.*, pp. 216-223, 314. (Sir Syed Ahmad Khan drew a line between the spiritual and the temporal, or belief and actions i.e. "Iman" and "Amal". p. 13.)

⁵⁵ *Tafsir al-Quran*, Vol. 2, pp. 71-90.

⁵⁶ *Khutbat al-Ahmadiyyah*, p.150; *Hayat-i-Jamid*, Part 2, pp. 154-165.

⁵⁷ *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 5-7.

⁵⁸ *The Mohammedan World of Today*, ed. by S.M. Zwemer etc. p. 198.

⁵⁹ Baljon's, *The Reforms and Religious Ideas etc.*, pp. 85.

⁶⁰ *Modern Islam in India*, p. 45.

⁶¹ *The lower class Muslims remained unaffected*, by his religious ideas or reform

movement. However principles of his religious reformism were carried further by writers like Chiragh Ali; Syed Ameer Ali, and S. Khuda Bakhsh; *Modern Islam in India*, pp. 26,27; *Modern Religious Movements in India*, by J.N. Farquhar, pp. 97-100.

⁶⁰ *Majma Lecture Hai etc.* pp. 181,182; *Hayat-i-Javid*, Part 2, pp. 201-206, 216-256; Baljon's *The Reforms and Religious Ideas etc.*, pp. 68-76.

⁶¹ *Hayat-i-Javid*, Part 2, p. 317.

⁶² *Ibid.*, Part 1, p. 133. The religious zealots charged him for regarding Steele and Addison as prophets. See *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, p. 305.

⁶³ *Ibid.*, Vol. 2, pp. 127-133.

⁶⁴ *Ibid.*, Vol. 2, pp. 5-18, 23-48, 50-59, 69-101. See his article on Aims of Tahzib-ul-Akhlaq, pp. 447-454; *Hayat-i-Javid*, Part 2, pp. 54-63.

⁶⁵ *Mazamin Tahzib-ul-Akhlaq*, Vol. 2, pp. 569-572; *Hayat-i-Javid* Part 1, pp. 133-137.

⁶⁶ *Hayat-i-Javid*, Part 2, p. 63.

⁶⁷ *Indian Islam*, p. 204.

⁶⁸ *Hayat-i-Javid*, Part 2, pp. 64,65,283,284. Hindus, unlike the Muslims, welcomed the idea of learning the new language. They objected when the Government opened a Sanskrit College at Calcutta in 1824.

⁶⁹ Syed Mahmood observes that the backwardness of Muslims in English education was due to their pride of race, a memory of by-gone superiority and religious fears. See his *History of English Education in India*, p. 148.

⁷⁰ Baljon's, *The Reforms and Religious Ideas etc.*, p. 24; *Majma Lecture Hai etc.* pp. 49,50; *Review on Education in India* by Sir Alfred Croft, pp. 312-314.

⁷¹ *Hayat-i-Javid*, Part 2, pp. 65, 66.

⁷² *Report of the Committee for Better Diffusion of Education etc.*, by Sir Syed Ahmad Khan, pp. 17,21,23,38.

⁷³ *Life & Works of Sir Syed Ahmad Khan*, by G.F.I. Graham, p. 215.

⁷⁴ *The Education of India*, by A. Mayhew, p. 61.

⁷⁵ *Our Indian Musalmans*, pp. 142,143.

⁷⁶ *Review on Education in India*, pp. 330-332.

⁷⁷ *Political India*, ed. by Sir John Cumming, p. 32.

⁷⁸ *The Education of India*, pp. 31,32.

⁷⁹ In the advancement of English education among the Muslims, the motive of the Government was to negative the effect of the militant "Wahabi" movement upon the Muslims. See *Shah Ismael Shabeel* published by Qaumi Kutab Khana, p. 84.

⁸⁰ *Review on Education in India*, pp. 311-322.

⁸¹ Baljon's, *The Reforms and Religious Ideas etc.*, p. 34.

⁸² *Hayat-i-Javid*, Part 1, p. 96; *Majma Lecture Hai etc.*, pp. 197,198.

⁸³ *Hayat-i-Javid*, Part 1, pp. 95-97; Part 2, pp. 37-40.

⁸⁴ *Ibid.*, Part 1, pp. 98-100, 103-106.

⁸⁵ *Ibid.*, Part 1, p. 127.

- ⁸⁶ *Report for Better Diffusion of Education etc.*, p. 50.
- ⁸⁷ *Hayat-i-Javid*, Part 1, pp. 137-139.
- ⁸⁸ *Ibid.*, Part 1, pp. 140-144, 152-169.
- ⁸⁹ *Ibid.*, Part 1, pp. 156,157. The status of the College was raised in 1920 when it was made a University.
- ⁹⁰ *Life & Work of Sir Syed Ahmad Khan*, by Graham, pp. 274, 275.
- ⁹¹ *Sir Syed Ahmad Khan and the Genesis etc.*, p. 90.
- ⁹² *Ibid.*, pp. 92-95. See also *Hayat-i-Javid*, Part 1, pp. 229-233.
- ⁹³ *Sir Syed Ahmad Khan and the Genesis etc.*, pp. 106-112.
- ⁹⁴ *Ibid.*, p. 114; *Hayat-i-Javid*, Part 1, pp. 169-177; Part 2, pp. 63,64,71-86, 240.
- ⁹⁵ *Mohammadan College History*, by Syed Iftakhar Alam. pp. 90-94.
- ⁹⁶ *Hayat-i-Javid*, Part 2, pp. 66-71.
- ⁹⁷ *Indian Islam*, p. 206; *Majmua Lecture Hai*, pp. 50, 75.
- ⁹⁸ *Sir Syed Ahmad Khan and the Genesis etc.*, p. 65 (Refer to footnote No. 35).
- ⁹⁹ *Majmua Lecture Hai etc.*, pp. 236, 237.
- ¹⁰⁰ *Hayat-i-Javid*, Part 2, pp. 42-44. Hali thinks the example of "two blades of a pair of scissors" refers to the Muslim rulers who helped the British to conquer India, e.g., Mir Ja'far, the Nizam expelling the French from his territory, Shah Alam coming under the protection of Lord Lake etc.
- ¹⁰¹ *Ibid.*, Part 1, pp. 101,102.
- ¹⁰² *An Autobiography*, p. 462.
- ¹⁰³ *Majmua Lecture Hai etc.*, p. 252.
- ¹⁰⁴ *Khutbat-i-Sir Syed*, ed. by Syed Ross Masud. p. 123.
- ¹⁰⁵ *Magamin Tahzib-ul-Akblaq*, Vol. 2, p. 52.
- ¹⁰⁶ *Hayat-i-Javid*, Part 1, p. 86.
- ¹⁰⁷ *Ibid.*, Part 1, pp. 189-191.
- ¹⁰⁸ *Magamin Tahzib-ul-Akblaq*, Vol. 2, p. 55.
- ¹⁰⁹ *Majmua Lecture Hai etc.*, p. 247.
- ¹¹⁰ *Hayat-i-Javid*, Part 1, p. 231.
- ¹¹¹ *Hayat-i-Shibli*, p. 294.
- ¹¹² *Sir Syed Ahmad Khan and the Genesis etc.* p. 65.
- ¹¹³ *Hayat-i-Javid*, Part 1. p. 192; *Majmua Lecture Hai etc.*, p. 252.
- ¹¹⁴ *Ibid.*, pp. 275,276.
- ¹¹⁵ *Ibid.*, pp. 266,267.
- ¹¹⁶ *Ibid.*, p. 247.
- ¹¹⁷ *Ibid.*, pp. 252,255.
- ¹¹⁸ *Ibid.*, p. 241.
- ¹¹⁹ *Ibid.*, p. 245.
- ¹²⁰ *Majmua Lecture Hai etc.* pp. 214-216.
- ¹²¹ *New India*, by Sir Henry Cotton, p. 232.
- ¹²² Baljon's, *The Reforms and Religious Ideas etc.*, pp. 93,94.
- ¹²³ *Ibid.*, p. 94; *Wither Islam*, by H.A.R. Gibb, pp. 229,230.
- ¹²⁴ *Sir Syed Ahmad Khan and the Genesis etc.*, p. 39.

- ¹²⁵ *Writings & Speeches of Maulana Mohammad Ali*, ed. by Afzal Iqbal. p. 251.
- ¹²⁶ *Hayat-i-Javid*, Part 1, p. 215.
- ¹²⁷ *Ibid.*, Part 1, pp. 214,215.
- ¹²⁸ *Akluri Mazamin*, pp. 39,43,44, 59-65.
- ¹²⁹ *Hayat-i-Javid*, Part 1, pp. 204-210; *Majmua Lecture Hai etc.* p. 215; *Sir Syed Ahmad Khan and the Genesis etc.* pp. 144-147.
- ¹³⁰ *The Reconstruction of India by Edward Thompson*, p. 58.
- ¹³¹ *The Growth and Development of National Thought in India*, by Ishwar Nath Topa. pp. 82-86; *The Reconstruction of India*, p. 65-67.
- ¹³² *A Nation in Making by Surendranath Banerjee*, pp. 5,6.
- ¹³³ *Ibid.*, pp. 41-48.
- ¹³⁴ *Modern Islam in India*, p. 168.
- ¹³⁵ *Ibid.*, p. 23.
- ¹³⁶ *Political India*, pp. 48,49.
- ¹³⁷ *A History of the National Movement*, by V. Lovett. pp. 47-51; *Indian Unrest*, by V. Chitrol. p. 43.
- ¹³⁸ *Ibid.*, pp. 44,45.
- ¹³⁹ B.C. Pal's *Nationality & Empire*. pp. 388,389; *Landmarks in Indian Constitutional and National Development (1600-1919)* by G.N. Singh. pp. 260, 261.
- ¹⁴⁰ *India Divided by Rajendra Prasad*, pp. 101,102.
- ¹⁴¹ *Modern Islam in India*, pp. 14,15.
- ¹⁴² *Sir Sayyid Ahmad Khan and the Genesis etc.* p. 16,17
- ¹⁴³ *Musalmanon Ka Roushan Mustaqbil*, p. 275.
- ¹⁴⁴ *Ibid.*, pp. 264,265.
- ¹⁴⁵ *Ibid.*, pp. 265-272.
- ¹⁴⁶ T. Morison in his *History of the M.A.O. College* writes: "He (Beck) succeeded in infusing into the college traditions which were then in the process of formation...it is principally to him that we must ascribe....to work for the college and the Mohammadan cause". pp. 5,6.
- ¹⁴⁷ *Musalmanon Ka Roushan Mustaqbil*, pp. 275-290. See also *Maqalat-i-Shibli*, Vol. 8. p.155.
- ¹⁴⁸ *Izje & Work of Sir Syed Ahmad Khan*, by Graham. p. 273. *Assistance of Beck acknowledged*, by Syed Ahmad Khan.
- ¹⁴⁹ *Musalmanon Ka Roushan Mustaqbil*, pp. 293-297; *Hayat-i-Javid*, Part 1 pp. 218-223; Part 2. p. 282.
- ¹⁵⁰ *Musalmanon Ka Roushan Mustaqbil*, pp. 297-300.
- ¹⁵¹ *Ibid.*, pp. 300-320.
- ¹⁵² *Sir Sayyid Ahmad Khan and the Genesis etc.* p. 130.
- ¹⁵³ *Asbab Baghawat-i-Hind*, pp. 51,52.
- ¹⁵⁴ *Modern Islam in India*, p. 26.
- ¹⁵⁵ *Sir Sayyid Ahmad Khan and the Genesis etc.* p. 133.
- ¹⁵⁶ *Majmua Lecture Hai etc.* p. 21.
- ¹⁵⁷ *Sir Sayyid Ahmad Khan and the Genesis etc.* p. 130.

- ¹⁵⁸ *Ibid.*, p. 132.
- ¹⁵⁹ *Hayat-i-Javid*, Part 1, pp. 111-115; *Khutut-i-Sir Syed*, p. 66.
- ¹⁶⁰ *Hayat-i-Javid*, Part 1, p. 112.
- ¹⁶¹ *Ibid.*, p. 114.
- ¹⁶² *Majma' Lecture Hai etc.* pp. 272-276.
- ¹⁶³ *Ibid.*, pp. 240-267.
- ¹⁶⁴ *Modern Islam in India*, p. 26.
- ¹⁶⁵ *Makers of Pakistan and Modern Muslim India*, by A.H. Albiruni, pp. 83,84.
- ¹⁶⁶ *Ibid.*, p. 85. Real name of Mohsin-ul-Malik was Syed Mehdi Ali, the former being his Hyderabad title by which he was generally known.
- ¹⁶⁷ *Musalmanon Ka Roushan Mustaqbil*, pp. 327-328.
- ¹⁶⁸ A deputation of Hindus demanding the displacement of Urdu waited on Macdonnell in 1898, but owing to the influence of Sir Syed the Government of the United Provinces did not accede to their demand. *Musalmanon Ka Roushan Mustaqbil*, p. 332.
- ¹⁶⁹ *Ibid.*, pp. 332-335; *Makers of Pakistan and Modern Muslim India*, p. 91.
- ¹⁷⁰ *Ibid.*, pp. 340,341.
- ¹⁷¹ His real name was Mushtaq Hussain, Wiqar-ul-Malik being his Hyderabad title. *Makers of Pakistan and Modern Muslim India*, P. 102.
- ¹⁷² *Tazkira Wiqar*, pp. 169,170.
- ¹⁷³ *Musalmanon Ka Roushan Mustaqbil*, pp. 341-344.
- ¹⁷⁴ *History of Indian National Movement*, pp. 57,58.
- ¹⁷⁵ *A Nation in Making by Bannerjee*, p. 124.
- ¹⁷⁶ *Makers of Pakistan and Modern Muslim India*, pp. 91,92.
- ¹⁷⁷ *Majma' Lecture Hai etc.* pp. 247,248.
- ¹⁷⁸ *Makers of Pakistan and Modern Muslim India*, pp. 92-94.
- ¹⁷⁹ *Ibid.*, pp. 94-96.
- ¹⁸⁰ *Musalmanon Ka Roushan Mustaqbil*, p. 363.
- ¹⁸¹ *India Divided*, pp. 109-115.
- ¹⁸² *Makers of Pakistan and Modern Muslim India*, p. 95.
- ¹⁸³ *Musalmanon Ka Roushan Mustaqbil*, pp. 358-360.
- ¹⁸⁴ *Ibid.*, p. 363.
- ¹⁸⁵ *Ibid.*, pp. 366,367.
- ¹⁸⁶ *Ibid.*, pp. 223-225, 368, 369; see also *Outlines of Indian Constitutional History* by W. A. J. Archbold, pp. 160-166. The capital of India was transferred from Calcutta to Delhi in 1911. See *India Old and New* by V. Chirol, p. 128.
- ¹⁸⁷ *Sir Syed Ahmad Khan - Halaat wa Afkar*, p. 76.
- ¹⁸⁸ *The Muslim Community in the Indo-Pakistan Subcontinent*, 1962, pp. 248, 249.
- ¹⁸⁹ Sir Sayyid Ahmad Khan's Contribution etc., p. 146.
- ¹⁹⁰ *Hayat-i-Javid*, p. 541.
- ¹⁹¹ Letter dated 27th, Feb., 1936 addressed to Dr. Zafarul Hassan, Photocopy in possession of the author.

Chapter Five

THE ENIGMATIC KHILAFAT MOVEMENT

All revivalist movements in Islam in the middle of the eighteenth century are linked with the puritanic militant reform movement of Ibn Abd-al-Wahhab (1703-1787). Originating in Arabia, this movement started as a protest against the religious, moral, social and political decadence of Muslims all over the Islamic world. It endeavoured to purify Islam from corrupt sufiism, sterile mullahism and arbitrary sultanate, particularly of the Ottomans in Turkey. It influenced Sunni Islam everywhere.

Despite its puritanical beginning, the Muslim revivalist movement, within a generation or two, broadened itself into what has been termed 'liberalism', and 'liberalism' in turn developed into 'Pan-Islamism' or 'Muslim nationalism'. However, 'Liberalism', 'Pan-Islamism' or 'Muslim nationalism' were intellectual and political impulses which were stimulated by external European pressures as well.

The Islamic world held a strategic position, not only between Europe and Russia, but also between Europe and Africa, India, the Far East and the Pacific. During the 16th - 17th centuries, the traffic between Europe and the Trans-Islamic regions had been possible only around the Cape of Good Hope. By the end of the 18th century, the economic interests of the European Powers demanded the opening of direct routes. These new lines of communication were to traverse the world of Islam. The Mediterranean route from Europe to India for instance, was

controlled by the Moroccan Coast (Gibraltar) and the Egyptian territory (in the Suez Canal). The same route to the Far East was controlled at the Straits of Malacca, between the East Indies and the Malay Peninsula. These were Muslim territories.

In possessing Dardanelles, Marmora and Bosphorus, Turkey controlled the Black Sea route from Europe to Southern Russia. The extension of the same route overland to the oil fields of Baku and to Central Asia passed through the Muslim countries of Azerbaijan and Transcaspia. The threat of the Russian expansion towards British India was gradually bringing Afghanistan and Iran within the orbit of British diplomatic pressure. The railway, automobile and air routes, which were opened before and then after the 1914-1918 War, traversed the 'core' of the Muslim world.

The economic penetration of the Islamic world, in some cases, led to occupation, and in others, the economic exploitation of Muslim countries by the European Powers. With imperial sway came ideas - nationalism, democracy, constitutionalism, and political economy. But by the time Muslims abandoned their passive role, the outer 'fringe' of the Islamic world had fallen into the hands of the Great Powers. The Muslims of Russia, India, Malaya, East Indies, China and Tropical Africa offered resistance, but since they were scattered minorities, particularly in Russia, India, China and Tropical Africa, they were eventually reduced to submission. Muslims of the 'heart' or the 'core' of the world of Islam, were however differently placed. Consequently they looked forward to exploiting their potential resources (such as mineral oil, tobacco plantations), thereby holding their own at least in those territories where they predominated.

Islamic puritanism of the mid-eighteenth century culminated in the condemnation of Western civilization. The 'conservative' followers of Abd-al-Wahhab, Syed Ahmad of Bareilly and Muhammad al-Sanusi were violently anti-Western. On the other hand the 'liberals', such as Medhat Pasha (Turkey), Mufti Alam Jan (Russia), Sir Syed Ahmad Khan (India) and Sheikh Muhammad Abduh (Egypt), endeavoured to reconcile Islam with the new Western culture. For some time it appeared as if the two

groups would function in a civilizational conflict. Since the 'conservatives' and the 'liberals' were apprehensive of external European threat, they joined together in religious and territorial defence of Islam. In the reconciliation process of these seemingly antagonistic trends of 'conservatism' and 'liberalism', Syed Jamal al-Din Afghani (1838-1897), the founder of the 'Pan-Islamic' movement played a conspicuous role.¹ Afghani was one of those Muslim reformers who realized that it was necessary to adopt Western technique and organization for the defence of the Muslim world against European imperialism.²

European politicians coined the term 'Pan-Islamism' to emphasize that Islam planned the union of its forces against Christian Europe. European diplomacy attempted to revive the old Christian hatred against a putatively 'aggressive Islam'; consequently, Muslims reacted to form a united front against the penetration of Europe. In turn this attempt was interpreted as an old Muslim plot 'to blow up Europe'. Zafar Ali Khan, a renowned political activist believed: "As long as a Morocco, a Tripoli, a Persia, or a Macedonia had to be grabbed, the bogey of Pan-Islamism was a most useful adjunct. It helped the stalwarts of Christendom to constantly confront their fanatical dupes with an imaginary peril, the bare possibility of which was to be removed by depriving the Moslem of his hearth and home. With the dismemberment, absorption or annexation of almost all the independent Moslem States by the Powers of Europe, and with the poor remnants of the integrity of Turkey and Afghanistan trembling in the balance, Christian thinkers have not at present much to say about this over-exploited theme".³

An eminent Western Scholar, E. G. Browne, considered the term 'Pan-Islamism' 'open to objection' because it was understood in the West to connote 'a certain quality of fanaticism', he 'regards the 'Pan-Islamic' movement as essentially 'defensive' and based on 'the more rational ground of a common faith'. "The threatened spoliation", he writes, "of the few remaining independent Muhammadan states (Turkey, Persia and Morocco) by European Powers, acting singly or in conjunction, has awakened these states to a sense of their common dangers,

and is gradually but inevitably leading them towards a certain solidarity. In this sense we may, if we choose, speak of a Pan-Islamic movement".⁴

F. Valyi is of the opinion that the Muslims felt obliged to defend themselves, firstly because European diplomats never forsook their theological bias against Islam, and secondly because European merchants were bent upon exploiting Asia commercially.⁵

W.W. Cash regards the 'Pan-Islamic' movement as "a union of Moslems to defy and resist Christian powers and to undertake regeneration of Islam upon Islamic lines...It was to be a League of Moslem Nations for the defence of Mohammadan power...In the ordinary language of the day it meant the extension of Turkish rule over all Moslems".⁶

There is no agreement about the founder, or when or where the movement was originally founded. Some authorities maintain that Sultan Abd al-Hamid founded the movement in Turkey shortly after his accession in 1876, in order to restore his despotic rule. Others believe that the movement was organized in 1870 in Bokhara (Russia) by Khandayar Khan, an ex-ruler of Khokand, and the Sharif of Mecca was appointed the head. When he was assassinated and Sultan Abd al-Hamid took over, his chief agent Jamal al-Din Afghani became the catalytic force, under whose directions merchants, preachers, scholars, fakirs carried the movement to the remote parts of the Muslim world.⁸ Bipin Chandra Pal thinks that the 'Pan-Islamic' movement originated in India when Jamal al-Din Afghani visited it in 1880-81. He is reported to have met the Muslim leaders and 'inoculated them with the virus of his Pan-Islamism'. Consequently the Muslims of India (particularly of Bengal, who had, according to B.C. Pal, sided with the Hindus for 'the common advancement of national political interest') "commenced to draw themselves away from the political activities of their Hindu fellow subjects until gradually a wide gulf was created between the Hindu and Moslem intellectuals in the country in regard to our national endeavours".⁹ G.N.Singh considers the Punjab as the home of the 'Pan-Islamic' movement.¹⁰ Those who associate the movement with Jamal

al-Din Afghani maintain that he founded a 'Pan-Islamic Society' in Egypt shortly after his arrival there in 1871. It subsequently led to his expulsion from Egypt in 1879. Afghani carried on the propaganda for 'Pan-Islamism' in the newspapers he started in Paris and London.¹¹ W.C. Blunt who observed the Middle Eastern situation carefully in 1884-85, hardly mentions any movement called 'Pan-Islamic'; on the contrary he remarked: "In the decay of Constantinople the Moslem world is looking more than ever for a champion; and if England refuses the office it may well be offered to another Christian Power".¹²

From these divergent assessments, one can surmise that 'Pan-Islamism' did not exist as an organized movement. Browne doubts its existence.¹³ However, the Muslims' anxiety to retain their independence against the external threat of an anti-Islamic Europe and the internal exploitation of an arbitrary sultanate, resulted in the founding of the movement, which carried with it the germs of 'Muslim nationalism'. 'Pan-Islamism' and 'Muslim nationalism' were inseparable movements, although 'Muslim nationalism' acquired greater prominence after 1918.

'Pan-Islamism' as opposed to European imperialism, could be perceived as the aspiration of Muslim nations to form an Islamic confederation under the leadership of the Ottoman Sultan-Caliph. Sultan Abd al-Hamid exploited the Muslim desire for solidarity to preserve his own autocratic rule.

The Caliphate, which was seen as 'temporal' by Sunni Islam, originally functioned as an elective office based on individual merit and Qurayshite lineage. From the accession of Muawiyah in 661 to the murder of Mustasim in 1258, the Caliphate was neither an elective office nor one that required individual merit. It was legitimized on account of sufficient prestige, power or force and Qurayshite lineage. The revival of the Caliphate was transformed between 1261 - 1517, from a 'temporal' to a purely 'spiritual' office based on Qurayshite lineage. In 1517 the Ottoman Sultan Selim conquered Egypt and the office was transferred to him formally by Mutawakkil. The Ottoman claim to the Caliphate after 1517 rested neither on individual merit nor on Qurayshite

lineage, but on the command of sufficient prestige and the guardianship of the Holy Cities.¹⁴

The increasing influence of Europe over Islam in the 18th century, through diplomatic or military pressure, commercial exploitation or transmission of new ideas, revived the Muslim interest in the Ottoman Caliphate. Sultan Abd al-Hamid succeeded to the throne in 1876, while Ottoman territories, containing Muslim populations, were passing into the hands of European Powers. Between 1876 - 1882 Bosnia-Herzegovina, Bulgaria, Eastern Rumelia, the three Transcaucasian 'Sanjaqs', Egypt and Tunisia had fallen under non-Muslim Governments. Other independent sovereign Muslim states were gradually being taken over. The Mughal Emperor was deposed and exiled by the British in 1858 and India was transformed into the British Empire. Russia absorbed the Southern Muslim states within her Empire; the control of Foreign Affairs of Afghanistan was taken over by the British in 1879. The Muslims of South Western and North Western China, who had been struggling to retain their independence, were eventually crushed by the Chinese Imperial Government between 1856 and 1878.¹⁵

These events stimulated a new sense of solidarity among the Muslims. The Ottoman Caliphate commanded sufficient prestige and was an important factor in international affairs. True, there were rival claimants like the Sharifs of Morocco who traced their descent from the Quraysh. Nevertheless the Muslims desired Ottomans to be their rallying point. Egypt and Tunisia carried on their struggle for national independence against European Powers. The Caliphate became attractive to the Muslims of India, Russia and China. Muslims constituted large minorities in these countries, and were fully aware that the growth of territorial nationalism in India, Russia and China, would be detrimental to their communal existence. They therefore took a keen interest in the Ottoman Caliphate.¹⁶

Within the Ottoman Caliphate, especially during the reign of Sultan Abd al-Hamid, a struggle raged between autocracy and constitutionalism. As the Caliph Sultan Abd al-Hamid wanted to strengthen his own position by winning over the support of the

Muslim world. His real objective however was to suppress the constitutional movement. He had been persuaded to promulgate a constitution shortly after his accession which circumscribed his power as the Sultan. When his position as Caliph became strong enough, he imposed his will by dissolving the first parliament and by securing the Decision (Fatwa) from the Sheikh ul-Islam to wage war (Jihad) against those who demanded a constitution. However, the Young Turks' Revolution in 1908 caused him to restore the constitution. As he failed to accomplish a counter-revolution, Sultan Abd al-Hamid was deposed in 1909.¹⁷

Much could be said about the religious, social, cultural and political implications of this newly awakened sense of Muslim solidarity. Zafar Ali Khan wrote: "Divested from the mischievous conception in which Western Machiavellianism has clothed it and used it as a convenient mode of expression, Pan-Islamism is not a new force but as old as Islam itself".¹⁸ The institution of the Caliphate, which is ideally an embodiment of the Islamic concept of State, is another manifestation of the underlying principle of unity of the Muslim community. Islam insists on its adherents to render obedience to the Imam (Leader). So long as the Imam (Leader) is a Muslim, it matters little if he possesses the required qualifications. From 661 onwards, the Caliphate was transformed into a hereditary monarchy and Muslims owed allegiance to it despite the rival claimants to this office in Egypt and Spain, while the Mughals in India established their independent sovereign state. These developments reduced the importance of the Caliphate, but they did not eliminate its international significance.¹⁹ Islam had not confronted an external threat of the magnitude of Europe including Russia. Therefore the interest in the already established Ottoman Caliphate revived.

European scholars including Arnold (England) and Barthold (Russia), wrote with a view to counter-act the movement of Muslim solidarity under the Ottoman Caliphate. Numerous academic arguments were advanced to refute the claim of the Ottoman Sultans to the office of the Caliphate. It was argued that Muslims were never a consolidated community in their past history. The gradual establishment of more than one Caliphate

and independent sovereign states in the world of Islam, divided Muslims into numerous territorial or political units. It was maintained that the transfer of the office of the Caliphate by Mutawakkil to the Ottoman Sultan Selim in 1517 never took place; it was a myth invented by an Armenian Turk in the second half of the eighteenth century.²⁰ Even if it were accepted that the transfer of the office did in fact take place, the Ottoman Caliphate lacked the qualification of Qurayshite lineage, consequently it remained illegal.²¹

Muslim political theorists, on the other hand, attached no importance to the researches of Christian scholars. They were primarily interested in the unity of the Muslim community under an already established Caliphate in opposition to the threatened assault of Christian Europe. They argued that the Caliphate as an institution had undergone numerous changes e.g. from an elective office to a hereditary monarchy; and from a 'temporal' to a 'spiritual' office. The Umayyad, the Abbasid as well as the Fatimid Caliphs lacked one qualification or the other. Ibn Khaldun, Abu Bakr Baqelani and other Muslim jurists unanimously maintained that Qurayshite lineage as a condition for holding the office of the Caliphate held good so long as the Quraysh had the capacity to lead the Muslim world. The Ottoman Sultan-Caliphs commanded prestige and were the acknowledged guardians of the Holy Cities. The absence of the Qurayshite lineage could not belittle their claim to the exalted office.²²

The entire Muslim world looked up to the Ottoman Caliphate as the symbol of Islamic solidarity. Consequently when Turkey sided with the Central Powers and the War (1914-18) was declared, the Ottoman Sultan-Caliph proclaimed Jihad (Holy War) against the 'enemies' of Islam. This proclamation did not have the desired effect. Morocco for instance, was in the grip of France; Tripoli however, managed to hold back the Italians; Egypt's attempt to respond to the Sultan-Caliph's call was frustrated by overwhelming British reinforcements; Iran was prevented from joining Turkey by the combined military pressure of Russia and England;²³ Afghanistan's Foreign Affairs were in

the hands of England; Indian Muslims, with a clash of loyalties, are reported to have fought against their co-religionists 'gallantly', although at Sanaiyat and other places "Desertions were frequent and so were executions - accepted then with callous indifference, as the kind of thing that happened in war".²⁴ British diplomacy triumphed in holding back the Arabs from joining Turkey. According to the so-called 'Sharifian policy', King Husain of the Hedjaz was persuaded to rebel against the Ottoman Sultan-Caliph. His support was secured by the promise of making him the Sovereign of the Arab provinces (Syria, Mesopotamia and the Hedjaz) of the Ottoman Empire. The British, at the same time, negotiated successfully with his rival, Ibn Saud. King Husain of the Hedjaz, who traced his descent from the Quraysh and had his pretensions to the Caliphate, was condemned, particularly in India, as a traitor to Islam. Indian Muslims boycotted Hajj (Pilgrimage) and demanded the restoration of the Holy Cities to the Ottoman Sultan-Caliph.²⁵

At this stage it is appropriate to assess the contribution that Jamal al-Din Afghani made to the cause of Muslim solidarity under the Ottoman Caliphate. Browne writes: "He (Jamal al-Din) was at once a philosopher, writer, orator and journalist, but above all politician, and was regarded by his admirers as a great patriot and by his antagonists as a dangerous agitator".²⁶

He was born in 1838 at a village called Asadabad in Afghanistan (some authorities maintain that he was born at a village bearing the same name in Hamadan, Iran).²⁷ He is generally known by the name of Afghani, but in Iran he is called Asadabadi. With his name he sometimes also wrote al-Husaini, or Istanbuli. According to some Iranian scholars he was a Shia Muslim. During his life he never married but contracted "Mutta" or temporary marriages. Since the majority of Muslims, whom he wanted to unite were Sunni Muslims, he never disclosed his personal religious convictions.²⁸ Syed Jamal al-Din served for some time under Amir Doost Muhammad Khan and his successors. While in service of the Afghan Amirs, he paid a visit to the Holy Cities. In 1869 he left Afghanistan for good, passed through India and visited Cairo, where he resided for a month or

two delivering lectures on the need for Muslim solidarity. He then went to Constantinople but returned to Cairo in 1871. His activities in Egypt, particularly the support he gave to the national movement there, made the British diplomatic authorities apprehensive. He was expelled from Egypt in 1879, then he came to India and settled in Hyderabad.

In 1882 the Egyptian nationalists, who demanded a constitutional, rather than an autocratic, rule of the Khadive, and at the same time, resented the British interference in domestic affairs of Egypt, revolted under Arabi Pasha. This culminated in the occupation of Egypt by the British in 1882. Jamal al-Din, who had identified himself with the Egyptian national movement and was therefore detained by the British in India, was allowed to leave after 1882. He came to London and visited Paris shortly after, where he stayed for three years, editing a weekly, "al-Urwat ul Wuthqa" (The Tight Bond). After another visit to London in 1885, he went to Moscow (and later to St. Petersburg) where he stayed for four years, securing concessions for the Muslims of Tzarist Russia. He was, however, persuaded to go to Iran by the Shah Nasir-ud-Din, whom he had met in Munich. But since he associated himself with the constitutional movement, Jamal al-Din was expelled from Iran in 1890. He visited London again in 1891, returning to Constantinople in the same year. Sultan Abd al-Hamid received Jamal al-Din cordially, believing that he would serve as a tool in the establishment of the Sultan's arbitrary rule. But Sultan Abd al-Hamid was disappointed because Jamal al-Din supported the constitutional movement in Turkey. Jamal al-Din died in Constantinople in 1897. Some authorities have maintained that he was poisoned under the directions of Sultan Abd al-Hamid.²⁹

Browne writes: "This remarkable man...during a period of at least twenty years, probably influenced the course of events in the Muhammadan East more than any other of his contemporaries".³⁰ He substantially contributed to the cause of the nationalist revolution in Egypt; the constitutional movement in Iran was organized at his instigation; and he supported the constitutional movement in Turkey. Furthermore he endeavoured

to bring about a unification of the Muslim states in order to defend Islam against the threatening European imperialism. He endeavoured to heal the ancient breach between the Shia and the Sunni Muslims, by suggesting that the Shah of Iran acknowledge the Ottoman Sultan as the Caliph, and at the same time, advising the Sultan to accept the Shah as the head of the Shia Muslim community.³¹

Jamal al-Din remained aloof from the controversy of Qurayshite lineage in the case of the Ottoman Caliphate. He viewed the situation from a pragmatic standpoint. The unity of Muslims under the established Caliphate was a religio-political necessity. Therefore some of the 'conservative' Ulema and the 'liberals' supported him. Nevertheless he preached that Muslims should only render the Sultan-Caliph a qualified allegiance.³² He thought in terms of a 'constitutional' Caliphate, and this was his new "Ijtihad". The Muslim rulers lived in the past, whereas the times had changed; they were despotic, inefficient and were prepared to barter away their subjects' interest in order to protect their individual interests. Probably for this reason, Jamal al-Din taught that Muslim nations should fight for a constitutional rule in their countries, and get rid of their absolute and autocratic monarchs and their tyrannical regimes.³³ Thus in the words of one of his Iranian contemporaries and disciples, the movement that he started: "Was...brought into being solely and wholly to make a contribution from the Islamic side, to the ultimate democratization of the polity of the whole world and, it was a movement...which drew its inspiration from the perennial fount of the broad humanitarian principles on which rested the strength and power of Islam".³⁴

As for the external threat, Jamal al-Din believed that the traditional Christians' hatred for Islam was widespread in Europe regardless of their race, creed or nationality. No other non-Muslim nation ever claimed to have attacked Islam or the Muslims. Pagan Iran had been crushed in the very beginning. The Jews had no political importance. The Hindus or Buddhists of India never marched out of India to attack the Muslims. The Mongols who attacked and caused some destruction, themselves

converted to Islam. Consequently with the exception of the Christian nations, there was no enemy or rival of Islamic power on earth. Afghani believed that Christian Europe was planning the destruction of Islam. In response, a confederal union of Muslim states under a constitutional Ottoman Caliphate was the only way to preserve Islam from destruction. Afghani also emphasized the need to acquire the techniques of European progress, and exhorted the Muslims to understand the secret of Western power.¹⁵

While Jamal al-Din was a political activist, he nevertheless had a definite religious, cultural, social, intellectual and philosophical orientation. With the exception of Iran's Shia Ulema, he did not succeed in developing cordial relations with the eminent Sunni Ulema of the Muslim world. He was a fascinating conversationalist. Instead of holding discussions with the Ulema in their seminaries, he preferred to exchange ideas with the Muslim youth while sipping coffee and smoking cigars in the cafes of Istanbul or Cairo and thereby ultimately winning them over to his viewpoint. The conservative Ulema were always opposed to his philosophical ideas. Some of them considered him a "Westernized" Muslim or a "Freemason". The others regarded him as an "atheist" or "infidel" (kafir).

Jamal al-Din's first polemic with conservative Ulema took place in 1870 in Istanbul when they, under the leadership of Sheikh ul-Islam Hassan Fahmi Effendi, pronounced a fatwa of kufr (infidelity) against him. The Ulema held that the Sultan-Caliph Abd al-Hamid's absolute powers could not be curtailed under the Shariah, that he may consult the "Shura" (Parliament) but can over-rule its advice, that the concept of "constitutional" Caliphate is against the Quranic injunction laid down in sura 42: verse 38 and the centuries old Sunnah (practice) of the Holy Prophet, the Rightly-Guided Caliphs, and the subsequent monarchs of Islam who consulted the "Shura" but were not bound by its advice. Similarly this view of Afghani was in conflict with sura 4: verse 59 whereunder Muslims are enjoined to render unqualified obedience to those who command authority over them. Therefore everyone who demanded "constitutional"

Caliphate was a rebel, traitor and infidel. They also accused him of viewing prophethood as a "craft", and the status of a "philosopher" as being equal to that of a "prophet".

He had similar polemics with some of the Egyptian Ulema during his stay in Cairo from 1871-1879, while one of them, Sheikh Muhammad Abduh, became his most trusted disciple. They resented his critical views of the renowned theological and juridical authorities of the past, but Afghani maintained that his views were in the light of what he called "philosophical reasoning". Some Sheikhs of Al-Azhar denounced him as a "distorter of Islamic convictions". However in 1879 when Afghani was expelled from Egypt under the orders of Khadive Tawfiq, it was not because of the opposition of the Ulema, but for political reasons.

Afghani was convinced that religion was necessary for the organization of the collective life of any human society. He thought that the Quran and Sunnah being the fundamental sources of Islam, the Muslim Ummah could be re-constituted in the light of a rational interpretation of these sources. According to him the spread of 'bida' (innovation), as claimed by the Ulema, was not the real threat to Islam, but it was the political and economic power of the West. He believed that the decline of Islamic civilization was caused by the death of the philosophical spirit, and the absence of knowledge in the Muslim community. The supremacy of the West over the Muslim world amounted to supremacy of "knowledge" over "ignorance". He argued that modern sciences were not popular among the Muslims, because in the past centuries the Ulema had divided sciences into "Islamic" and "non-Islamic". This false division had not only created a prejudice among the Muslims against modern sciences but had presented "knowledge" as an "adversary" of Islam in the Muslim societies. He felt that the study of philosophy should be made compulsory in the Muslim societies as it was the spirit behind all the empirical sciences. It was likewise necessary that the Muslim societies should be re-established on the foundations of constitutional democracy and rule of law.

Afghani believed that a real "Alim" (learned) was the one whose enlightened words washed away the darkness of hearts, and illuminated them. An "Alim" who could not find his own way, yet stood up to lead others was no "Alim". He lamented that the Ulema who read ancient books repeatedly, do not take the trouble to find out how modern scientific inventions like telegraph, camera, binoculars, microscope, recording machine, electric bulb, railway engine are made or operated.

During 1889 - 1891, Afghani developed close relations in Iran with the Shia Ulema. But as he supported the constitutional movement, he was forced to leave Iran. However he was instrumental in obtaining the proclamation of Mujtahid-i-Azam's famous Decision (Fatwa) whereby the use of tobacco was religiously forbidden in Iran.

While in Paris he wrote a critique of the French rationalist philosopher Renan's paper, "Islam and Science". In advancing his concept of "knowledge", he stated the view that "religion" and "knowledge" were not opposed to each other, and the terms like "Islamic" and "non-Islamic" sciences were absurd. Reason or logic should be considered as the only criterion for judging the value of an ideology or a science. Muslim theologians and jurists should make themselves familiar with modern social sciences, and they should not confuse the community with their outmoded, static and immobile variety of knowledge.

Some basic questions agitated Afghani's mind, which became central in his debates with the conservative Ulema: Does Islam allow complete freedom to human mind for the acquisition of knowledge, or is this freedom limited and confined only to certain specific branches of knowledge? Can the definition of the term "Ulema" be expanded so as to include specialization in both religious as well as secular fields of knowledge? Is it not correct that the decline of Islamic civilization resulted from the suppression of the philosophical spirit and secular sciences through the instrument of religion or a false conception of religion? Did not the growth of Islamic civilization stop owing to the deliberate dissemination of irrational fanaticism by the Ulema among the Muslims which closed the gates of independent

inquiry in all the fields of knowledge and restricted the meaning of 'knowledge' to only 'religious knowledge'?

Sheikh Muhammad Abduh, the disciple and companion of Afghani, subsequently became Mufti-i-Azam of Egypt and delivered some interesting Decisions (Fatawa). He differentiated between religious obligations and worldly affairs which, according to him, were subject to the laws of change. He opposed "Taqlid" (blind following of previous authorities), since a "Muqallid" (one who practices Taqlid) accepts the precepts of Islam without application of reason, and therefore cannot attain "Illuminating Faith" (Al'qaan). Until one reaches that stage, "doubt" (shakk) does not leave his heart. Such a person is no better than an unbeliever (kafir). He introduced the principle of "Talfiq" which allowed a jurist to rely on the verdict of any other school of law, even though it was opposed to his own school. Thus he evolved his own method of Ijtihad. The Sheikh also maintained that the Shariah could not be opposed to photography, portrait painting, sculpture or statues-making as these modes of expression had been generally accepted as a means of acquiring knowledge and information. He regarded the animals slaughtered by People of the Book (Ahl-i-Kitab) as permissible food for the Muslims. Also he declared that bank interest was not usury, and that wearing European dress was permissible. His Decision (Fatwa) against polygamy encouraged the establishment of Muslim Womens' Freedom Movement in Egypt.³⁶

In India, so long as the Mughal Emperor existed, the Muslims hardly felt the necessity of owing an extra-territorial allegiance to the Ottoman Sultan-Caliph. With the decline of the Mughals, the importance of the Ottoman Caliphate increased. In fact, it was England herself, in the words of V.Chirol, "who did most to magnify Turkey in the eyes of the Muhammadans of India. For a long time during the nineteenth century it was her policy to bolster up the Ottoman Empire against Russia".³⁷ Muslim India's interest in the Ottoman Caliphate developed shortly after the fall of Sultan Tippu in 1799. The clash of loyalties did not occur because England sided with Turkey against Russia, and the British did not object to the mentioning of the name of the

Ottoman Sultan-Caliph in the "Khutba" in Friday congregational prayers.

The British attitude towards Turkey changed in the last decade of the nineteenth century. Egypt was occupied by the British in 1882. The Greeks rebelled against Turkey in 1897 at the instigation of England, as it was believed in Muslim India. The defeat of the Greek rebels at the hands of the Turks was hailed by Muslim India. This development upset Sir Syed, who wrote articles refuting the claim of Sultan Abd al-Hamid as the Caliph. He maintained that as Indian Muslims were British subjects and not subjects of Sultan Abd al-Hamid, they should remain loyal to the British even if they had to pursue an unfriendly policy towards Turkey.³⁸ He objected to the mentioning of the name of the Ottoman Sultan-Caliph in the "Khutba" as unnecessary.³⁹

Emotionally however, Sir Syed could not help being disturbed at the misfortunes of Muslim states. He stated: "When there were many Muslim kingdoms we did not feel much grief when one of them was destroyed; now that so few are left, we feel the loss of even a small one. If Turkey is conquered that will be a great grief, for she is the last of the great powers left to Islam. We are afraid, that we shall become like the Jews, a people without a country of our own".⁴⁰

During his stay in India, Afghani criticized Sir Syed's religious ideas in a treatise 'Refutation of the Materialists' (published in Persian, Bombay 1881; Urdu, Calcutta 1883; Arabic, Beyrout 1886). He led a campaign against Sir Syed in his weekly newspaper (*al-Urwat-ul Wuthqa*) that was published in Paris. In one of his articles he wrote: "Ahmad Khan and his followers took off the garb of religion...spread unbelief among the Muslims...made their deviations still worse by sowing discord between Indian and other Muslims, and they wrote various writings against the Islamic Caliphate...these materialists are unlike the materialists in Europe, for he who abandons in Western countries his religion, remains patriotic, and does not lack zeal to defend his fatherland against foreign aggression...Ahmad Khan and his friends...represent foreign

despotism as acceptable and strive at effacing the traces of ardour for religion and nationality".⁴¹

Afghani did not realize that both he and Sir Syed had identical ideas about the future of the Muslim Ummah. He also failed to understand the peculiar position of Muslim India with regard to the Ottoman Caliphate. Indian Muslims, unlike the Muslims of Egypt, Iran, Afghanistan or Turkey, constituted a minority in India, although they were seventy million in number. Had they regarded India as their 'fatherland', as Afghani desired, that would have implied the submergence of the seventy million Muslims into a community four times as numerous as themselves. There was the example of Chinese Islam which was absorbed into the majority community in China. In India the question of 'nationality' based on 'religion' might have meant a contradiction in terms. Sir Syed undoubtedly considered the Muslims a 'nationality' based on 'religion'. However faulty his religious ideology might have been, the implications of his political ideology were clear. Sir Syed had the better of the argument, and in the light of subsequent events, he proved to be right.

During Afghani's stay in India, passion for the accomplishment of a united Islam overpowered the Indian Muslim intellectuals. It is stated that Afghani met Salar Jung and Sir Syed; but they took little interest in his political ideology. However a group of younger intellectuals, including Syed Ameer Ali, Chiragh Ali, and Hassan Askeri enthusiastically followed him when he visited Calcutta.⁴² Syed Ameer Ali, who was the first to found a Muslim national political organization in Calcutta in 1877, was also a champion of Islamic solidarity. He supported the Ottoman Caliphate even though he was a Shia Muslim. He was not the first Shia Muslim to support the Sunni Caliphate, for the Shia and Sunni jurists of Russia and Iran had formerly decided to uphold the Ottoman Caliphate as a political necessity for the territorial defence of Islam.⁴³ However, the influence of Syed Ameer Ali remained confined to the highly intellectual class of Indian Muslims, or to those in England who were interested in the Eastern Question. Syed Ameer Ali and Chiragh Ali have written extensively in the defence of Islam. Their works are

mostly in English, therefore, they are better known abroad than at home.

Relying on a work *'History of the Freedom Movement'* (Vol.1. pp. 48,49) scholars like Ishtiaque Husain Qureshi and Sharifuddin Pirzada maintain that Afghani contemplated the prospects of an Islamic republic consisting of the territories of Russian Muslim Central Asia, Afghanistan, and Muslim majority areas of North West India.⁴⁴ However there is no evidence to support this speculation.

One of the older intellectuals who took keen interest in Islamic solidarity under the Ottoman Caliphate was no other than Maulana Muhammad Shibli (1857-1914). Shibli spent sixteen years at the M.A.O.College as Sir Syed's colleague, and under his influence he even wrote an article refuting the claim of Sultan Abd al-Hamid as the Caliph of the Muslims. He was persuaded to write this against his will;⁴⁵ in reality he remained the personification of the spirit of reaction against Sir Syed's religious and political ideology. A.H.Albiruni writes: "His characteristic contribution to the making of modern Muslim India is not in strengthening the Aligarh movement, but in undermining it".⁴⁶

In 1877, while the Turks in collaboration with the British were fighting against the Russians, the attention of Indian Islam was drawn towards Turkey. Shibli was one of those Muslims who collected funds in his own district in aid of the wounded and disabled Turks. These funds were forwarded to Turkey. In 1892, he visited Constantinople and stayed there for three months, and Sultan Abd al-Hamid awarded him the Mejidi Medal for his scholarly activities.

Shortly after 1877 relations between England and Turkey deteriorated. The British occupied Egypt in 1882, and in 1897, instigated Greece to rebel against Turkey. Consequently Shibli, on his return to India, was suspected by the British Government as an agent of Sultan Abd al-Hamid; he was not allowed to wear his Turkish decoration, which was, ironically, stolen.⁴⁷

Differences between Shibli and Sir Syed arose shortly after Shibli's association with Aligarh College (he joined the College in 1882 and left it in 1898, two months after Sir Syed's death). Their

disagreements were related to Shibli's criticism of Sir Syed in regard to the mandatory learning of the English language (as opposed to Arabic) in the acquisition of technical and scientific knowledge; his opposition to Sir Syed's religious ideology; his opposition to Sir Syed's political ideology (Shibli did not approve of Sir Syed's anti-Congress policy since he was a nationalist at heart and wanted the Muslims to join the national movement). Lastly, his opposition to Sir Syed's articles in refutation of the Ottoman Caliphate's claims.

In reality Shibli made the same mistake that Afghani made in regard to the solution of the problem of Muslim India. Both of them desired the Indian Muslims to regard themselves as an Indian 'nationality' based on 'religion', but (here they differed with Sir Syed) not in isolation from the other nationalities, including the Hindus. It was not possible to be a Pan-Islamist and an Indian nationalist at the same time. The confusion of Afghani and Shibli lay in the fact that by 'nationality' and 'religion' they did not imply adherence to one and the same ideal (as in Muslim countries where Islam and nationalism meant one and the same thing) but to two contradictory and mutually exclusive ideals. They wanted the Indian Muslims to regard India as their 'fatherland' and to join the national movement. This implied the absorption of the Muslims into the majority community which of course was not interested in the Ottoman Caliphate or the fate of the Muslim world. They desired at the same time that the Indian Muslims should owe an extra-territorial allegiance to the Ottoman Caliphate or the Muslim world outside India.⁴⁸

After leaving Aligarh College, Shibli joined the Nadwat-ul-Ulema at Lucknow in 1905, but he left it in 1913, because the Ulema disagreed with him on the question of the inclusion of the English language into the curriculum of the institution, and consequently other differences arose between the two⁴⁹. Shibli did not succeed in moulding the purely 'theological' institution at Lucknow in accordance with his own religio-political ideology, and in establishing it as a counterpart of Aligarh College.⁵⁰ After 1919 the Nadwat-ul-Ulema accepted the religio-political ideology of Shibli.

Shibli published an account of his travels in Turkey and wrote numerous articles about the Turks. His real poetic appeal however, lay in the poems he wrote on the misfortunes of Turkey, and with these writings Shibli brought Turkey closer to Muslim India.

After Shibli, Maulana Abul Kalam Azad was by far the most prominent of the theological, literary and political figures. Azad started his political career as a journalist in 1912, when he published 'al-Hilal' in Calcutta. The newspaper was pro-Congress and at the same time supported the Ottoman Caliphate. It acquired a wide circulation within a short period of time, but was suppressed at the declaration of War (1914-18), and Azad was interned until 1920.⁵¹

In addition to Shibli and Azad, Maulana Muhammad Ali (1878-1931), his brother Shaukat Ali and Zafar Ali Khan were the other important personalities who gave wholehearted support to the cause of Muslim solidarity under the Ottoman Caliphate. Muhammad Ali started two newspapers, 'the Comrade' (printed in English) in Calcutta (1911), and 'the Hamdard' (in Urdu) in Delhi (1913), while Zafar Ali Khan edited 'the Zamindar' at Lahore. The Comrade was suppressed and Muhammad Ali and Shaukat Ali were interned (so was Zafar Ali Khan) under the Defence of India Rules from 1915 to 1919.⁵²

In the light of the activities of these personalities, it becomes abundantly clear that Islamic solidarity as an ideal started attracting the attention of the educated Muslims in the form of an intellectual movement, which involved scholars, poets and journalists. One could say that the new emphasis on Islamic solidarity was an extension of Sir Syed's 'liberalism' without his policy of loyalty towards the British Government. Until 1919, the movement remained intellectual, influencing only the educated and well-to-do Muslims. The Ulema who had formerly opposed Sir Syed's 'liberalism' failed to accomplish anything in the opposition. They remained aloof; but after 1919 they gave up their isolationist policy, when the movement for Islamic solidarity ceased to be purely intellectual and (owing to the resentment against the Turkish Treaty) had evolved into a political

movement. Economically discontented lower-class Muslims joined the movement, and so did the Ulema.

Sir Syed's policy of loyalty towards the British Government ran out of steam between 1911 and 1914, and the Anglo-Muslim relations in India deteriorated. The loyalists received the first political rebuff from the British Government when the partition of Bengal, carried out in 1905, was annulled. The Government took a firm stand from 1905 to 1911 against the persistent demand of the Congress for the annulment of the partition, but harassed by terrorist activities of the Bengali Hindu nationalists, the Government yielded in 1911. The partition was annulled and the unity of Bengal was restored.⁵⁴ Despite the Hindus' objections the British Government promised the Muslims that a university would be established at Dacca to encourage higher education among the Muslims.⁵⁴ The loyalists realized, for the first time, that constitutional methods of securing rights had failed to be effective. The Government had set a precedent of kneeling down before force. Shibli called it a 'slap' - 'a slap that turned the face of the Muslims'.⁵⁵

To check the new trend of joining with the Hindus, which the annulment of the partition had stimulated among some sections of the Muslims, Wiqar-ul-Mulk wrote: "By this decision Government displayed improper indifference to the Muslims, and the result is that some educated Muslims have begun to say that it is not in Muslim interest to keep aloof from the Hindus. They suggest that we should...join the Indian National Congress - and this is what the Congress has been after for many years...Government has given a legitimate cause for complaint to the Muslims, but we totally differ from the suggestion that we should...join the other large group".⁵⁶

In 1911 Italy attacked Tripoli. This stirred the entire Muslim world. Muslim India was particularly enraged because of Egypt, which had been occupied by the British Government in 1882, and was deemed by the British to be now part of the Ottoman empire, therefore her army was under the legal jurisdiction or subject to the command of the Sultan-Caliph. The British

compelled her to remain neutral in the conflict between Italy and Libya.⁵⁷

In the Balkan war in 1912 Turkey lost her European provinces. In the same year Russia bombarded Meshd, which led to the occupation of Iran, and the strangulation of the constitutional movement by the Russians and the British. At the same time France tightened her hold on Morocco. Muslim India had pleaded with the British Government since 1897 to refrain from instigating European Powers to attack the Ottoman empire, as a reward for their loyalty towards England. The British Government paid no heed, and continued to pursue an anti-Turkish policy.⁵⁸

Another grievance that the Muslims nourished against the British Government was about the status of Aligarh College, which they wanted to be raised to a Muslim University. For the proposed university a sum of Rs.3,100,000 had been collected. The Muslims demanded that Muslim schools and colleges all over India should be affiliated with the proposed university. Also the Government should yield the powers of veto to the Board of Trustees in matters of the university administration. These demands were rejected. There was a great deal of disagreement over the name of the proposed university. The Government wanted that it should be called Aligarh University, instead of Muslim University. Eventually the Government yielded for the name, and Aligarh College was named Muslim University by charter in 1920. However the demand of the radical young leaders including Maulana Muhammad Ali, were not accepted. Consequently, they set up the Jamia Millia (National University of Muslims) at Delhi as a rival of the Aligarh Muslim University.⁵⁹

In addition to extra-territorial issues, Muslims were deeply disturbed about the internal political dynamics of India. With mournful indignation they watched the fate of Turkey in the Balkan war. Muhammad Ali organized a Red Crescent mission which was sent to Turkey under the leadership of Dr. Ansari in 1912.⁶⁰ Amid this state of anxiety and tension came the Cawnpore Mosque tragedy in August 1913.

The civil authorities of Cawnpore proposed to demolish a part of a mosque enclosure in order to improve the alignment of a street, and this was done in spite of the protests of the local Muslims. They gathered in a procession towards the mosque and started rebuilding the demolished walls. The British Deputy Commissioner arrived with a detachment of police, and without any warning, gave orders to open fire, which resulted in numerous casualties including a few children. This incident roused the already discontented Muslim India. Funds were raised everywhere for the dependents of those who had fallen. The feelings ran so high that Muhammad Ali decided to go to England to lodge a protest with the British Government against the Viceroy's administration. Eventually the Viceroy was called upon to make a settlement with the Muslims.⁶¹

These were overt as well as covert factors of politics which underlined the relations between the Muslims and the British Raj. So far only the outward causes of the deterioration of Anglo-Muslim relations have been enumerated. The inner cause which permeated their uneasy relations throughout this period, was the rising economic discontent. "Muslim peasants", Smith observes, "had been rebelling against the British and others, particularly under the 'Wahabi' ideology, for nearly a century". As for "the new middle classes among the Muslims", Smith goes on, "on whom the Government had previously depended, and who were educated and vocal, and could hardly be ignored or crushed; outgrew their dependent position within the imperial system, and began also to express their dissatisfaction".⁶²

The annulment of the partition of Bengal had generated a new trend of thought among some educated Muslims, who criticized the Muslim League, and suggested that the Muslims should side with the Hindus. True to Sir Syed's tradition, Wiqar-ul-Mulk wrote a few articles to check this trend. Shibli criticized him; thus initiating a lively debate in published articles, which eventually led to a reform in the Muslim League.

"The time has come", Shibli asserted, "for the Muslims to open their eyes...The politics that had been whispered into our ears (like the dogma of God's Unity) since the very day we were

born, were only these: 'The time has not arrived yet'; 'We should first achieve skill in understanding politics'; 'Education is the primary need'; 'We are numerically inferior therefore the method of election does not suit us'.

"These sentences have been repeated over and over again and have penetrated deep. Every Muslim child is born with these ideas and sticks to them throughout the course of his life. It's rather surprising to note that whenever young Muslims discuss politics, they repeat these sentences like a gramophone record".

"An ideal is the only thing in the world that leads men to activity. What is our ideal? What is our goal? To take university degrees so that we could secure posts under the protective wings of the Government. Can this ideal engender nobler sentiments among us?...Can this goal make us aspire to higher things in life?"

"Our low ideals have been the cause of serious loss. They tend to kill the growth of political consciousness among us. Accordingly in our political dictionary to strive for liberty has come to imply rebellion...The period of ignorance however, has passed. Political consciousness has come to the Muslims. What remains is to determine a course of action in this new life of ours".

"If Sir Syed dissuaded us from joining the Congress, let us say, he was in the right...But should we not stand on our own feet? Carve out our own way? There are certain needs that we share in common with the Hindus as there are others which we do not. It is therefore, necessary that we should have a political platform of our own. Here before us is the Muslim League. Now what is it? Is it a 'House of Lords'? Perhaps that is the correct name for it".

"The Muslims do not know that their political organization (i.e. the League) is a purely academic and useless body...We repeat that the Muslim League as it stands at present, cannot represent Muslim political opinion for another thousand years...Has its constitution anything to do with Muslim political aspirations? Can it be of any use to the Muslims as it is?"⁶¹

Shibli proposed that the membership of the League should not be restricted to the upper classes, who were only remotely

connected with the Muslim masses. Its Executive Committee should be cleared of the wealthy element (landlords) and replaced by those Muslims who could express their opinion freely and truthfully; that the League should raise its ideal from securing safeguards for rights to the ultimate aim of 'Self-Government' of India; that it should establish its branches in the rural areas and look into the grievances of Muslim peasants, whose poverty was constantly increasing; that the League should promote a proper political and national consciousness among the Muslims by arranging lectures or circulating pamphlets on current political topics; that it should work for Hindu-Muslim unity as it had existed during the Mughal rule in India; that the League should pursue the policy of the 'moderates' by including in its schedule, with the exception of certain specific resolutions, all those which were adopted by the Congress; that matters which concerned the Muslims and the Hindus jointly should be discussed on a common platform, and similarly the deputations sent to the Viceroy should consist of members of both the communities.⁶⁴

These ideas created a stir among educated Muslims, even the League felt the necessity of reform. Yet most of the proposals of Shibli were too radical for the League to incorporate in its programme. The Muslim League at its 1913 session at Lucknow under the presidency of Mian Sir Muhammad Shafi, slightly changed the constitution by raising the ideal of 'Self-Government' of India with a condition. The League stood for Self-Government which 'suited' India. The addition of the cautious word 'suitable' (which inspired Shibli to write some of his best satirical poems),⁶⁵ was included to serve a dual purpose, to appease the rebellious element among the Muslims, and to remain true to the original spirit of the League.

However, the Muslims' disappointment with the British attitude towards Turkey, was gradually leading the younger group of Muslim leaders to reach an agreement with the Hindus. The Hindu Press expressed sympathy with the misfortunes of Turkey, appealing to the Muslims time and again to cooperate with the Hindus. Consequently the annual sessions of the Congress and the League began to synchronize. In 1916 the Congress accepted

the separate electorates which it had previously severely criticized.⁶⁶ Simultaneously the Congress and the League adopted the Home-Rule resolution. Subsequently the leaders of the two parties signed the Lucknow Pact, under the presidentship of Muhammad Ali Jinnah, who was selected by the younger Muslim leaders because of his reputation for communal impartiality. Thus the Muslim League, in the words of Tufail Ahmad, really became a political organization according to the standard set by Shibli.⁶⁷

In short the Congress-League agreement was that the Muslims elected through separate electorates should be given representation in the Provincial legislatures in the following proportion: Punjab, 50 percent; United Provinces, 30 percent; Bengal, 40 percent; Bihar and Orissa, 25 percent; Central Provinces, 15 percent; Madras, 15 percent; and Bombay, 33.3 percent. For the Central Legislature, it was agreed that one third of the elected members would be Muslims. It was also agreed that if in any province two-thirds of either community were opposed to the passing of a bill or a measure, such a bill or measure should be dropped by both the communities. The question regarding the proportion of Hindu and Muslim representation in the district boards, municipal councils and other bodies of local Government was however, left undecided.⁶⁸

Muslims as a whole constituted less than one third of the population of the entire country. Their number varied from province to province, though they formed majorities in the North Western provinces of India and Bengal. At the signing of the Lucknow Pact, the settled districts of the North Western Frontier (91 percent Muslim, 7 percent Hindu) and Baluchistan (87 percent Muslim, 11 percent Hindu) were governed through Chief Commissioners. The 1909 Reforms had not been extended to these areas. Sindh (75 percent Muslim, 19 percent Hindu) was annexed to Bombay (which after including Sindh was 77 percent Hindu, 19 percent Muslim). The Punjab (56 percent Muslim, 40 percent Hindu and Sikh) and Bengal (55 percent Muslim, 43 percent Hindu) were the only two Muslim majority provinces when the Pact was concluded. The rest of the provinces—Madras (88 percent Hindu, 6 percent Muslim), United Provinces (85

percent Hindu, 14 percent Muslim), Central Provinces (84 percent Hindu, 4 percent Muslim), Bihar and Orissa (82 percent Hindu, 10 percent Muslim) were predominantly Hindu.⁶⁹

According to the Lucknow Pact, Muslims were given representation in excess of their number only in those provinces where Hindus formed decided majorities. In the provinces of the Punjab and Bengal however, the Muslims were persuaded to yield the benefit of their majority position. Most of the prominent Muslim leaders who signed the Pact originally came from the Muslim minority provinces. It was not realized at the time that by sacrificing their majority position in the Punjab and Bengal with a view to securing representation in excess of their numerical strength in overwhelmingly Hindu provinces in exchange, Muslims had willingly accepted an All-India domination by the majority. This error in judgement increased the fear of Hindu majority, which led to the Muslim separatist movement in India.

How unrealistic was the Pact may be judged from V. Lovett's account of the Shahabad or Arrah riots which followed after 1917: "Rioting began throughout a large tract of about forty miles square which passed into the hands of Hindu mobs. They attacked and plundered every Muhammadan house or village which they could reach...By October 7th, 129 villages had been plundered in Shahabad, and it was only when troops had arrived in sufficient strength...that the rioting ceased...All the time Muhammadans of Patna and Gaya were in a condition little short of panic...The disturbances had been organized with great care and skill...Nowhere had the Muhammadans offered any provocation...The brutalities practiced on the unfortunate victims of these riots were the theme of indignation meetings in many mosques in northern India, and collections were made in aid of the sufferers wherever there were Muhammadans. The organizers of many meetings came from classes which from indifference and fear of controversy had hitherto remained silent in politics".⁷⁰

Shortly after the outbreak of the first World War (1914-18), when Turkey sided with the Central Powers, Muslim leaders including Muhammad Ali, Shaukat Ali, Abul Kalam Azad, and Zafar Ali Khan were interned and their pro-Turkish periodicals

suppressed. Meanwhile some of the Ulema - Maulana Mahmud al-Hassan, Abaid Ullah Sindhi, Muhammad Mian, Husain Ahmad Madni, Aziz Gull and others, who were reported to have issued secret circulars, declaring Jihad against the British, from Mecca, Kabul and elsewhere, fell into the British hands through the collaborative efforts of rebel King Husain of the Hedjaz. They were then interned at Malta in 1916.

The war stimulated the growth of revolutionary movements throughout India. In order to check the spread of revolutionary activity, the Government implemented the notorious Rowlatt Act in 1919. Mahatama Gandhi organized an agitation against the Act. Muslims, like all the other communities, joined in the agitation, which was suppressed everywhere. In Amritsar (Punjab) the bloodshed ordered by the Government on April 13, 1919 at Jallianwala Bagh has been marked out as a black day in the annals of British India.⁷¹

After the War the Montagu-Chelmsford Scheme, incorporated into the Government of India Act 1919, was inaugurated at Delhi in 1921. It introduced a quasi-federal constitution for India with dyarchies in the provincial legislatures. The system of separate electorates for the Muslims was retained.

During 1919-20, the position of Indian Muslims became extremely difficult. The War had ended in the defeat of the Central Powers, and the promises that the British had made regarding the Turkish territories were not kept. The Government of India declared on November 2, 1914 that England regretted being in a state of war with Turkey. However, the Muslims of India were assured that the War had no religious significance whatsoever, and that therefore England would not attack those places, especially in Arabia, Iraq, and Palestine which were sacred for the Muslims. These assurances encouraged the Indian Muslims to join the army, and be prepared to assist the Government in waging war against Turkey.

Contrary to their pledges, the British invaded Iraq. Basra fell in November 1914, Salman Pak in November 1915, Baghdad in March 1917, Kufa, Karbela and Nejf were occupied by the British. The British troops entered Jerusalem (Palestine) in

December 1917. One year before in June 1916, a conspiracy was hatched in the Hedjaz and King Hussain was made to rebel against Turkey. This led to bloodshed in the Hedjaz. The British bombarded Jiddah and their planes even flew over Medina.

At the end of hostilities, the British Prime Minister Lloyd George declared on January 5, 1918 that the Turks would not be deprived of their capital Constantinople, nor of the fertile lands of Asia Minor nor of Thrace, for these territories were predominantly Turkish. But Arabia, Armenia, Iraq, Syria and Palestine would be encouraged to establish their separate independent national governments. President Wilson of the United States made a similar statement (on January 8, 1918). And indeed the League of Nations too stood for the preservation of liberty and independence of small nations.²

The position in reality was different. The Ottoman Empire had actually been partitioned among the victorious Allies by numerous secret treaties. Thrace (including Adrianople) was handed over to the Greeks. The British captured Constantinople and the Sultan-Caliph became virtually their prisoner. Turkey was deprived of the right to carry on administration independently in the remaining territories of Asia Minor. She lost the jurisdiction over her Christian minority. The Sultan was made to relinquish all powers as the Caliph of the Muslims. Syria was given over to France. The British retained Iraq and also occupied Palestine.

Indian Muslims who gave their lives in assisting the British to win the War, or fought against their co-religionists in defiance of their religious obligations, were not only disappointed at these transactions but felt that they had been betrayed. Very naively they expected the British to treat Turkey magnanimously. Consequently they held the British responsible for the calamities that had befallen the Muslim world, not realizing that in no small measure they had been responsible for these calamitous developments.

On his release in 1919, Muhammad Ali organized the Khilafat Conference at Delhi. A few Hindu leaders including Mahatama Gandhi, who sympathized with the Turkish cause, attended the session. A resolution was passed that Muslims should hold

protest meetings against the forthcoming dismemberment of the Ottoman Empire, the curtailment of the Sultan's powers as the Caliph, and the occupation of sacred sites by non-Muslim Powers; that Muslims should cease to cooperate with the Government and boycott British goods.⁷³

The first formal session of the Khilafat Conference was held at Amritsar in December 1919, which was well attended by Muslims and Hindus. It was decided that a sum of Rs.10 lakh should be raised for the Khilafat Fund and a Khilafat delegation should proceed to England to present the demands of Muslims (supported also by Hindus) regarding the Ottoman Caliphate. A few Muslim leaders including Muhammad Iqbal opposed the idea of sending the Khilafat delegation to England on the ground that even if the Ottoman Caliphate were revived in accordance with the demands of Muslim India, it would be a Caliphate under the suzerainty of England or other European Powers and would therefore be of no benefit to the Muslims. No importance was attached to this weak opposition.⁷⁴

While the Khilafat Conference held its session, the Jamiat-ul-Ulema-i-Hind (the Society of the Theologians of India) was organized and the Ulema, who had been aloof from politics since 1857, for the first time started to take an active part in the political life of the country. The activities of the Jamiat-ul-Ulema were similar to that of the Khilafat Conference. In fact the Jamiat-ul-Ulema gave religious sanction to the decisions taken by the Khilafat Conference.⁷⁵

In March 1920, under the leadership of Muhammad Ali, the khilafat delegation including Syed Sulaiman Nadvi, Syed Hassan, and Muhammad Hyat visited England. The demands of Muslim India were presented to the British Prime Minister. These demands were: that since Islam did not recognize the line between the 'spiritual' and the 'temporal', the Ottoman Sultan-Caliph must possess adequate territories and adequate financial and military resources for the defence of Islam. Consequently the Jazirat-ul-Arab (the Arabian Peninsula including Mesopotamia, Palestine and Syria) should remain under his control. The delegation also went to Paris where Muhammad

Ali addressed a few public meetings.⁷⁶ He did not accomplish anything, and returned to India empty handed.

Ironically the demands of the Indian 'Khilafatists' were neither in touch nor in agreement with Arab and Turkish opinion. The Indian leaders insisted on the re-annexation of the Arab provinces to Turkey to preserve at least a part of the Ottoman Empire. While the Arabs aspired for the creation of an independent Pan-Arab state, they were not prepared to be ruled by Turkey. The Turks, aware of the Arab aspirations, were not anxious to include the Arab provinces, but wanted to save Turkey from partition.

In May 1920, the Treaty of Sevres (which stipulated the partition of Turkey) was accepted by the Sultan-Caliph at Constantinople, against the wishes of the National Assembly of Angora. The Khilafat Conference organized an agitation against the Treaty of Sevres. Abul Kalam Azad, released from prison in 1920, addressed a large public meeting at Calcutta, and gave his famous legal interpretation of Non-Cooperation. The Jamiat-ul-Ulema supported Azad. Five hundred Ulema under the leadership of Maulana Mahmud al-Hassan (who had returned to India on his release from Malta) gave the Decision (Fatwa) that it was incumbent on Muslims not to cooperate with the British Raj by renouncing their titles, resigning from council memberships, Government services, army, and police. Muslims were to boycott the courts of law, educational institutions and British goods, especially the textiles.⁷⁷

As the Khilafat agitation progressed, Mahatama Gandhi, who had acquired considerable influence over the Congress by denouncing the 'massacre' at Jallianwala Bagh, and at the same time, had supported the Khilafat cause by attending the sessions of the Khilafat Conference, forwarded his scheme of non-violent non-cooperation. Muslims were invited to cooperate with Hindus in order to compel a revision of the Turkish treaty, as well as to secure self-rule for India. Mahatama Gandhi's scheme was in perfect harmony with that of Azad and the Jamiat-ul-Ulema.

Accordingly the Khilafatist Ulema maintained that Islam did not object to working shoulder to shoulder with non-Muslims to

gain common worldly ends. They laid emphasis on the activities of the nationalists in Egypt, where Muslims and Copts (Christians) were united on the issue of the independence of Egypt. Again in Palestine, it was argued, Muslims and Christians had joined forces in their struggle for liberty, and jointly opposed the Balfour Declaration, according to which Palestine was to become the national home of the Jews.³⁸ It was however, not realized that Muslims formed majorities in Egypt as well as in Palestine. Christian minorities were the 'People of the Book' with whom social intercourse (e.g. to inter-dine or to intermarry) was not prohibited by Islam nor were there any other social barriers between the two communities. If they joined the Muslims in the national cause, then nationalism in Egypt and Palestine was in perfect harmony with Islam. But in India the position was altogether different.

Despite the opposition of a few leaders like Muhammad Iqbal and Muhammad Ali Jinnah, Muslims were swept away in the tide of the Non-Cooperation movement. Jinnah who had formerly supported the Khilafat movement, was opposed to the Non-Cooperation movement primarily because it was not a constitutional movement. Iqbal approved of the Khilafat movement to a limited extent as it helped the development of Muslim nationalism among the Muslims of India, but he opposed the Muslim participation in the Indian national Non-Cooperation movement, and resisted the attempts to convert the Islamia Colleges of Lahore and Peshawar into Gandhian institutions.³⁹

Gandhi, Muhammad Ali, Shaukat Ali and other prominent leaders toured the whole country. The Nationalist Khilafat movement was impressively intriguing. It was romantic, preposterous, confused and grotesque at one and the same time. A few of the leaders 'had a clear picture of what they were fighting for'. The rest of them only knew that they were fighting against the British Government. But what would happen if the British were to quit? Nobody appeared to have given any serious thought to this proposition.

The inside story of the Hindu-Muslim alliance was not as exciting as it appeared outwardly. Hindu leaders indeed

supported the Khilafat cause, but they obviously had no interest in it. Lajpat Rai, B.C. Pal and other Hindu Maha-Sabha leaders watched the growth of the Muslim movement suspiciously from the very beginning, and found it dangerous for the future of Indian nationalism. B.C. Pal wrote: "Pan-Islamic ferment may lead to very serious complications affecting equally the future of Indian nationalism and British imperialism....The longer any complete and reasonable synthesis and reconciliation between Indian nationalism and the British connection with India is delayed, the greater chance would this Pan-Islamism have of securing its separatist ends. And in view of this inevitable logic of the Pan-Islamist position, one cannot help being moved by some secret suspicion regarding this sudden accession of a new love for the political independence of India in our Pan-Islamist friends. The whole propaganda lends itself to a very sinister interpretation".⁸⁰

Muhammad Ali made the Muslim position clear in one of his statements. "Men like Lalaji (Lajpat Rai) and that inveterate enemy of 'Pan-Islamism', Mr. Bepin Chander Pal" he said, "may not like these terms, and to many other Hindus too they may seem very peculiar terms, just as to Muslims and Christians and others whose idea of religion is that of a Universal Religion, the idea of Hinduism, the religion of the inhabitants of Hindustan, is a peculiar idea. But we must take things as we find them, and Muslim co-operation in an Indian nationality can only be had on terms we have mentioned...for what our ill-informed critics call Pan-Islamism is nothing more and nothing less than Islam itself. To the Lalaji a larger share in the administration of community, or the development of India's industries and other such things, may mean Swaraj (Independence). To us, for Hindus, no less than for Muslims, Swaraj is nothing if it does not include Swadharma (Independence of Religion)".⁸¹

However the Jamiat-ul-Ulema issued a Fatwa that if the Turkish peace terms were carried out against the wishes of Muslims, India would become Dar-ul-Harb and it would be obligatory for Muslims to migrate (Hijrat). In the summer of 1920, it was brought home to the Muslims that the time of

migration (Hijrat) from India to Afghanistan (Dar-ul-Islam) had arrived, for the Allies were enforcing the Treaty of Sevres upon Turkey.⁸² The peasants of Sindh, the Frontier and the Punjab accordingly sold their belongings and proceeded towards Afghanistan. "Hundreds of families", writes Rushbrook Williams, "sold their land and property for a mere song; settled up their worldly affairs, placed their wives and children on carts, surrendered the Government rifles entrusted to them for protection against marauders, and departed in the direction of Khyber Pass". Eighteen thousand were on the move. They were peaceful and orderly, displaying 'neither malice nor resentment against anyone'. Rushbrook Williams continues: "The Hijrat, or migration from one country to another for religious reasons has played a considerable part in Muslim history; but its revival in the present year of grace presented to the student of politics a phenomenon at once remarkable and tragic".⁸³

The Khilafatists maintained that the Hijrat movement progressed successfully. But the reality was different. The Ulemas' Fatwa brought misery in North-West India. The total number of emigrants is estimated at between 500,000 and 2,000,000.⁸⁴ The poor and downtrodden Muslims were completely uprooted. Afghanistan, a sterile country, was in no position to accommodate emigrants from India. Consequently the Afghan authorities forbade their admission. The emigrants were forced back and their individual sufferings were indeed horrendous. In the words of Rushbrook Williams: "The road from Peshawar to Kabul was strewn with graves of old men, women and children who had succumbed to the difficulties of the journey. The unhappy emigrants when they returned found themselves homeless and penniless, with their property in the hands of those to whom they had sold it for a tithe of its value in the first flush of their religious enthusiasm".⁸⁵

Sentiment in favour of Turkey was expressed violently by the Moplahs (Muslims of mixed Arab and Indian descent), whose rebellion followed in 1921. They seized two 'taluks' of Southern Malabar (Madras Presidency) within a few weeks, established an

Islamic state and for one year successfully resisted the British troops that were sent to subdue them.

Moplahs were a peasant community, numbering about one million in a population of some two million Hindus. Landowners in the Malabar region were mostly Hindus. Owing to agrarian discontent, numerous Moplah uprisings were recorded in the past. In 1921, the Moplahs fell upon their Hindu overlords who had, for good reasons, refused to join in the rebellion. Hindus suffered heavily at the hands of the Moplahs. The report presented to Parliament runs as follows: "Massacres, forcible conversions, desecration of temples, foul outrages upon women, pillage, arson and destruction - in short, all the accompaniments of brutal and unrestrained barbarism, were perpetrated freely until such time as troops could be hurried to the task of restoring order throughout a difficult and extensive tract of country".⁸⁰

Meanwhile the Khilafatists were passing resolutions of 'congratulations' to the Moplahs on their magnificent stand for the cause of religion. Mahatama Gandhi regarded them as the 'brave God-fearing Moplahs' who were 'fighting for what they consider as religion, and in a manner which they consider as religion'.⁸¹ Muhammad Ali remarked: "It might be an agrarian trouble or it might be due to provocations by the Government".⁸²

The end in store for the Moplahs was far worse than that of the Muslim emigrants. In a conservative estimate ten thousand Moplahs were either hunted down or died of starvation in the hills.⁸³ One hundred were suffocated to death in a luggage van by a British Sergeant.⁸⁴ Thousands were given long sentences of imprisonment or transported for life to the Andamans.⁸⁵

On the political landscape of the Muslims the Jamiat-ul-Ulema held its session in November 1921, under the presidentship of Abul Kalam Azad. A resolution was adopted forbidding Muslims to serve in the police and the army; this led to Azad's arrest. Shortly afterwards Muhammad Ali, Shaukat Ali, Maulana Husain Ahmad Madni, Dr. Saif-ud-Din Kitchlu, Pir Ghulam Mujaddid, Maulana Nasir Ahmad and Bharati Krishanna Tirthaji, who were in detention, were sent for the famous Karachi trial. They were charged with the crime of seducing the troops

from their loyalty. Muhammad Ali spoke in his own defence thus: "The main case is, does the Queen's proclamation give protection to the Muslim religion or not? My whole contention is that if we ask the Muslim soldier to give up serving in the British Army and to refuse to recruit and ask the people not to be recruited and we say and prove that it is to be found in the Quran, then we are immune...I have got to say that no Muslim should serve in the British army where he is forced to kill his own brethren for the advancement of unrighteousness. I said it then, and I say it now that it is religiously unlawful".⁹²

Muhammad Ali and Shaukat Ali were sentenced to two years imprisonment. But the agitation against the Treaty of Sevres continued; reaching its climax when the Turk nationalists defeated the Greeks in Asia Minor and a Greco-Turkish Conference was held at Paris in 1922. In addition to the sufferings of the Muslim emigrants, and the destruction of the Moplahs, thousands of Muslims resigned from the council memberships and Government services. Educational institutions were deserted, and British-manufactured cloth was boycotted.

While the Muslims of India were carrying on a passionate struggle for the cause of Islamic solidarity, 'Pan-Islamism' in the larger world of Islam was replaced by movements for national independence. After 1918 Muslims of the Dutch East Indies, Morocco, Tripoli, Egypt, Palestine, Syria, Mesopotamia, Arabia, Afghanistan, Iran and Turkey emphasized territorial nationalism, or the achievement of their 'nation-states' than on a confederal union of Muslim lands under the Ottoman Sultan-Caliph.

This new emphasis on separate nationhood (for instance, the Egyptian nationalist slogan 'Egypt for the Egyptians') was a result of foreign domination over specific Muslim lands. Afghanistan attacked British India in 1919 and eventually succeeded in resuming control over her own Foreign Affairs. This was followed by numerous political reforms of a national character in Afghanistan. British and Russian hold over Iran loosened shortly after 1918. Iran passed through another revolution under the leadership of Riza Khan Pehlavi, who cast aside the ruling dynasty and thought of declaring Iran a republic. Because of the

Shia Ulemas' opposition, a less radical device was found to carry out the secularization of Iran. Riza Khan was acknowledged as the Shah, the temporal Head of the State, and religious matters were handed over to the Mujtahids (Law Doctors) in Parliament.

In Arabia, King Husain of the Hedjaz was defeated by his rival Ibn Saud, who became the king of Hedjaz. Husain found refuge with the British. The British acknowledging King Ibn Saud, carved out Transjordan for the descendants of Husain. Iraq was handed over to another branch of Husain's family. The British, in exchange, secured the right to exploit the oil resources of Iraq.

In Turkey the struggle was altogether of a different character. The Sultan-Caliph had accepted the Treaty of Sevres, but the nationalists in defiance of the Sultan-Caliph's action, endeavoured, like the Arabs, to save Turkey from partition and to build up their new national life. They consolidated themselves in Asia Minor, and under the leadership of Mustafa Kemal restarted the war against Greece and England in 1919.

The Sultan-Caliph however, sided with the Allies and sent troops from Constantinople to fight against the nationalists. The Sheikh-ul-Islam accordingly gave a fatwa to the effect that the nationalists who were struggling for the unity and independence of Turkey were the enemies of Islam.

After defeating the Greeks and the Sultan-Caliph's troops in Asia Minor the nationalists turned their attention to the enemy at Constantinople. The British immediately organized a peace conference at Lausanne, inviting the representatives both of the National Assembly and of the Sultan-Caliph. This obliged the Assembly to pass a law in 1922 abolishing the Sultanate. The nationalists occupied Constantinople and the ex-Sultan-Caliph found refuge in a British battle-ship. Abdul Mejid (the second son of ex-Sultan Abdul Aziz) was installed as the Caliph. The dilemma that now surfaced was that with the abolition of the Sultanate, the Caliphate (that had always been regarded as a 'temporal' office) was reduced to a purely 'spiritual' office. Therefore the Ulema of Muslim countries including Muslim India voiced their opposition. But the Sermon-givers in the mosques of

Turkey were directed to touch no subject other than the 'Turks' commitment to economic reconstruction and development.

In 1923 Turkey was declared a republic by the Assembly, and Mustafa Kemal was elected the President of the Republic. But the status of the Caliph remained undefined. In 1924, the People's Party, the party in power, abolished the Caliphate and the office of the Sheikh-ul-Islam. The ex-Caliph, the ex-Sheikh-ul-Islam and the members of the Ottoman family were banished from Turkey.

After 1924 the Turkish national movement advanced at an astonishing speed under the leadership of Mustafa Kemal. Secularism, the new ideology of the Turkish nation, superseded Islam. Turks removed all obstructions that hindered their national development, and revolutionary changes were introduced in all spheres of Turkey's life.

Muslim India gave wholehearted support to Mustafa Kemal and his nationalist followers. But out of complete ignorance, the Ulema and political leaders misjudged the situation. They thought that the Turk nationalists were fighting in order to release the Sultan-Caliph from the captivity of the Allies at Constantinople. Consequently the Ghazi (Mustafa Kemal) and the Sultan-Caliph were extolled by the Muslims of India. Nobody realized that the Ghazi had been proclaimed an enemy of Islam by the Sultan-Caliph and the Sultan-Caliph had been denounced as a traitor to the Turkish nation by the Ghazi.

The abolition of the Caliphate in 1924 came as a rude shock to the Muslims of India as they had been warned by the Ulema that if a Muslim were to die without swearing an allegiance to the Caliph (Imam), he would go to hell. The Khilafat Conference decided to send a deputation to Turkey to discuss the matter, but the Turkish government refused to receive the Indian delegation.

The Caliphate's abolition brought an end to the Khilafat movement in India. Muslims passed through another phase of humiliation. They were gradually learning 'to give up dreams and to look reality in the face'. Therefore after 1924 'ourselves alone with no faith in Hindu help than in Government sympathy and defiant to the outside world' became the attitude of Muslim India. The remarks attributed to Muhammad Ali clearly describe this

sentiment: "Now neither the Umayyads nor the Abbasids nor the Ottomans will worry us any more. The Government from now onwards shall be that of Islam son of Islam".⁹³ The Khilafat Conference broke its connections with Mahatama Gandhi and Muhammad Ali adopted a separatist policy.

The Khilafat movement made the Muslims politically conscious for the first time in India. The political exuberance of the Muslim educated class from 1911 - 1924 was in fact a reaction against Sir Syed's apolitical restrained conservatism. Despite the ideological difference, the Khilafat movement resembled in many respects, the earlier revolutionary 'Wahabi' movement, the disastrous after-effects of which had lead Sir Syed to adopt a policy of unconditional loyalty to the British Government.

Like the leaders of the 'Wahabi' movement, who were primarily religious reformers, the 'Khilafatists' too were idealists and dreamers, who were supported by the 'Deobandi' Ulema. "The theological weight", writes Smith, "was fully behind the anti-British movement. The leaders of the theologians and divines consulted with the Khilafat leaders, and the rank and file clerics throughout the country provided an important propaganda force".⁹⁴

Both movements were mass movements involving the economically discontented lower-class Muslims. The 'Wahabis' and the 'Khilafatists' fought against British imperialism. The 'Wahabis' declared that India was a Dar-ul-Harb and advised the Muslims to migrate from India to the Frontier where an unending war was fought against the British. Similarly the 'Khilafatists' led by the 'Deobandi' Ulema, declared India a Dar-ul-Harb and advised the Muslims to migrate from India to Afghanistan. Despite the fact that the 'Khilafatists' preached Mahatama Gandhi's doctrine of non-violence, the agrarian discontent in Malabar resulted in the Moplah rebellion.

The 'Wahabi' movement purified lower-class Islam in India, but at the cost of retarding the educational, political and economic development of the Muslims for at least fifty years. While the 'Khilafat' movement politicized Muslim educated and

non-educated lower classes, it also brought untold misery, particularly to the Muslims of North West India and Malabar.

The Wahabis' and the Khilafatist-Deobandi Ulemas' 'Dar-ul-Harb' political romanticism was far removed from realities on the ground. Unfortunately, in the modern history of Muslim India whenever the Muslims' leadership passed into the hands of religious zealots or religio-political dreamers, it took a heavy toll of Muslim life, and resulted in economic and political disaster.

The Lucknow Pact (1916), which had been regarded by some authorities as a constructive part of the short-lived partition of Bengal (1905-1911), was incorporated in the Government of India Act of 1919. It survived in the later years, as documentary evidence of a phase of reaction of the Muslims against Sir Syed's separatist policy. However the Pact retarded the political development of the Muslims, particularly of North West India and Bengal, for at least nineteen years. The Pact was eventually set aside by the Government of India Act of 1935. The repudiation of the Lucknow Pact by the Muslims gradually led to the awakening of what may be termed as 'Muslim nationalism' in India.

The 'Khilafat' movement shattered the unity of the Muslims (who had followed Sir Syed, the founder of the Muslim separatist movement in politics). Muhammad Shibli, his younger contemporary, who upheld Indian nationalism, endeavoured throughout his academic career, to rekindle the spirit of antagonism of the Ulema in particular, towards Sir Syed's religious and political ideology. After 1924 some of the 'Khilafat' leaders reverted to the separatist policy. However, Shibli's political successors, the most outstanding among them being Abul Kalam Azad, isolated themselves from the rest of the Muslims and supported the All-India National Congress. Consisting mostly of 'Deobandi' Ulema, the Jamiat-ul-Ulema-i-Hind survived as a politically and theologically Pro-Congress organization.⁹⁵

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Chapter Six

INTER-COMMUNAL PROBLEM IN INDIA

Some of the very crucial problems remain to be considered in this chapter: What were the social and political forces which created the inter-Communal problem? Why did the All India Muslim League split? What was the ideological background of the differences between Muhammad Iqbal and Muhammad Ali Jinnah during this phase of Muslim India's politics? When and how were these differences resolved?

The failure of all attempts by the leaders of the Hindu and Muslim communities, to arrive at an agreement for the sharing of political power, gave rise to what has been called, the inter-Communal problem in India. The problem surfaced when the Hindus repudiated the Lucknow Pact, and insisted that the Muslims should surrender separate electorates. The Muslims jettisoned the Lucknow Pact, and demanded the restoration of their majority in the Muslims' majority provinces.

The inter-Communal problem has a complicated history. The two communities clashed with each other because they adhered to two diametrically opposed religions and cultures. Inter-communal antagonism usually led to Hindu-Muslim riots; which became frequent shortly after the death of Aurangzeb. The complete control of the British over India, as fixed by the historians, began from 1823.¹ A terrible outbreak of violence at Benaras (U.P) however, was recorded in 1809. The Report of the Indian Statutory Commission noted: "British authority ... could not alter the essential facts of Hindu-Muslim differences ... It is a basic opposition manifesting itself at every turn in social custom and economic competition, as well as in mutual religious

antipathy".² Riots with heavy casualties broke out at Bareilly (U.P) in 1871. Later, from 1885-1887 there were clashes throughout the United Provinces and Delhi. In 1893 Patna, Benaras and Gorakpur districts of the United Provinces and Bombay were the scenes of communal rioting. In 1911-12 and 1915-18, Monghyr, Patna, Shahabad, Arrah and Kartarpur districts (Bihar & U.P) were blanketed in a state of complete lawlessness.³ Clashes occurred in the United Provinces, the Punjab and Sindh in 1922-23. In 1924, riots broke out in Delhi, Nagpur, Lahore, Kohat, Lucknow, Muradabad, Bhagalpur, Gulburga (Nizam's dominion), Kankinarah, Shahjehanpur and Allahbad. These disturbances led to a so-called Unity Conference, probably the first in a series of its kind, held almost every year before and after 1924. The Unity Conference which was represented by delegates of numerous communities from all over India, passed a gratifying resolution on religious tolerance. Since it did not touch the economic and political issues separating the two communities, it had no lasting effect.

In 1925, riots broke out again in Delhi, Allahabad, parts of the United Provinces, the Central Provinces, Berar, Gujarat, Bombay and Calcutta. During 1926 riots were recorded in Bengal, the United Provinces and the Punjab. The affected areas in 1927 were the United Provinces, Bombay, the Central Provinces, Bihar and Orissa, Delhi, Bengal and the Punjab. During 1928 Bombay, Calcutta and the Punjab were the scenes of communal rioting. Communal rioting continued throughout 1929-32, the affected areas being Bombay, the United Provinces, Bihar and the Punjab. The situation became very explosive in Kashmir, where the Muslims started an agitation against heavy penalties for cattle-slaughter, compulsion to observe Hindu fast days, and exclusion from state service. They received help from Muslims in the Punjab and the North Western Frontier Province, and the Majlis-t-Ahrar took up their cause. A large number of Muslim agitators crossed the state frontier, and the Government of India was compelled to take steps against their entrance into the state. Meanwhile the Hindu Maha Sabha urged the Raja of Kashmir to

hold fast to his policies while a retaliatory movement was launched in the Muslim states.⁴

The outbreak of riots was usually ascribed to cow-slaughter by the Muslims, which provoked the Hindus, or the playing of music in front of the mosques by the Hindu religious processions which annoyed the Muslims. Conflicts also erupted when the dates of Hindu and Muslim festivals coincided and the rival processions were taken out simultaneously. An example would be a Muslim procession in observance of Muharram, a specifically sombre occasion, and a procession in celebration of Holi, a day of rejoicing for the Hindus. The idols, peepal trees, certain rivers, tanks or wells, held sacred by the Hindus, if defiled, cut or polluted by the Muslims would lead to riots. Similarly the display of pig's flesh regarded ritualistically impure by Muslims, the tobacco smoke regarded objectionable by the Sikhs, and any kind of flesh, blood, fish, eggs, onions considered religiously unclean by Hindus (Vaishnav Hindus in particular) if brought into public sight would raise the possibility of a communal riot. Missionary activities, the publishing of pamphlets attacking the founder of the religion of one community or the other, the burning of 'sacred books', the unauthorized possession of places of worship, likewise led to serious troubles. Sometimes an entirely personal issue, like a Muslim boy running away with a Hindu girl or vice versa, provided a cause for an outbreak of Hindu-Muslim riots. Any unusual and trivial incident, like a runaway horse, may lead to ugly rumours, and the closing of businesses in protest, and an outbreak of communal rioting.⁵

The religious aspect of the communal riots was not the only source of trouble. Economic grievances were hand in hand with religious differences. In the words of G.T. Garrett: "A map, showing the areas where Hindu-Moslem outbreaks are most frequent, suggests that this added cause for irritation is really economic. The communities in these districts are divided into distinct economic groups. Thus, in the North-West, Hindus are the moneylenders and the Moslems are peasants; in the North-East they are often landowners, and the Moslems tenants.

In the towns, and it is the towns where the feeling is worst, the shopkeepers, professional men, and employers are Hindus, the craftsmen and workers are usually Moslem...Every politician knows that it is easier to arouse popular feeling upon a simple religious issue than upon a complicated social or economic question... Many of the leading politicians have their full share of Western skepticism, and their European education has rounded off the angularities of the old creeds. It would be ludicrous to consider Mr. Jinnah and Mr. Jayakar as the rival protagonists of the religion of the desert (Islam) and the religion of the forest (Hinduism). The Hindu-Moslem antagonism in its modern form has nothing to do with race, and very little to do with the tenets of religion".⁶

Agrarian discontent had been a cause of peasant uprisings in the predominantly Muslim Eastern Bengal. Similarly Moplah uprising had been recorded from time to time, the worst being in 1921-22. In India, as is noted above, traders, manufacturers, moneylenders and professional men were usually the Hindus. The Muslims however, constituted the 'proletariat'. Hindu-Muslim riots in Bombay (for instance in 1929), and Calcutta have more than once involved the economic factor. The lower, middle and upper-middle classes of both the communities have regarded each other as rivals after 1858. Consequently an inter-communal competition was carried on for jobs, commercial contracts, markets, and industry.

Social differences between the two communities constituted another important source of conflict. "To the Hindu", writes W.C. Smith, "every Indian who is a Muslim is an outcast, an untouchable with whom dealings must not be so intimate as to transgress certain formal rules. This exclusion is religious; but with Hinduism, 'religious' means 'social' in a highly evolved traditional way".⁷ The members of the two communities neither inter-marry nor inter-dine, they dress differently, give different names to their children, develop different habits and live in different localities. Therefore the Hindus and the Muslims, even if they accept differences calmly or live as friends, form two

basically separate and antagonistic social groups. In the words of Abdur Rahim: "Any of us traveling for instance in Afghanistan, Persia and Central Asia, among Chinese Muslims, Arabs and Turks, would at once be made at home and would not find anything to which we are not accustomed. On the contrary in India we find ourselves in all social matters total aliens when we cross the street and enter that part of the town where our Hindu fellow townsmen live".⁸

Cultural implications led to disputes or rioting, while they involved only the educated and the intellectually more advanced sections of the Hindus and the Muslims. Differences arose, for instance, out of historical relationships, the dishonour or praise of some historical personality regarded great by one community and the reverse of it by the other; or the existence of some monument or relics which either injure or extol the pride of one community or the other; or the ownership of certain property or place of worship of historical importance (such as Shahid-Gunj Mosque, the Shiva Temple etc.). Another aspect of the cultural conflict was one community's urge to impose its language, culture or civilization upon the other. The famous Urdu-Hindi controversy is an outstanding example. Since 1867 the controversy had divided the Hindus and the Muslims into two opposing camps.

Political differences between the two communities culminated in communal rioting on numerous occasions. After 1924 the following riots involved the political issue: the desire on the part of the Muslims to have the full benefit of their majority position in those provinces where they formed a majority; the establishment of rival communal organizations; the Hindu-Muslim riots due to the Muslim reluctance to join the Civil Disobedience movement in 1931; the Cawnpur riot when the Muslims refused to close down businesses in memory of Bhagat Singh, a national hero, who had been condemned to death because of his terrorist activities; and the political disturbances in Jammu and Kashmir.

Indeed it is difficult to single out one fundamental issue which was the cause of communal antagonism in India. In the words of

Smith: "We say 'communalism has been' rather than 'communalism is'; because no definition of what communalism is could remain long valid. For the situation is highly dynamic; the thing defined changes and develops...it has differed from century to century, from province to province, from town to town, from city to village. Also, it has differed from class to class, and from one politico-economic setting to another".⁹

Nevertheless the religious issues always created popular appeal, and eclipsed all other subsidiary issues. Almost all the wars or the class struggles in the history of India had been waged under a religious ideology. However, 'religion' or 'adherent' should be considered in a broad sense. The Hindus and the Muslims owe allegiance to their religious communities which include individuals either 'religiously adherent, tepid, or cold'; 'orthodox, liberal, or atheist'; 'righteous or vicious'; 'landlord or peasant'; 'prince or proletarian' etc. The emphasis therefore, has always been placed on the religious community rather than on the strict observance of religious principles by the individuals who constitute the religious community.¹⁰

Communalism hampered the growth of a genuine Indian nationalism. "The Hindu 'communal patriot'", wrote Maulana Muhammad Ali, "sprang into existence with 'swaraj' as his war-cry. He refuses to give quarter to the Muslim unless the latter quietly shuffles off his individuality and becomes completely Hinduized... The spectacle of a go-ahead Hinduism, dreaming of self-government and playing with its ancient Gods clad in the vesture of democracy, dazed the conservative Muslim, who was just shaking himself free from the paralyzing grip of the past. He realized that the spirit of the fight had changed. The weapons ('territorial nationality', 'democracy' etc.) were new and so were the ways to use those weapons...As a consequence he drew within his shell and nursed ideals of communal patriotism. He has been scared into this attitude in self-defence. The Hindu 'communal patriot' has an advantage over him in the choice of his formulas. While the former boldly walks a road in the garb of India's champion, the latter, less mobile and more unfortunate,

formulates even his unimpeachable right to live in terms of apology...The Hindu tries to ignore the Muslim, the latter retaliates by assuming that all 'nationalist' desires are a snare, if not a delusion. Yet the fiction is industriously kept up about the identity of interests, and the organs of Hindu 'nationalism' use facile phrases about Indian unity, as if there existed no vital differences of feeling, temper, ideals and standpoints".¹¹

Muhammad Ali was probably the first Muslim politician to point out (in 1923) that 'the vast continent of India' was 'a geographical misnomer'. It had no unity except 'the misleading unity of opposition'. The cleavage between the Hindus and the Muslims was essentially religious. It was a clash of two cultures. Consequently the problems of India were 'international'. "We shall not make the mistake", he wrote in 1911, "of gumming together pieces of broken glass, and then cry over the unsuccessful result, or blame the refractory material. In other words, we shall endeavour to face the situation boldly, and respect facts, facts, howsoever ugly and ill-favoured".¹²

As has been noted in the preceding chapter, Muhammad Ali, Shaukat Ali and the other prominent Khilafat leaders were arrested in 1922. By the time they were released, the political situation had changed. The Congress lost much of its popularity because of the unsuccessful Non-Cooperation movement, and was superseded by the Swaraj Party and the Hindu Maha Sabha. The Swarajists, under the leadership of Pandit Motilal Nehru and C.R. Das, were of the opinion that instead of continuing the Non-Cooperation movement, as Gandhi and his supporters contended, they should enter the Legislative Assembly and obstruct the working of the reformed constitution by opposing all Government measures. After the abolition of the Caliphate by the Turks, the Muslims turned towards Indian politics. The Khilafat Conference broke off its relations with Gandhi and the Congress.

The Swarajists entered the Legislative Assembly, and the provincial councils and successfully obstructed the working of the reformed constitution. In Bengal the Swarajists triumphed

because of the Muslim cooperation (secured by a 'pact' that C.R. Das had concluded with the Muslims). The Swarajists, under the leadership of Pandit Motilal Nehru, urged the Muslims to accept joint electorates, in which case seats would be reserved for them in Bengal and the Punjab (the two provinces where the Muslims constituted the majority).

Unlike the Congress, the Maha Sabha, regarded by the Muslims as the true representative of the Hindus, never side-tracked the communal issue. It believed that the interests of the Hindus, in opposition to those of the Muslims, were not safe in Congress hands. It opposed the 'pact' that C.R. Das had signed with the Muslims of Bengal. Consequently the Hindu Maha Sabha, under the leadership of Pandit Mandan Mohan Malaviyah and Lajpat Rai, gained prominence and defeated the Congress in the council elections.

The observations of C.Y. Chintamani with regard to the Hindu Maha Sabha are worth quoting. "Communal tension", he writes, "increased the activities of the Hindu Maha Sabha... it derived its strength principally from the feeling among the Hindus that they were not getting a square deal...Among Hindu political leaders, all of them nationalists, there were several in earlier years who favoured the establishment of Hindu Sabhas and joined them where they were started...Some...were in later years converted...and have since joined the Mahasabha. In the Punjab where the communal issue has ever been to the fore, Hindu leaders without exception were members of the Hindu Sabha...After the Punjab come Bengal in this line of thought and activity. One Punjab leader (Lal Chand in 1908) went so far as to speak of the (Hindus') 'weakening desire for unity' (with Muslims)...But outside the Punjab it was thought at one time, and for long, that the Congress was there and there should be no Hindu organization...The nature of the coming constitution may justly lead people to apprehend that in the near future communal unity is not likely to reign supreme in the country. I consider myself to be as good a nationalist as any in the country. But I cannot forget and do not want to forget that I am a Hindu and

that it is my duty as a public man to exert myself in defence of the interests of Hindus as an integral part of the Indian nation. I am quite sure my co-religionists in general feel as I do".¹³

However, Pandit Mandan Mohan Malaviyah gave a practical shape to Tilak's ideology by organizing the Sangathan movement, the purpose of which was to encourage physical culture and thereby to revive a militant spirit among the Hindus. At the same time, he organized the Shuddhi movement, in order to bring back into the fold of Hinduism certain quasi-Muslim economically backward communities of the United Provinces.¹⁴

The new agenda of the Hindu Maha Sabha, in the words of L. Hardyal (1925) was this: "The future of the Hindu race, of Hindustan and of the Punjab rests on these four pillars; (1) Hindu Sangathan, (2) Hindu Raj, (3) Shuddhi of Muslims, and (4) Conquest and Shuddhi of Afghanistan and the Frontiers. So long as the Hindu nation does not accomplish these four things, the safety of our children and great-grand children will be ever in danger, and the safety of the Hindu race will be impossible. The Hindu race has but one history, and its institutions are homogeneous. But the Musalmans and Christians are far removed from the confines of Hinduism, for their religions are alien and they love Persian, Arabic and European institutions... Thus just as one removes foreign matter from the eye, Shuddhi must be made of these two religions... If Hindus want to protect themselves, they must conquer Afghanistan and the Frontiers and convert all the mountain tribes".¹⁵

The Hindu Maha Sabha, at its Calcutta session in 1925, passed a resolution urging the need of unity among numerous sects of Hindus and the popularization of the Hindi language in the country.¹⁶

The Muslims however, watched the growth of the Sangathan and Shuddhi movements with suspicion. To counteract these organizations Dr. Kitchlu and Mir Ghulam Bhik Nairang founded the Tanzim and Tabligh movements; one was to provide religious instruction to the poor and backward Muslims and the other, to resist their reconversion.

In 1924, Muhammad Ali Jinnah revived the Muslim League, which had been superseded by the Khilafat Conference for the last few years. The League's session was held at Bombay, under the presidency of Raza Ali. It adopted a resolution condemning the activities of the Hindu Maha Sabha and holding it responsible for widening the gulf between the Hindus and the Muslims.

The Swarajists had urged the Muslims to surrender separate electorates, and that in such case they would be prepared to earmark seats for the Muslims in Bengal and the Punjab. But the Punjabi Muslims were reluctant to give up separate electorates, because the Swaraj Party was controlled by the members of the Hindu Maha Sabha. The Muslim leaders were apprehensive that the economic backwardness of the Muslims made it difficult for them to meet the property qualification for the suffrage. If separate electorates were forsaken, the Hindus would be in a position to elect those Muslim candidates, who represented the interest of the majority community, and veto the election of those who did not. In other words, there was no possibility of a Muslim, who would truly represent the Muslim interests, being elected from a constituency where the majority of the voters were Hindus.

The 1925 session of the Muslim League at Aligarh under the presidency of Sir Abdur Rahim, was attended by prominent Muslim leaders including Muhammad Ali Jinnah, Maulana Muhammad Ali, Shaukat Ali, Hasrat Mohani, Dr. Kitchlu, Ali Imam, and Sir Muhammad Shafi. While addressing the session Sir Abdur Rahim said that "Some Hindu leaders had even spoken of driving Muslims out of India as the Spaniards had expelled the Moors." He criticized the Swaraj Party and declared that the Muslims would not compromise with the Party so long as it remained under the influence of Hindu capitalists and monopolists. Resolutions were passed to uphold the system of separate electorates, that the Muslim majority in the Punjab, Bengal, Sindh and the North Western Frontier Province should be preserved in the future territorial redistribution and that a

Royal Commission should be appointed to undertake revision of the 1919 Reforms.

The Muslim members, shortly afterwards, moved a resolution in the Legislative Assembly urging the extension of the reformed constitution to the North Western Frontier Province. The Hindus, under the leadership of Pandit Madan Mohan Malaviyah opposed the resolution which eventually led to a split within the Swaraj Party when its Muslim supporters broke off.¹⁷

In 1926, Muhammad Ali Jinnah was in favour of joint electorates, provided that an agreement could be concluded with the majority community. He endeavoured to persuade the Muslim leaders (particularly those of the Punjab) to his way of thinking and issued a statement on behalf of the Muslim League (on 20th March, 1927) at Delhi that the Muslims were prepared to accept joint electorates under certain conditions.¹⁸

The Muslim demand for the separation of Sindh from the Bombay Presidency rested on the grounds that Sindh was annexed to Bombay in 1842, shortly after its conquest by the British; the people of Sindh were different in religion, language and race from the people of the Bombay Presidency; Sindh was completely cut off from the Presidency by Gujrat and Khatawar, and had no direct railway connection with Bombay.

The North Western Frontier Province (which was detached from the Punjab in 1901) and Baluchistan were entitled to benefit from the reformed constitution. Why should the Muslims of these provinces, it was argued, be denied their right of representation in the provincial and central legislatures, when the inhabitants of other provinces of India were benefiting from a more progressive form of Government?

Muslims were in the majority in Bengal and the Punjab. If seats were reserved on the basis of population in these two provinces, the presumption was that a majority of Muslim members would be returned to provincial councils. Similarly the population of Sindh (if separated from the Bombay Presidency) was 75 percent Muslim, and that of the North Western Frontier Province and Baluchistan, 90 percent Muslim. The acceptance of

the Muslim demands would have automatically brought the Muslim majority into power in those provinces. In the North-West of India there appeared every possibility for the establishment of a block of four Muslim provinces, the Punjab, Sindh, the North Western Frontier Province and Baluchistan.

Jinnah's conditions were in accord with the general Muslim opinion. But there remained a difference among the Muslim leaders regarding the surrender of separate electorates. The Muslim leaders of the Punjab were aware of the economic superiority of the Hindus in the Punjab, Sindh and Bengal. They were apprehensive that the Muslims' surrender of separate electorates would enable the Hindus to prevent the election of those Muslim candidates who would represent truly the Muslim interests. In order to persuade the Muslim leaders of the Punjab, Jinnah argued that the real object was to preserve the national identity and to safeguard the rights of the Muslims, and that the retention of separate electorates was not an end in itself.¹⁹

On 1st May, 1927 in a meeting of the Punjab Provincial Muslim League at Lahore, Iqbal presented a resolution in favour of the separate electorates and against acceptance of joint electorates. Supporting the resolution Iqbal said: "I have every right to say that I am the first Indian who felt the importance and need of Hindu-Muslim unity and I always wished that this unity should become a permanent feature in our collective life." But referring to the attitude of the highly educated Hindu Maha Sabha leaders about the demands of the Muslims, he was convinced that the conditions were not in favour of accepting joint electorates. Finally he delivered a warning: "The time has come when the Muslims must consider standing on their own feet. On one side the Hindus were working against their interests and on the other the Government's activities were directed against them. In order to protect yourselves, it is necessary that you stand on your own feet and then courageously face these problems".²⁰

The Congress and the other Hindu organizations had decided to boycott the forthcoming Statutory Commission, whose appointment had been announced by the British Raj in November, 1927. The Congress resented the fact that it did not include Indian representatives. Jinnah, still optimistic about an inter-communal settlement, persuaded his supporters in the Muslim League to adopt a resolution in favour of the boycott of the Commission. Maulana Muhammad Ali supported Jinnah. But the Punjab leaders including Sir Muhammad Shafi, Iqbal, and Maulana Hasrat Mohani decided to cooperate with the Commission. Iqbal, as Secretary of the Punjab Provincial Muslim League, contended that the absence of Indian representation on the Commission only disclosed the distrust which existed between the two large communities. He further pointed out that so far as the minority communities were concerned, they through cooperation, would be in a position to express their hopes and fears before the Commission.²¹

Maulana Muhammad Ali disapproved of Iqbal's announcement of cooperation with the Commission. In his paper he commented that it was understood that a person like Sir Muhammad Shafi would not disagree with the Viceroy. Therefore he had started singing the song of his loyalty. It was the Punjab's misfortune that leaders like Muhammad Iqbal could not raise the loyalists like Sir Muhammad Shafi to the level of their own 'liberalism'. On the contrary, it appeared that they themselves had stepped down to the low level of Sir Muhammad Shafi.²²

Iqbal did not reply to Muhammad Ali's comments. He pointed out in his statement of 8th December, 1927 that it was necessary for the Muslims to struggle for their rights which the Hindus were not willing to concede. He disclosed that the Muslim leaders who stood for the boycott of the Commission, belonged to such provinces where the Muslims were in a minority. Consequently they could not comprehend the strategy of the Muslim leaders of the Punjab and Bengal.²³

Jinnah's proposal of surrendering separate electorates under certain conditions had not yet been adopted by the All India Muslim League in accordance with its procedure. The question arose as to where the annual session of the League should be held for that purpose. Dr. Kitchlu was Secretary General of the League in those days, and he as a nationalist Muslim, was very anxious that in the forthcoming session Jinnah's proposal should be adopted so that a new Hindu-Muslim settlement like the Lucknow Pact would come into existence. He was opposed to holding the session in Lahore, because the provincial League had objected to the surrender of separate electorates. It was therefore decided to hold the session in Calcutta. Declaring the decision unconstitutional, Iqbal stated that the session was not being held in Lahore because the chances of imposing the decision for the abandonment of separate electorates were brighter in Calcutta.²⁴

This development led to a split in the Muslim League, one section came to be known as Jinnah League and the other the Shafi League. The Jinnah League held its annual session in Calcutta under the presidency of Sir Muhammad Yaqub. Sir Muhammad Shafi became President of the All India Muslim League (Shafi Group) and Iqbal became its Secretary General. The Shafi League held its session in Lahore.

On 19th December, 1927 while explaining the policy of his group, Iqbal stated that before the appointment of the Commission, the Muslims had repeatedly requested the majority community to settle its differences with the Muslims. But in their efforts for a settlement they received from the Hindu leadership only an obstinate 'No'. Muslims realized that they could not compete with the Hindus in wealth, influence, political leadership and numerical strength. If they did not persistently demand the safeguarding of their rights from both the Hindus and the British Government, their political death as a distinct community was certain.²⁵

In December, 1927 while addressing the Muslims outside Mochi Gate Lahore, Iqbal proclaimed that there were two major issues facing the Muslims: One was Swaraj (India's independence)

and the other was maintenance of separate electorates. He pointed out that owing to the negative attitude of the majority community, the Muslims had been disheartened about participating in the struggle for independence. In the circumstances they should be really concerned with safeguarding their own national (Milli) rights because the future progress of Muslim India entirely depended on this issue.²⁶

The Shafi League appointed a committee in May, 1928 for drafting a memorandum of the Muslim demands to be placed before the Commission. Iqbal as a member of the committee insisted on including complete provincial autonomy as one of the Muslim demands. This was accepted. In the meantime Iqbal had to hurriedly visit a physician in Delhi for medical treatment, and therefore could not attend the further meetings of the committee. On his return from Delhi, he was outraged to find that instead of full provincial autonomy, the proposal for a unitary form of government had been substituted, which stipulated that law and order and the judiciary were to remain under the direct control of the provincial Governor. In protest Iqbal resigned as the Secretary General of the Shafi League.

Sensing Muslims' general indignation on Iqbal's resignation, Sir Muhammad Shafi yielded to the Muslims' demand of complete provincial autonomy in the memorandum. Satisfied with this development Iqbal withdrew his resignation and signed the memorandum.²⁷ Finally Iqbal appeared before the Commission on 5th November, 1928. But he was not satisfied with the Report of the Commission, which was published in 1930. Iqbal severely criticized it in his statement of 24th June, 1930.²⁸ The Commission had decided against the Muslims on all issues with the exception of the maintenance of separate electorates. But the Report of the Commission lost its significance when the Viceroy announced the scheduling of the First Round Table Conference in London.

The Nehru Committee, which was working on the generally acceptable future constitution for India, rejected the Muslim demands formulated by Maulana Muhammad Ali, Shaukat Ali,

and Hasrat Mohani. After the publication of its Report in 1928, Jinnah presented his modifications before the Nehru Constitutional Convention at Calcutta, but he also failed to have any of his amendments accepted. Since the Report recommended the establishment of a highly centralized form of government, without providing any safeguards to the minorities, the Muslims suspected that it had been compiled under the pressure of the Hindu Maha Sabha. After Jinnah's unsuccessful attempt to get his amendments passed through, he remarked: "The Hindu Maha Sabha gave the ultimatum that if one word is changed in the Nehru proposals regarding the Hindu-Moslem question, they will completely withdraw their support to the Nehru Report...In these circumstances, what I consider as the most reasonable modifications suggested by the All-India Moslem League delegates before the League could be called upon to accept the Nehru Report, when placed before the Convention by the Moslem League delegates, were bodily rejected".²⁹

Comparing the Nehru Committee's Report with the Recommendations of the Royal Commission, Iqbal pointed out: "In so far as the question of the powers of the Central Federal State is concerned, there is a subtle difference of motive in the constitutions proposed by the Pandits of India and the Pandits of England. The Pandits of India do not disturb the central authority as it stands at present. All that they desire is that this authority should become fully responsible to the Central legislature which they maintain intact, and where their majority will become further reinforced on the nominated element ceasing to exist. The Pandits of England, on the other hand, realizing that democracy in the centre tends to work contrary to their interests, and is likely to absorb the whole power now in their hands, in case a further advance is made towards responsible government, have shifted the experiment of democracy from the centre to the provinces. No doubt they introduce the principle of federation ... Yet their evaluation of this principle is determined by considerations wholly different to those which determine its value in the eyes of Muslim India. The Muslims demand

federation because it is pre-eminently a solution of India's most difficult problem i.e. the communal problem. The Royal Commission's view of federation ... does not seem to aim at responsible government for federal states. Indeed it does not go beyond providing means of escape from the situation which the introduction of democracy in India has created for the British, and wholly disregards the communal problem by leaving it where it was ... I would never advise the Muslims of India to agree to a system, whether of British or of Indian origin which virtually negatives the principle of true federation, or fails to recognize them as a distinct political entity".³¹ (The Report of the Royal Commission was formally rejected by the Muslim Conference at its Lucknow session in July 1930)

At the time when the problems of future constitution of India were being tackled, not only were Muslims dissatisfied, they were also divided. To achieve unity they decided to organize a united front, which brought into existence the All Parties Muslim Conference. Iqbal was one of the founding members of this organization, and played an important role in the framing of the Muslim demands.³² The Conference held its session on 29th December, 1928 in Delhi under the presidency of the Agha Khan. The Conference, without mentioning the controversial issues such as the Nehru Committee's Report or the Royal Commission's Report, adopted a resolution embodying ten constitutional demands of the Muslims including that the Muslims must under no circumstances be deprived of separate electorates (these demands being frequently called the Delhi Proposals).

Supporting the resolution, Iqbal contended that half a century ago the way which Sir Syed had chosen for the Muslims to follow was the correct one, and that after numerous bitter experiences they had now realized its significance. He declared that if the Muslims wanted to survive as a 'nation' (quam) in India, they must immediately formulate a political agenda of their own. They were aware that in some parts of India the Muslims constituted a majority, just as there were other parts where they were in a

minority. Under these circumstances they should have a separate political programme. Today when every nation (quam) was trying to protect their rights and interests why should the Muslims not do the same. Finally he said that he also had a religious argument in support of the unanimously adopted resolution and that was the saying of the Holy Prophet: that his community would never congregate on an error.¹²

After the bitter experience of the rejection of his amendments to the Nehru Committee's Report by the Hindu leadership, Muhammad Ali Jinnah felt that no possibility remained for a real understanding with the Hindus. Therefore, he had no alternative except to fall back on the old position of devoting his attention exclusively to protect the Muslims' interests. In examining the ten demands (the Delhi Proposals) enumerated in the Resolution of the Muslim Conference, he realized that these could be further improved. He formulated four additional demands to be included in the Resolution. At the same time he was anxious that the differences among the Muslim leaders should be resolved and that the two factions of the Muslim League should be reunited.

For this objective, Jinnah met Sir Muhammad Shafi in March 1929. They agreed that the two factions of the Muslim League should meet in Delhi on 31st March, 1929 in order to formally reject the Nehru Committee's Report and to present a resolution including generally acceptable Muslim demands. Under this arrangement all the members of the Shafi League, including Iqbal, assembled at Delhi. According to Jinnah, from this time onwards a complete synchronization of viewpoints between Jinnah and Iqbal took place which was to last until the death of Iqbal in April 1938.¹³

However the union of the two factions of the League did not take place due to a disruption created by a group of nationalist Muslims on the occasion. While Jinnah was prepared to accept the Resolution adopted by the Muslim Conference in his personal capacity as it represented the views of the majority of the Muslims, the nationalist group surrounding him and dominating

his faction of the League, resisted and was bent upon supporting the Nehru Committee's Report at all costs.³⁴

Disgusted with the attitude of the nationalist group, Jinnah separated himself from them. He added his four additional demands to the ten demands already enumerated in the Resolution of the Muslim Conference, and then released them to the Press. These came to be known as the Fourteen Points of Jinnah, which the Muslims hoped would be incorporated into the future constitution of India. The points were:

- (1) "The form of the future constitution should be federal with residuary powers vested in the provinces. A uniform measure of autonomy should be granted to all provinces."
- (2) "All legislatures in the country and other elected bodies should be reconstituted on the definite principle of adequate and effective representation of minorities in every province without reducing the majority of any province to a minority or even equality."
- (3) "In the Central Legislature Muslim representation should not be less than one-third."
- (4) "The representation of communal groups should continue to be by means of separate electorates as at present, provided that it should be open to any community at any time to abandon its separate electorate in favour of joint electorates."
- (5) "Any territorial redistribution that might at any time be necessary should not in anyway affect the Muslim majority in the Punjab, Bengal, and North West Frontier Province."
- (6) "Full religious liberty, that is, liberty of belief, worship, observances, propaganda, association and education should be guaranteed to all communities."
- (7) "No Bill or resolution, or any part thereof, should be passed in any legislature or any other elected body if three-fourths of the members of any community in

that particular body oppose such a Bill or resolution or part thereof on the ground that it would be injurious to the interests of that community or, in the alternative such other method is devised as may be found feasible and practicable to deal with such cases."

- (8) "Sindh should be separated from the Bombay Presidency."
- (9) "Reforms should be introduced in the North-West Frontier Province and Baluchistan on the same footing as in other provinces."
- (10) "Provision should be made in the Constitution giving the Muslims an adequate share along with other Indians in all the Services of the State and in self-governing bodies, having due regard to the requirements of efficiency."
- (11) "The constitution should embody adequate safeguards for the protection of Muslim religion, culture and personal law, and the promotion of Muslim education, language, religion, personal laws, Muslim charitable institutions, and for their due share in grants-in-aid given by the State and by self-governing bodies."
- (12) "No cabinet, either Central or Provincial, should be formed without there being a proportion of Muslim Ministers of at least one-third."
- (13) "No change to be made in the constitution by the Central Legislature except with the concurrence of the States constituting the Indian Federation."
- (14) "That in the present circumstances the representation of Musalmans in the different legislatures of the country and of the other elected bodies through separate electorates is inevitable, and, further, Government being pledged not to deprive the Musalmans of this right, it cannot be taken away without their consent, and so long as the Musalmans are not satisfied that their rights and interests are safeguarded in the manner specified above (or

herewith) they would in no way consent to the establishment of joint electorates with or without conditions.”

When Jinnah's Fourteen Points were published, the differences between the two factions of the League disappeared. The League was formally united on 28th February, 1930, when the nationalist leaders including Dr. Ansari, Dr. Kitchlu, Abul Kalam Azad, Asif Ali and the others left the Jinnah League. Since the Muslim League's image had been tarnished by the rift and the infiltration of "nationalist Muslims" in the ranks of "Muslim nationalists", it was decided to retain the Muslim Conference as an active political organization along with the Muslim League.

The session of the Hindu Maha Sabha held at Surat on 30th March, 1929, under the presidentship of Dr. Moonje, formed 'an epilogue to the tale' of Hindu-Muslim relations. The Hindu Maha Sabha adopted a resolution reverting to its former position 'in which it was opposed to special treatment in any matter to any community'.³⁵

In November 1930 the first session of the Round Table Conference was held in London. Delegates from the Indian States and numerous communities of British India attended the session. The Congress however, refused to participate unless full and immediate Dominion Status was guaranteed to India. The prominent Hindu leaders including Mahatama Gandhi and Pandit Motilal Nehru who had started the Civil Disobedience Movement, were arrested.

The Muslim delegation, including some prominent members, the Agha Khan, Muhammad Ali Jinnah, Maulana Muhammad Ali, Sir Muhammad Shafi, Fazlul Haq were unanimous in their demands which were specified in the Fourteen Points of Jinnah. The First Round Table Conference contemplated a federal union between the Indian States and British India. Provinces were to be given some measure of autonomy, and the introduction of constitutional reforms to the North Western Frontier Province was stipulated, and the separation of Sindh from the Bombay Presidency were considered favourably. The allocation of seats in

the provincial legislatures and the Central Legislature however, remained undecided.

The Muslim leaders suspected that the plan of including the States (of which only a few were Muslim) in the Indian federation, served a double purpose. The plan maintained the British power intact in India, and at the same time, gave an overwhelming majority to the Hindus, who had formerly denounced the federation scheme, but were prepared to accept the newly contemplated form of federation. Although Muhammad Iqbal had not been invited to attend the first Round Table Conference, he observed that the differences between the Hindus and the Muslims regarding the composition of the Central Government were being exploited by the British through the Princes. Centralization, he pointed out, had no advantage for the Muslims unless and until they were guaranteed majority rights with full residuary powers in the Punjab, Bengal, the North Western Frontier Province, Sindh and Baluchistan, and were promised one-third share of the total number of seats in the Central Legislature.³⁶

In his letter of 1st January, 1931 to the British Prime Minister, Maulana Muhammad Ali wrote: "The Muslims constitute not a minority in the sense in which the last war and its sequels have habituated us to consider European minorities ... A community that in India alone must now be numbering more than seventy million cannot easily be called a minority ... To talk of it as a minority is a mere absurdity".³⁷

The Muslim leaders participating in the Round Table Conference were not satisfied with its deliberations. Maulana Muhammad Ali died in London on 4th January, 1931. Muhammad Ali Jinnah, disheartened by the conspiracies of the British Government, Hindu delegates as well as the British supporting Muslim representatives, decided to give up politics and to settle down permanently in Britain.

It is evident that the Muslim League broke up into two factions because of the differences in viewpoints of the Muslim

leaders on whether to surrender or retain separate electorates. Muslim leaders belonging to the Muslim minority provinces and hopeful of a meaningful political settlement with the Hindus, were prepared to surrender separate electorates, whereas those belonging to the Muslim majority provinces (particularly of the Punjab) were pessimistic about arriving at any Hindu-Muslim agreement, and were bent upon retaining separate electorates. However the matter was not as simple as it appears to be, if we were to consider the ideological background of these differences, particularly so far as it concerned the positions taken by Muhammad Iqbal and Muhammad Ali Jinnah.

Interestingly all the Press statements issued by Iqbal in his capacity as Secretary/Secretary General of the Muslim League (Shafi Group) during this phase, were issued along with other Muslim Leaguers, like Sir Muhammad Shafi, Sir Feroz Khan Noon, Nawab Sir Zulfiqar Ali Khan, Sir Abdul Qadir who were generally known as supporters of the British Government. Was Iqbal (or rather Sir Muhammad Iqbal), as accused by Maulana Muhammad Ali, also like Sir Muhammad Shafi or this set of Muslim Leaguers? Or was it necessary for him to obtain the support of these influential men whom he had managed to bring around to his own way of thinking?

During those days one of the most powerful Punjabi Muslim leaders, Sir Fazli Hussain, founder of the Unionist Party and very close to the British Government, was not favourably disposed towards Iqbal. Sir Fazli Hussain was the only prominent Muslim leader belonging to a Muslim majority province who had tendered his signature to the repudiated Lucknow Pact of 1916. Iqbal sharply differed from him while he was a member of the Punjab Legislative Council. Iqbal, at that stage being a Muslim leader at the provincial level, needed support of Pro-British and strong Muslim leaders if he was to adopt a high profile in All-India Muslim politics. Maulana Muhammad Ali's bitter

criticism that Iqbal had stooped down to Sir Muhammad Shafi's low level when he cooperated with the Royal Commission, was not justified. Iqbal not only differed from his Pro-British colleagues, but also resigned from the office of Secretary General of the Shafi League when they deleted from the memorandum Iqbal's proposed demand for the grant of complete provincial autonomy, as one of the vital demands of the Muslims.

To the Muslim leaders like Sir Muhammad Shafi and others, the separate electorates were necessary because it made it easier for them and their supporters to win the elections and to gain power in the Muslim majority provinces under any constitutional dispensation for India. Iqbal did not think along these restricted lines. As an ardent believer in Sir Syed's far-sightedness, he aspired to transcend greater horizons and to achieve his own ideal, which Sir Syed had partially envisioned. Like Sir Syed, Iqbal had gradually come to believe that there was hardly any possibility of arriving at a Hindu-Muslim accord. Consequently he lost interest in the federal centre, and worked for complete provincial autonomy so that the contiguous Muslim majority provinces could constitute their own block in the North West. (This matter is discussed in greater detail in the next chapter). Against this background, Iqbal claimed in a metaphysical expression that it was 'revealed' only to him that Sir Syed's vision was focused on much wider architectural design, which was related to the future of religion and politics of the Muslims of South Asia.

Muhammad Ali Jinnah, on the other hand, had started his political career as a nationalist along with liberal Indian leaders of his early days like Dadabhoy Naoroji, K.G. Gokhale and Feroz Shah Mehta. He was one of the originators of the Lucknow Pact of 1916 and was widely known as the Ambassador of Hindu-Muslim Unity. He believed that there was every possibility of arriving at a meaningful Hindu-Muslim understanding if the Muslims were prepared to surrender the separate electorates.

The clash between Jinnah and Iqbal was a clash of two visionary personalities, who struggled to protect the Muslims' rights, but adopted different approaches. Jinnah was then a "nationalist Muslim", whereas Iqbal was a "Muslim nationalist". Jinnah, the politician, was optimistic about Hindu-Muslim unity. He believed that if Muslims in the Hindu majority provinces would feel secure, it would automatically mean security for the Muslims in the whole of India. Iqbal, the philosopher was less sanguine about the prospect of Hindu-Muslim unity. He believed that the Muslims must struggle to get political power in the provinces, where they constituted a majority; their provincial power would then provide security to Muslims in the Hindu majority provinces. Iqbal could not persuade Jinnah to share his vision, just as Jinnah could not convince Iqbal to agree to his political strategy. Therefore during this phase in Muslim politics they remained indifferent towards each other. Eventually in 1929 their differences were resolved. Jinnah was obliged to espouse Iqbal's vision of destiny after making many futile attempts to secure Hindu-Muslim settlement. Jinnah was thoroughly disillusioned with the negative attitude of the Hindu leaders. He admitted in his letter of 14th May, 1944 to Inamullah Khan of India Book House, Abid Road, Hyderabad Deccan: "Since 1929 there was a communion of views between me and the late Dr. Sir Muhammad Iqbal, and he was the one great and outstanding Muslim who gave me every encouragement and stood by me till the last."

As a visionary, perhaps intuitively Iqbal felt that Hindu leaders' self-righteousness would block the way of a settlement with the Muslims. He remarked to a friend: "Hindus will never agree with Muslims. I am certain that if the Muslims were to accept all the conditions of the Hindus and were to offer them an unconditional settlement, even then they would try their utmost to create such a situation that it could be rejected".⁵⁹ The

experience of a pragmatic politician like Jinnah provided additional evidence to the validity of Iqbal's realistic vision. Jinnah's failure in achieving a Hindu-Muslim settlement gradually led even some Indian nationalist Muslim leaders, like Maulana Muhammad Ali, to consider Indian Muslims as a nation, instead of a minority.

During those difficult times Muslim India itself was divided into numerous political organizations. We have already discussed five Muslim political parties - the Muslim League, the Khilafat Conference, the Jamiat-ul-Ulema-i-Hind, the Muslim Conference, and the Nationalist Muslims' Party. The Nationalist Muslims' Party was organized in July 1929 under the permanent presidentship of Maulana Abul Kalam Azad. Dr. Ansari, T.A. Sherwani and Khan Abdul Ghaffar Khan attended the sessions of the Nationalist Party. The Party's objective was to popularize Indian nationalism among the Muslims, but it was absorbed into the National Congress in 1931.

In 1923 when Maulana Shaukat Ali declared the Punjab Khilafat Committee as an illegal body, some Punjabi Khilafatist leaders including Maulana Zafar Ali Khan, Khawaja Abdur Rahman, Chaudhri Afzal Haq, Syed Ara Ullah Shah Bukhari, Maulana Daud Ghaznavi, Maulana Mazhar Ali Azhar and Maulana Habib-ur-Rahman, organized the Ahrar Party in December 1929. The Ahrar Party was an off-shoot of the Jamiat-ul-Ulema, and therefore sided with the Congress. Its programme was socially radical, while it invoked Islam for all occasions to protect the rights of Kashmiri Muslims. The Ahrar Party started the Kashmir agitation (1931-32) and was popular for a time, particularly in the Punjab. It reflected a theological bias for Sunni Islam and opposed the Ahmadis, a group considered heretic by Muslims. Similarly, it sided with the Sunnis in the Sunni-Shia riots in Lucknow. During the later years of its life, the

Ahrar Party was virtually dictated by the Jamiat-ul-Ulema, and the National Congress.

In the Punjab a non-communal but predominantly Muslim organization, the Unionist Party, was founded by Mian Sir Fazli Husain, on the promulgation of the 1919 Reforms. It represented the vested interests of the landed gentry.

Another pro-Congress Muslim political organization, the Khudai Khidmatgar was founded in 1929 by Khan Abdul Ghaffar Khan in the North Western Frontier Province. The organization worked in collaboration with the Jamiat-ul-Ulema, the Nationalist Muslims' Party, the Ahrar and the Congress. With the support of the mountain tribes Khan Abdul Ghaffar Khan started an agitation in the North Western Frontier Province against the ordinances of the British Chief Commissioner. As a result the constitutional reforms were introduced and the province achieved Governor's status in April 1932. In its later years the organization was absorbed into the National Congress.

The Shia Political Conference, another pro-Congress organization, was started by the Shia Muslims of the United Provinces; it held its first session at Lucknow in 1930, under the presidentship of Raja Nawab Ali Khan. To counter-act the All Parties Muslim Conferences' demand for the continuation of separate electorates for the Muslims, the Shia Political Conference claimed separate electorates for the Shia community. Another pro-Congress Muslim political organization, the Momin Conference, represented the interests of Muslim weavers; its first session was held at Calcutta in 1925 under the presidentship of Haji Hafiz Shamsuddin.

Also there was a pro-Congress Muslim Watan Party in Baluchistan, which was later absorbed into the Muslim League. The Jammu and Kashmir Muslim Conference was founded by Sheikh Muhammad Abdullah, a radical national socialist, during the Muslim agitation in Kashmir (1931-32). In Bengal a

non-communal but predominantly Muslim Praja Party was organized by Fazlul Haq in 1919, after the promulgation of the Reforms. It grew out 'of the peasantry's fight for agrarian rights'.

Inayat Ullah Khan Mashriqi founded the Khaksar organization in 1931. This organization emphasized discipline, uniform, military training, drill, parade and social service; the symbol of the organization was the spade, which every Khaksar was obliged to carry. It was popular in the Punjab, Sindh, the North Western Frontier Province and the United Provinces. The Khaksar organization was a Muslim communal organization, but worked neither in collaboration with any other organization nor had any political programme of its own.

Originally the Muslim political unity was shattered by the Khilafat movement, which divided the Muslims into different political camps. A section of the Muslim leaders, who can be categorized as the extremists, either drifted into the Congress or started pro-Congress political organizations even though the Congress had ceased to command influence. The Hindu Maha Sabha had superseded all the Hindu (or predominantly Hindu) political organizations in India.

Islam in the modern history of India was never so divided as in 1932. Some Muslim political theorists had started speculating in terms of a Muslim nation and its territorial home, and they demanded total provincial autonomy. There were more than fifteen political organizations, adhering to mutually contradictory programmes, presenting collectively a picture of complete chaos in the political thought of Muslim India. Muhammad Iqbal in his address to the Muslim Conference session at Lahore in March 1932, summed up the Muslim position thus: "And be it further said to the shame of us, men of older generation, that we have failed to equip the younger generation for the economic, political and even religious crises that the present age is likely to bring. The whole community needs a complete overhauling of its

present mentality in order that it may again become capable of feeling the urge of fresh desires and ideals. The Indian Muslim has long ceased to explore the depths of his inner self... There is yet a sort of chaos in the political thought of those who are supposed to guide the activities of Indian Muslims in the present day political struggles."³⁹

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¹¹ *Speeches & Writings of Maulana Muhammad Ali*, pp. 66-68.
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Chapter Seven

DREAM OF NEW SOCIAL AND POLITICAL HORIZONS

In this chapter the focus is on nationalism: How Western 'nationalism' differed from 'nationalism' in the Islamic sense? Why was 'Indian nationalism' considered 'Pan-Hindu nationalism'? What was Muhammad Iqbal's contribution to the cultural renaissance of Muslims in South Asia? How Iqbal defined a modern 'Islamic state'; and what was his role in the political development of the Muslims.

'Muslim nationalism' in the world of Islam was spawned by the growth of puritanic and militant reform movements, which protested against the decadent Ottoman and Mughal empires. Thereafter, due to contact with the West and especially its new ideas, Islamic 'puritanism' broadened into 'liberalism'. The fear of European expansion gave birth to the 'Pan-Islamic' movement. The occupation of Muslim lands by European Powers stimulated the growth of territorial nationalism among the Muslims.

Western 'nationalism' is described as the motive force of national solidarity which is based on common race, culture, language and territory. It does not necessarily include religion. For Muslims the concept 'nationalism' presents no difficulty, if it is defined about a country which is predominantly Muslim. In a Muslim country nationalism may demand that religion should recede to the background of personal worship and conviction, it nevertheless accommodates Islam. Nationalism became a problem in those countries, where generally the Muslims constituted a large minority, but in well-defined territories, a

majority. In such countries 'nationalism' becomes a contradiction in terms.

When Muslim intellectual leaders accepted territorial nationalism of the West, they endeavoured to interpret it in a restricted sense. They did not want the tidal wave of Western nationalism to disturb basic Islamic notions of brotherhood and solidarity. Consequently 'Muslim nationalism' was understood to mean the political emancipation of numerous races, speaking different languages, but professing Islam, and living in those territories which comprised the world of Islam. They did not want the national emancipation to come into conflict with the general principles of equality, fraternity and solidarity among the Muslims, which were established by their religious usage and cultural coherence.

It has always been maintained that Islam is an ethico-political pattern for humanity. It is in itself a 'state', engendering a social mechanism that assimilates racial, linguistic and territorial diversity. Consequently Islam is opposed to modern nationalism, when nationalism separates itself from Islam, and as a political creed based exclusively on race, language or territory, establishes rival claims to those of Islam.

Before the European penetration into the world of Islam, Muslims had developed a kind of nationalism which can be interpreted in terms of tribal or racial loyalty; but they were not conscious of nationalism in the modern territorial sense. Signs of awakening of national consciousness in this sense appeared among the Arabs and the Turks during the reign of Sultan Abd al-Hamid. Jamal al-Din Afghani's conception of federated Muslim world under the constitutional Ottoman Caliphate also carried the germs of racial, linguistic or territorial nationalism within itself. However, the fear of European expansion temporarily arrested the development of this new spirit.

During the second decade of the twentieth century when the Allies divided among themselves the spoils of the 1914-18 War, the Turks abolished the Caliphate and under the influence of the new Western ideas, secularized Turkey. Albania broke off from the main body of Muslims. Territorial nationalism triumphed in

Iran, and other Muslim countries, including Egypt, Syria, Mesopotamia, Palestine, Tripoli, Morocco were left to devise their own strategies in securing independence from the British, French or Italian rulers.

In British India, while the eighty million Muslims were far outnumbered by the Hindus, they constituted the largest Muslim group in the world. The Punjab alone had a Muslim population equal to that of Egypt. Muslims of Arabia, Egypt and Iran put together remained numerically inferior to Bengal's Muslim population. With the growth of nationalism, and simultaneous revival of Hinduism in India, the Muslims became conscious of being a large minority in a hostile environment.

Syed Ahmad's puritanic and militant movement which led to the Muslim revival in India, was not necessarily an anti-Hindu movement. Nevertheless it encouraged communal tendencies. Sir Syed's religious 'liberalism', and political 'conservatism', while a reaction against the preceding 'Wahabi' movement, sowed the seeds of Muslim nationalism. Sir Syed was the first Muslim leader to realize that Westminster type of democracy was not suited to the conditions of India. Jamal al-Din Afghani's influence however, made the younger generation of Muslim leaders politically conscious of 'Pan-Islamic' solidarity. In order to secure extra-territorial strength, the Muslims were misled by the contradictory argument of the Khilafatists as they participated in the Indian nationalist non-cooperation movement, while simultaneously they agitated for the revival of the Caliphate. This phase of reaction against Sir Syed's 'conservatism' soon passed away. The end of the Caliphate, the growth of territorial nationalism in the world of Islam, and the coming into prominence of Hindu Maha Sabha in India led the Indian Muslims to the separatist policy. The revival of the Muslim League, and the three major Muslim demands to: (1) enable the Muslim majorities to exercise power in the Punjab and Bengal; (2) to extend the constitutional reforms to the predominantly Muslim North Western Frontier Province and Baluchistan; and (3) separation of Sindh from the Bombay Presidency, indicated steady growth of Muslim nationalism in India.

In essence the conflict between the Muslim and the 'Pan-Hindu' nationalism encouraged the secession of Muslims from India. Here a word of explanation for the phenomenon of 'Pan-Hindu' nationalism is in order. Unlike Islam, Hinduism is a comprehensive term denoting a multiplicity of isolated creeds, and is devoid of an underlying principle of unity. Originally the term 'Hindu' applied to the inhabitants of 'Hind' (India). Dharma, the religion of a Hindu is determined, not by the 'god' he worships or the 'book' he believes in, but by his 'caste', his way of life, profession, conduct or behaviour.¹ The four major castes and their numerous subdivisions have maintained restrictions on inter-dining and inter-marriage between the Hindus. These are insurmountable barriers which have perpetuated separation of numerous communities among the Hindus, instead of consolidating them as one people.²

Well-known unifying factors such as a common language, or consciousness of racial unity, free intercourse, adherence to a common body of laws, and traditions did not exist among the Hindus. Hindus were divided into several states when Muslims invaded India. Islam as a religion, entered India as the faith of the conquering people. Islam won a large number of converts, and during the course of history, its adherents became an additional community among numerous other disconnected communities of India. When the Muslim power was declining, Maratha attempt to unify India failed, because conditions for the development of a collective national consciousness did not exist among the Hindus. As an Asia in miniature, India remained a welter of numerous nationalities without being a single all-India nationality. Indeed an apparent political unity of India had been established under the Mughals and the British.

When the powerful tide of nationalism from the West found caste barriers to its natural fulfilment, modernized Hindus adopted 'Pan-Hindu' nationalism to unify isolated Hindu communities, which were religiously and culturally opposed to Islam and the British.³ The establishment of the religious reform societies, the glorification of the Hindu Golden Age, the promotion of the cult of Sivaji, the provocative speeches of Tilak

and his followers (and later the Hindu Maha Sabha leaders), demanding elimination of the 'aliens' (the Muslim and the British), the propaganda for Hindi as the national language of India, the Swadeshi movement (Indian-made products for the Indians), the organization of militant movements such as the Sangathan, and Shuddhi (reclaiming Muslim converts to Hinduism), represented different aspects of 'Pan-Hindu' nationalism in India.

After 1920 the Pan-Hindu nationalists endeavoured to heal their divisions and surmount the social barriers of Hinduism. Nevertheless Hinduism, with its 'social nebulousness' remained national only in an 'embryonic stage'.¹

An instance of this struggle between the Brahman and the non-Brahman Hindus occurred in Madras. Here a fixed number of seats were reserved for non-Brahmans. By 1930, the Depressed Classes claimed separate electorates owing to religious oppression, social segregation and continuous economic subservience. Their leader, Dr. Ambedkar, attended the sessions of the Round Table Conference. His demand for separate electorates for the Depressed Classes numbering sixty million, was accepted in the Communal Award of 1932. This led to a violent controversy among the upper-class Hindus. Mahatama Gandhi threatened to fast unto death if the Depressed Classes were not permitted to enter the temples, and use the wells of the higher castes. Also he urged that they be provided as many seats as they desired in the provincial legislatures. In this quid pro quo style, he hoped they would be persuaded to abandon separate electorates. Consequently private Bills, removing disabilities from the Depressed Classes were introduced in the Legislative Assembly. Yet hostile Hindu Maha Sabha declared that the Depressed Classes could only 'see the gods' from a distance; they could neither enter the temples nor touch the idols, nor could any settlement persuade the higher castes to inter-dine or inter-marry with the Depressed Classes. The anti-untouchability Bills the Maha Sabha leaders believed were a breach of Queen Victoria's Proclamation of 1858, according to which the Government had undertaken not to interfere in the religious practices of the people

of India.⁸ Under the pressure of Hindu leaders the Depressed Classes were eventually persuaded to abandon separate electorates. But, in the words of Muhammad Ali Jinnah, the Pan-Hindu nationalists never showed the same spirit with regard to the Muslims and yet claimed that they represented all the peoples of India.⁹

Theoretically Islam has no social barriers, its ethical, legal and political principles are laid down in the Quran and the Traditions of the Holy Prophet. Additionally, the Muslim history, cultural uniformity, give an internal unity and homogeneity to the Muslim community as a whole. All the territories inhabited predominantly by Muslims comprise Dar-ul-Islam (Country of Islam), which should be possessed and defended jointly by the Muslims. 'Pan-Islamic' or Muslim national movements therefore, were the expression of a synthesis of the traditional idea of Dar-ul-Islam, and the new concept of territorial nationalism.

In order to understand 'Muslim Nationalism' in India one has to turn to the political idealism of Muhammad Iqbal (1877-1938). Iqbal was essentially a religious poet who expressed the spiritual aspirations of the Muslims of his age in a philosophic idiom. It is difficult to appreciate the spirit, and the significance of his poetry without a grasp of the theology and cultural history of Islam, and a comprehensive knowledge of modern philosophy and cultural history of Europe. This is just one complex aspect of his multi-dimensional personality. In addition to being a poet-philosopher, he was an eminent jurist, theologian, politician and statesman. His *weltanschauung* was basically determined by an amalgamation of the ideas of Shah Waliullah, Sir Syed, Jamal al-Din Afghani, and Shibli. In his philosophic discipline, understanding of Islamic and Western cultures, and grasp of the politics of Muslim India and its future destiny, he surpassed them.

While Iqbal was growing up, the Muslims, like an old man, lived in the past and were perpetually on the defensive. He started his career as a pantheist, Indian nationalist and territorial patriot. As a poet, he was the first to compose for India a non-sectarian national anthem, 'Hindustan Hamara' (which is still

sung by children in the schools of India). One can trace Muslim apprehensions in his early nationalistic or patriotic poems. In fact his sensitive Muslim conscience could not help being moved by the plight of Muslims of India and the Middle East, who were involved in their heroic struggle for independence.

He studied in Europe (1905-1908) philosophy and law at the universities of Cambridge, London, Heidelberg and Munich. At that time, Europe was intellectually under the spell of Hegelianism, and the emphasis on rationalism and linear progress through science had generated materialistic and atheistic trends. Iqbal's mind remained uninfluenced by these materialistic and atheistic orientations. During his stay in Europe, Iqbal discarded pantheism, and territorial nationalism. He perceived that these intellectual forces of materialism and atheism had enveloped the moral and religious values of Christianity; and had given birth to nationalism, chauvinism, and imperialism. These anti-human impulses had distorted the European state system, where national interest exclusively guided foreign policies. These ill-adjusted European states had been frequently dragged into wars, and were engaged in a dangerous zero-sum competition which would lead to their decline. In reaction Iqbal came to believe that the ideal of human unity based on race, language and territory, and the devotion to dying for it, was not only inhuman but contrary to the universally cherished moral values of equality and brotherhood of man. He felt that territorial nationalism and exclusive patriotism were European idols of worship. Christianity had adopted them at the cost of its basic convictions, which had receded to the domain of private opinion. Islam never compromised with idolatry. It destroyed this seductive adversary repeatedly.⁸ Since Islam was comprehensive, it could never tolerate nationalism or any other ism in its own name.

In Europe, Iqbal also realized that the imperialistic policies of European Powers stipulated the break up of the unity of Islamic community (Ummah). According to him, this objective was achieved after the First World War, with the propagation of the Western ideology of nationalism in the Islamic world.⁹ During this period Iqbal was profoundly influenced by Afghani's vision

of Islamic solidarity. After his return from Europe in 1908, his letter of March, 1909 reflected this change: "I have myself been of the view that religious differences should disappear from this country (India), and even now act on this principle in my private life. But now I think that the preservation of their separate national entities is desirable for both the Hindus and the Muslims. The vision of a common nationhood for India is a beautiful ideal and has a poetic appeal, but looking at the present conditions and unconscious trends in the two communities, it appears incapable of fulfilment".¹⁰

While Muslim countries fell into the hands of European Powers and the Khilafatists were exhorting the Muslims to join the National Congress, Iqbal raised his voice against nationalism, and as an ardent devotee of Afghani's ideal of a federated world of Islam, presented his views on international Islam in his Persian poems *Asrar-i-Khudi* and *Rumuz-i-Bekhudi* ('Secrets of the Self' and 'Mysteries of Selflessness').

His Persian poem *Asrar-i-Khudi* was published in 1915, when he presented the philosophic approach to a cultural reconstruction of the Muslims. He attacked pantheism and emphasized the development of the 'Self' (Ego) through which an individual Muslim could achieve power and freedom once again. He urged the Muslims to cultivate Islamic character, and thereby become perfect as individuals.

In the second part of the poem, *Rumuz-i-Bekhudi*, which appeared in 1918, Iqbal explained the rejuvenation and development of the Muslim community's Collective Ego. Islam, he asserted, was a forceful opponent of all the anti-humanitarian ideologies which are based on race, language or territory. Islam laid down the foundations of a unique society composed of unique individuals. Both poems were an exposition of his ideas for the reconstructed individual and community from the standpoint of Islam.

The two poems were published at a crucial stage, when the conflict between Islam and the West was coming to an end with the complete disintegration of the Muslim world. Iqbal aspired to achieve unification of the Muslim countries through Islam, or

'Ujgo' a term he invented for individual and collective self-realization of Muslims, especially the Muslims of India.¹¹ His approach to Indian politics, gave his utterances a specifically Muslim flavour, and alienated his nationalist admirers in India.¹²

Iqbal believed that Islam constructed nationality out of a purely abstract idea, a common spiritual aspiration. In Islam the conception of nationality had no material basis like territory, race, colour, language, script, or mode of dress. The sense of solidarity among the Muslim peoples really depended on 'like-mindedness' on a certain view of the world and a commitment to sacrifice one's life in defence of this ideal. Iqbal believed that for a Muslim Islam was by itself nationalism, as well as patriotism.

Iqbal denounced the Lucknow Pact, because it had originated in a false view of Indian nationalism. He decried the Pact as it deprived the Muslims of an opportunity to acquire political power in Muslim majority provinces of India.¹³ He opposed the Khilafatists when they started an agitation for the revision of the 'Turkish Treaty, and became Indian nationalists by joining the National Congress' non-cooperation movement against the British Raj. Mahatama Gandhi suggested to Iqbal to take charge of the Muslim National University (Jamia Millia) founded by the Khilafatists at Delhi, but he declined. Iqbal believed that a Caliphate revived under the tutelage of European Powers would be of no benefit to the Muslims.¹⁴ Like Sir Syed, he did not approve of the idea of the Muslims joining the Indian national movement. The Khilafatists, he wrote, had lost their real goal and were paving the way to a kind of nationalism, which the Muslims were not prepared to accept.¹⁵

The 'Turks' decision to abolish the Caliphate was considered by Iqbal as perfectly sound.¹⁶ He welcomed the spread of 'Muslim' nationalism in the lands of Islam, himself becoming the first and the most enthusiastic advocate of the same orientation in Muslim India.

Iqbal believed that the idea of amalgamating all the Muslims into a single state might have occurred to Sultan Abd al-Hamid for his personal political ends. But Afghani or his followers did not conceive of such a state.¹⁷ Ever since the Muslim awakening,

reformers had struggled against the forces of disintegration in the world of Islam. These forces, in his opinion, were: (a) 'Mullahism' which reflected the intellectual stagnation of the Ulema of Islam; (b) 'Sufism' which weakened the will to action among the Muslims; and (c) 'Sultanate' which promoted its own interests at the expense of the people.¹⁸ By definition the Caliphate necessitated an empire. Since an empire had ceased to exist, and numerous independent or semi-independent states had arisen, the Universal Caliphate became a thing of the past. If successful attempts were made to retain it in the present world it would interfere in the reunion of these nation-states on the model of an Islamic republic.¹⁹

Islam, he argued, transcended all blood-relationships and all territorial attachments; it demanded exclusive loyalty to God, and not to sovereigns. Loyalty to God implied, in Iqbal's terms, loyalty to one's own ideal self.²⁰ The abolition of the Caliphate and the subsequent growth of a republican spirit in the Muslim countries was a return to the original purity of Islam. According to him, this development was the underlying principle of Islam, which was displaced by Arab imperialism, especially after the fourth Caliph.²¹ He envisaged an international Islam, when he stated that Islam was neither 'nationalism' nor 'imperialism' but a 'commonwealth of nations', which accepted the racial diversity and the everchanging geographical demarcations, for reference only, not for constraining the social horizon of its members. However, he believed that for the time being, every Muslim nation should concentrate on itself until all were strong enough to constitute a living family of republics by adjusting their mutual rivalries, through the unifying bond of Islam. The uniform spiritual ethos in the Islamic world facilitated the political unity of Muslim states. This combination could assume the form of an ideal international state, or become a League of Muslim Nations, or be a multiplicity of independent Muslim states, interlinked with one another through treaties, pacts or alliances. Politically, the solidarity of Islam would break up if the Muslim states were to go to war against each other; and religiously it would fizzle out if the Muslims rebelled against the basic principles of Islam.²²

Iqbal was pleased with the growth of nationalism in Turkey, and Iran so long as it was not in isolation from Islam. But he attacked nationalism of the Western variety, as in his opinion, its acceptance by Muslim India would affect the original structure and character of Islam. He declared: "I am opposed to nationalism as it is understood in Europe, not because, if it is allowed to develop in India, it is likely to bring less material gain to Muslims. I am opposed to it because I see in it the germs of atheistic materialism which I look upon as the greatest danger to modern humanity."²³

Iqbal argued²⁴ that the history of religions demonstrated that religion was regional, that is territorial or national, in ancient times, as was the case of ancient Egyptians, Greeks or Indians. Subsequently it was considered ethnic as in the case of the Jews. Christianity however, taught that religion was a personal or private affair. Christianity was founded, not as a civil society but as a monastic order in a profane world. It obeyed the Roman authority in civil matters. When the State came within the fold of Christianity, a dispute arose between the jurisdiction of the Church and the State.²⁵ Luther's revolt which was directed against the Church had far-reaching consequences. The Church was separated from the state as being a personal affair and the State came to represent the collective life of the individuals. Consequently ethico-legal systems were evolved on national lines recognizing race, language and territory as the principles of human unity. The separation of the spiritual and the temporal in Europe was responsible for the formation of a group of mutually antagonistic states, and the exclusion of religion from the life of those states.²⁶

Islam however, emphasized Iqbal, brought home that religion was neither national nor racial nor personal but purely human.²⁷ Islam, unlike Christianity, from the very beginning, was founded as a civil society. The legal principles laid down in the Quran, like the Twelve Tables of the Romans, carried potentialities of evolution through interpretation. Thus there was no duality of spirit and matter in Islam. Its religious ideal and social order were organic to each other.

It was nationalism of the Western origin, Iqbal asserted, that was the greatest enemy of Islam.²⁸ Spiritual life ought to form the very basis of all political expression.²⁹ Territorial patriotism is innate in man, yet his belief, traditions and culture has a greater significance. Man should live or die for these values rather than for that portion of land to which his soul has developed a kind of temporary attachment.³⁰

However, he argued, there is nothing wrong in maintaining that the nations are usually associated with the lands they occupy. Indians are called Indians because they inhabit that part of land which is called India. As a geographical concept territory does not come into conflict with Islam because its boundaries are changeable. The people of Burma for instance, were Indians, but since the inauguration of the Government of India Act 1935, they had become Burmese. Nationalism came into conflict with Islam only when as a political ideal it demanded that Islam should cease to exist as a living factor in the national life. As for patriotism and a commitment to lay down one's life for one's country, belief, historical traditions or culture, all of them are an integral part of a Muslim's faith.³¹

The Holy Prophet's migration from his ancestral home, Mecca, to Medina and the formation of a Community of Faith consisting of the immigrants (Muhajirin) and the helpers (Ansar) in the State of Medina demonstrated that the nationality of Muslims was determined by a common faith. If the holy Prophet had compromised with the pagans of Mecca on the basis of common race, language, and territory, implying that they could worship their idols so long as they would let the Muslims worship their own God, then he might have been the first Arab nationalist, but not the Prophet of Islam. Muslims could not forsake their communal unity for any narrower system based exclusively on race, language or territory.

In the Quran, wherever people have been invited to accept Islam, the term 'community' (Milla or Ummah) is used instead of 'nation' (Qaum). The approach is designed for the obvious reason that many nations could belong to a 'community'; a nation does not necessarily include a single 'community'. A nation is a

group of people formed on the lines of tribe, race, language or territory. Such a group could appear in numerous forms and in different places. A 'community', on the other hand, assimilates multiplicity of groups and transforms their aggregate into a single people possessing a self-consciousness of their own. Islam draws its followers from mutually repellent races and is, to a great extent, successful in creating a collective will in this heterogeneous collectivity. Being non-racial, non-linguistic and non-territorial, Islam furnishes a model for human unity.³²

In tackling the question as to whether the Muslim states (such as Turkey and Iran) by accepting territorial nationalism, have ceased to be Islamic, Iqbal is of the opinion that so long as the Muslims believe in Tawhid (God's Unity) and the finality of Muhammad's Prophethood, they do not step out of the fold of Islam, no matter how faulty might be their interpretation of the Quran or Shariah. The development of a materialistic outlook in these countries is not against Islam but in perfect harmony with it, for matter according to Islam is spirit 'realizing itself in space and time'.³³ Similarly the adoption of different dress or script does not imply renunciation of Islam; since Islam as a religion has no territorial attachment, and as a culture has neither any specific mode of dress, nor any specific language, nor any specific script.³⁴

In his opinion the problem of nationalism could not arise in Turkey, Iran, Egypt and other Muslim countries because those countries are overwhelmingly Muslim and the minorities are the 'People of the Book'. There are no social barriers between the Muslims and the 'People of the Book', for a Jew or a Christian does not pollute the food of a Muslim by touching it, as is the case with the Hindus. Moreover the Law of Islam permits social and marital relations with them.³⁵ But in those countries where the Muslims form a minority, nationalism can be replaced by Islam as a nation-building force; in such a situation they would be justified in seeking self-determination as a cultural unit, if they can create a viable state.³⁶

R.A. Nicholson in his Introduction to "Secrets of the Self" (*Asrar-i-Khudi*) published in 1920, observed: "Notwithstanding that he (Iqbal) explicitly denounces the idea of nationalism, his

admirers are already protesting that he does not mean what he says."³⁷ H.A.R. Gibb, another critic of Iqbal, to whom the poet-philosopher appears 'full of strange contradictions', found it hard to reconcile the two contradictory trends in the Iqbalian interpretation of 'Muslim nationalism', and raised the question how Iqbal could possibly have attacked 'nationalism' and at the same time, given forceful support of his voice and pen to the idea of a separate Muslim state in the North West of India.³⁸

Iqbal's answer to his critics was simply this: nationalism means the development among a people of a consciousness of belonging to one another. Any common feature/features could engender such a consciousness - race, language, territory, or religion. In his analysis nationalism could be presented as one of the dimensions of Islam.

Iqbal's contribution to the cultural renaissance of Islam is his philosophy of the 'Self' (Ego) which is reflected not only in his poetic works but also his main prose work, *The Reconstruction of Religious Thought in Islam*. Briefly, his philosophical ideas are: change is the only permanent feature in life and universe. He conceives God as the Ultimate Ego, a personality, vigorously alive and constantly creative, whose infinity is intensive and not extensive, continuously willing, goes on adding to his creation, and is capable of changing his mind. From the Ultimate Ego only egos proceed. The universe, from the mechanical movement of the atom of matter to the free movement of thought in human ego is a self-revelation of the 'Great I Am'. Therefore the universe is one continuous act of God and there is no distinction between mind and matter, except that of the degrees of egohood. Man is distinguishable from the universe because in the process of creation, he, as an act of God, has become self-conscious. He, as a finite ego and as a personality, is unique and distinct from God. He is free. His desires and aspirations, pains and pleasures, hates and loves, judgments and resolutions, are exclusively his, and even God cannot feel, judge, or choose for him when more than one courses of action are open to him.

He is potentially a creative activity and has a capability of becoming a co-worker with God in the process of progressive

change, if he takes the initiative. In this context life after death cannot be claimed by man as of right. He has to earn it through the fortification of his ego by constant creativity. Hell is not a pit of everlasting torture nor is heaven a permanent holiday. These are merely corrective experiences. There is no end to his activity. Man marches always onward to receive ever fresh illumination from the Ultimate Ego. Each and every act of man creates a new situation, and thus, offers further opportunities of creative unfolding.

Man and God are highly dynamic personalities, distinct from each other and yet together. The example of the submergence of the drops of water into the Ocean only applies to those egos which fail to fortify themselves. But those personalities which can fortify themselves, move and have their being like pearls in the perpetual flow in the Divine Sea. Their existence is not obliterated but they are held in the All-Embracing Ultimate Ego within itself just as the flames of candles retain their separate and distinct existence in the over-powering light of the sun. Life, therefore, is a struggle for a candle to keep its flame continuously burning, or for the drop to attain pearl-hood through constant tension, yearning and creativity. Thus the destination of man is not emancipation from the limitations of individuality, but a more precise definition of it. The creativity of God may appear outwardly as a process of change in serial time, but in reality the change is a continuous act in durational time. The universe therefore continues to be in a state of 'permanence-in-change'.

The relativity or objectivity of atomic time has been deliberately created by God as a device to test or measure the creativity of man. Human acts, if performed by a fortified personality, are creative and live as permanent forces unaffected by serial time. All other human efforts ultimately perish by the remorseless rolling on of time. Consequently man is a spiritual being realizing himself in space-time. He can be properly perceived as a living force possessing rights and duties only in the social organism to which he belongs. Unique individuals must constitute a unique society - a society which possesses a

well-defined creed and has a capability to enlarge its limits by example and persuasion.

In Iqbal's opinion, Islam can succeed in establishing such a society in the form of a Muslim community (Ummah). His ideas respecting the Individual and Collective Ego are based on the Quranic conceptions of a perfect Muslim individual and the Islamic society.

The ethical values which can be derived from his metaphysics are such attributes as love, freedom, courage, high ambition, and supreme indifference towards the acquisition of material comforts. The cultivation of these attributes is likely to result in the fortification of man's personality. The acts of such a person would be creative and everlasting. The factors which destroy man's personality arise from stagnation, the opposite of creative activity. Stagnation gives birth to passive virtues like humility, submission or obedience as well as to fear, corruption, cowardice, begging or asking not only for the means of livelihood but also for ideas from others, imitating and finally servitude. Servitude debilitates individuals and societies, and the blind and cynically indifferent rolling on of time obliterates even their trace in history.

With his philosophy, Iqbal desired the rebirth of the spirit of inquisitiveness and defiance among the Muslims so that they, as individuals and as a society, rediscovered their lost position in the fields of creativity and innovation. He demonstrated through an analysis of history, that in the sphere of human knowledge the Western civilization was an extension of Islamic civilization. Everything in the Western thought that led to human progress was an elaboration of those very ideas, theories, and debates which were initiated by Muslim thinkers and scientists. Iqbal's vision of new Muslim individuals constituting a new Muslim society, created a bridge between Islam and the West. But this dream of bringing into being a 'new world' (Jehan-i-Nau) could not be realized unless the mode of religious instruction was altered and a generation of new Ulema appeared; and a modern Islamic state was established.

Like Sir Syed and Afghani, Iqbal considered the 'conventional' Ulema a hindrance in the religious, cultural and material progress of the Muslims. He had a very poor opinion of the Indian Ulema. In his letter of September, 1937 to the Nawab of Bahawalpur he wrote: "I have spent thirty years of my life to provide a correct interpretation of the foundational principles of Islam and its culture. But now when I have attained an old age and my capabilities are exhausted, I have become conscious of the terrible fact that some new forces are active in India which are bound to adversely effect the future of Islam and its culture....It is evident from the conduct of those Ulema of Islam who participate in the politics of India, that they have not even the remotest perception of the position of the Muslims. In fact those Ulema who happen to be more knowledgeable than the others, in reality, proved to be far more stupid than them".³⁹

Against this background, Iqbal tried his best during his life to educate and train the Indian Ulema, so as to create among them a group of new Ulema who would help to provide a new motivation for Islam to the new Muslim society of his vision. He felt that the Ulema lived isolated in a medieval world. Therefore it was necessary that the traditional 'Madaris' (religious schools) should either be reformed or made an integral part of the modern universities.

Iqbal perceived that Muslim society was suffering from numerous maladjustments. He drew its portrait in one of his Urdu articles, '*Quami Zindagi*' which appeared in the journal *Makhsun* in 1904. He observed: "This unfortunate community has been deprived of political, industrial as well as commercial power. Now unconcerned with the demands of times and smitten by stark poverty, it is trying to survive with the help of the useless staff of contentment. Leaving aside other matters, it has so far not been able to settle its religious disputes. Every other day a new sect is brought into being which considers itself exclusively as the heir of paradise, declaring the rest of mankind as fuel for hell. This form of sectarianism has scattered the Muslims in such a manner that there is no hope for unifying them as a single community. The condition of our Maulvis is such that if two of

them happen to be present in one city, they send messages to each other for holding a discussion on some controversial religious issue, and in case the discussion starts, which usually does, then it ends up in a deplorable brawl. The width of knowledge and comprehension which was a characteristic of the early Ulema of Islam does not exist any more. But there exists a list of 'Muslim infidels' in which additions are being made daily by their own hand. The social scene of the Muslims is equally distressing. Their girls are illiterate, their boys ignorant and jobless. They are afraid to try their luck by working as industrial labourers. They consider taking up vocational jobs as below their dignity. The dissolution of marriages in their families is rising. Similarly crime among them is on the increase. The situation is quite serious, and there is no solution of the problem except that the entire community should direct its mind and soul completely towards reforming itself. God does not change the condition of a community unless it changes itself".⁴⁰

According to Iqbal one of the most important factors for the establishment of a new Muslim society is to accomplish a reform in Islamic culture. For this purpose he felt the need for educating and training the Ulema. He argued: "The question of cultural reform among the Muslims is in fact a religious question, because there is no aspect of our cultural life which can be separated from religion. However, because of the occurrence of a magnificent revolution in the conditions of modern living, certain new cultural needs have emerged. It has therefore become necessary that the decisions made by the old jurists, the collection of which is generally known as the Islamic Shariah, requires a review. The decisions delivered by the former jurists from time to time on the basis of the broad principles of the Quran and the Traditions, were indeed appropriate and practical for those specific times, but these are not completely applicable to the needs and requirements of the present times. If one reflects deeply on the conditions of modern life, one is forced to arrive at the conclusion that just as we need the elaboration of a new *Ilm-i-Kalam* for providing a fresh religious motivation, we likewise need the services of a jurist who could by the width of

his vision stretch the principle so widely as to cover all the possible situations of the present cultural needs. As far as I am aware, the Muslim world has not yet produced any such great jurist, and if one were to consider the magnitude of this enterprise, it would appear that perhaps it is a job for more than one mind to accomplish, and it may require at least a century to complete the work".⁴¹

Iqbal wanted to establish an Islamic university for the education of the new Ulema. This was necessary for the realization of many objectives, and one of them, as explained by Iqbal was: "Who does not know that the moral training of the Muslim masses is in the hands of such Ulema and preachers who are not really competent to perform this duty. Their knowledge of Islamic history and sciences is extremely limited. In order to persuade the people to adopt in their lives the moral and religious values of Islam, it is necessary for a preacher of today to be not only familiar with subjects like history, economics and sociology, but must also have complete knowledge of the literature and modes of thinking of the community".⁴²

The Islamic university was not created. However, in the thirties the Aligarh Muslim University thought of introducing a new faculty of Islamic studies. Aftab Ahmad Khan, Chancellor of the University wrote to Iqbal seeking his advice. Iqbal wrote a long letter to him which is a very important document. Some of the extracts are: "Our first and foremost object should be to create Ulema of proper qualities who could fulfill the spiritual needs of the community. Please note that along with the change in the outlook of the people their spiritual requirements also undergo a change. The change in the status of the individual, his freedom of thought and expression, and the unimaginable advancement made by the physical sciences, have completely revolutionized modern life. As a result the kind of *Ilm-i-Kalam* and the theological understanding which was considered sufficient to satisfy the heart of a Muslim of the Middle Ages, does not satisfy him any more. This is not being stated with the intention to injure the spirit of religion; but in order to rediscover the depths of creative and original thinking (*Ijtihad*), and to

emphasize that it is essential to reconstruct our religious thought..... Like many other matters, Sir Syed Ahmad Khan's far-sightedness made him also look into this problem. As you may know, he laid the foundations of his rationalism on the philosophical doctrines of an ancient and bygone age for the resolution of this problem.... I am afraid, I do not agree with your proposed curriculum of Islamic studies. In my view the revival of the faculty of Islamic studies on the old lines would be totally useless. As for the spiritual value of the ancient theology, one can say that it is based on antiquated ideas, and as for its educational significance, it is irrelevant in the face of the emerging new problems or the new presentation of the old problems. What is needed today is to apply ones mind in a new direction and to exert for the construction of a new theology and a new *Ilm-i-Kalam*. It is evident that this job can be accomplished only by those who are competent to do it. But how to create such Ulema? My suggestion is that if you desire to keep the conservative element of our society satisfied, then you may start with the faculty of Islamic studies on the old lines. But your ultimate objective should be to gradually bring forward a group of such Ulema who are themselves capable of independent and creative thinking (*Ijtihad-i-Fikr*) in accordance with my proposed scheme.... In my view the dissemination of modern religious ideas is necessary for the modern Muslim nations. A struggle has already commenced in the Islamic world between the old and new methods of education as well as between the upholders of spiritual freedom and those monopolizing religious power. This movement of independence of human thought is even influencing a conservative country like Afghanistan. You may have read the speech of the Amir of Afghanistan in which he has attempted to control the powers of the Ulema. The emergence of numerous such movements in the other parts of the Muslim world makes one arrive at the same conclusion. Therefore in your capacity as the Head of a Muslim university, it is your duty to step forward in this new field with courage".⁴³

The educational reforms in the field of religion proposed by Iqbal were not implemented. An attempt was made shortly

before his death to establish a Dar ul-Ulum according to his specifications. For this purpose correspondence started between Iqbal and al-Muraghi, the Rector of al-Azhar University of Egypt, through Maulana Maudoodi, but the Egyptians could not produce an Arabic instructor satisfying Iqbal's requirements.

As for Iqbal's desire to establish a new state, Muhammad Ali Jinnah once remarked that Iqbal was one of the few who originally thought of the feasibility of carving out an Islamic state in the historical homelands of Muslims.⁴⁴ But before discussing Iqbal's concept of a modern Islamic state, it may be useful to examine his views on Islam and particularly, the Quran.

IQBAL'S VISION OF MODERN ISLAM

Iqbal does not define Islam as a theologian but as a philosopher. In his view: "Islam is not a religion in the ancient sense of the word. It is an attitude - an attitude, that is to say, of freedom and even of defiance of universe. It is really a protest against the entire outlook of the ancient world. Briefly, it is the discovery of man".⁴⁵ Thus in his perception, Islam as a religion and as a culture, is humanistic and egalitarian. Any interpretation of Islam which sanctifies feudalism and discriminates between man and man, is not acceptable to Iqbal. Iqbal's Western critics contend that he picked up humanism from the West and interpreted Islam in its light. But Iqbal, on the contrary, claimed that humanism was a product of Islamic culture and was a gift of Islam to the West.

As for the Quran, Iqbal believed that many new worlds are concealed in its verses and countless eras yet to come are hidden in its wisdom. Its different interpretations can resolve the problems of the past, present and future ages provided that the Muslims are able to reconcile 'Reason' with 'Love' and realize that the new world lying buried in their hearts is anxiously waiting to unfold itself on hearing the word 'be' from them.⁴⁶ Briefly Iqbal subscribed to the view of flexible and progressive interpretation of Quranic laws for 'worldly affairs' (Muamalaat) in order to cope with the needs and requirements of the changing times.

Iqbal realized that modern Islam requires 'emancipation' from the medieval fancies of theologians and jurists, and proclaimed: "Spiritually we are living in a prison-house of thoughts and emotions which during the course of centuries we have weaved round ourselves".⁴⁷ For this reason he rejected the dynastic/hereditary Caliphate, Imamate or Sultanate as the outmoded forms of government which the Muslims evolved.

The modern Islamic state of Iqbal is to be based on the Shariah. But how does he interpret the Shariah? The Shariah, according to him, consists of two components: Religious Obligations (Ibadaat) and Worldly Affairs (Muamalaat). Worldly Affairs under the Shariah, are to be managed under a political order, which is based on "mutual consultation", and is part of any one of the current forms of democracy. Like many modern political thinkers, Iqbal criticizes the Western form of democracy as a political system, which is flawed in many ways. Since there is no other acceptable alternative, he could not resist advancing the viewpoint that the establishment of popular legislative assemblies in some Muslim countries is a return to the original purity of Islam. In his view the Quranic rule of obeying those who exercise authority *from amongst you* (sura 4: verse 59) in fact means obeying only those leaders who are *like you* and not the kings or dynastic rulers. In this connection he advances the argument that the powers of the Caliphate could be vested in a body of persons or an elected assembly.⁴⁸ He believes that the essence of "Tawhid" (Unity of God) as a working idea, is human equality, human solidarity and human freedom. To him, the state, from the Islamic standpoint is: "an endeavour to transform these ideal principles into space-time forces, an aspiration to realize them in a definite human organization".⁴⁹

In Iqbal's proposed Islamic state, Islamic laws cannot be imposed on the non-Muslim minorities. They have always been and shall be governed under their own laws. Iqbal categorically proclaims: "I entertain the highest respect for the customs, laws, religious and social institutions of other communities. Nay, it is my duty according to the teachings of the Quran, to defend their places of worship".⁵⁰

Iqbal's assertion regarding the responsibility of a Muslim state to safeguard the rights of the minorities is based on sura 20: verse 40 of the Quran in which God Commands: "If Allah had not created the group (of Muslims) to ward off the others from aggression, then churches, synagogues, oratories and mosques where Allah is worshipped most, would have been destroyed."

In the early stages of Islamic history this Quranic verse was interpreted as a legal provision for the protection of the places of worship of the "People of the Book": Jews and Christians. After the conquest of Iran this protection was extended by the jurists to the Zoroastrians, who were considered as "like the People of the Book" (Kamil-Ahle-Kitab). The same protection was extended to the Hindu temples during the reign of some Mughal emperors in India.

Iqbal firmly believed that in India the provision of separate electorates for the Muslims was necessary for the protection of the rights of the Muslim community. The Muslims insisted on separate electorates not because they were afraid of democracy, but because they did not want to be deprived of the benefits of democracy. They resented coming under the domination of a religiously hostile majority, concealed "under the cloak of nationalism, outwardly simulating a large-hearted patriotism but inwardly as narrow-minded as a caste or a tribe".⁵¹ According to Iqbal the Muslims demanded democracy in the real sense, even if, in view of the situation in India, they had to change the apparent form of the institution.⁵² It was merely a device and not a religious obligation. The separate electorates for Muslims were not sacroscent in his eyes. He stated: "The Muslims of India can have no objection to purely territorial (mixed) electorates if provinces are so demarcated as to secure comparatively homogenous communities possessing linguistic, racial, cultural and religious unity".⁵³

We have already noted that despite Iqbal's criticism of territorial nationalism and patriotism in his poems on humanitarian grounds, he is of the view that Islam has no quarrel with nationalism in the Muslim majority countries. Similarly readiness to lay down one's life for his country is part of a

Muslim's faith. He maintains: "In Muslim majority countries Islam accommodates nationalism for there Islam and nationalism are practically identical; but in Muslim minority countries (if the community has majority in a viable territory) it is justified in seeking self-determination as a distinct cultural unit.... Patriotism in the sense of love for one's country and even readiness to die for its honour is a part of the Muslim's faith".⁵⁴

IQBAL'S VIEW OF SECULARISM

For assessing Iqbal's views on 'secularism' it may be useful to discuss the two varieties of secularism which the Western civilization has developed as an essential part of its political ideology. Irrespective of historical background of the development of this concept, secularism adopted by the capitalistic democracies is based on the principle of state being neutral in matters of religion. It is also stated to be a guarantee of equality of all citizens regardless of their spiritual background as the state is governed exclusively under man-made laws (not connected with any religion) and these laws are uniformly applicable to all citizens. Also it is a guarantee of acceptance not just tolerance of minorities, religions and cultures. The other variety of secularism was evolved by the socialist countries which meant a 'state without religion' or the 'imposition of atheism on citizens as a state policy'. After the collapse of the Soviet Union this form of secularism has ceased to exist, and at present the Russian Federation and the other former socialist countries have adopted the capitalist version of this doctrine.

Iqbal, as a deeply religious man, advanced the argument that the discoveries of modern physics, particularly regarding matter and nature, are very revealing for the materialists and the secularists. His argument proceeds like this: "The ultimate reality, according to the Quran, is spiritual and its life consists in its temporal activities. The spirit finds its opportunities in the natural, material and the secular. All that is secular is therefore sacred in the roots of its being. The greatest service that modern thought has rendered to Islam and as a matter of fact to all religions, consists in its criticism of what we call material or

natural, a criticism which discloses that the merely material has no substance until we discover it rooted in the spirit. There is no such thing as a profane world. All this immensity of matter constitutes a scope for the self-realization of the spirit. All is holy ground".⁵⁵

In Iqbalian terms, secularism is rooted in the spirit. Therefore, there is no justification in regarding secularism as anti-God. If secularism means guaranteeing the rights of "religious freedom" and "equality of all citizens" by the state, then certainly it cannot be opposed to Islam. Iqbal's Islamic state is expected to have "mixed" laws. Islamic laws would apply only to the Muslim citizens whereas the minorities would have the freedom to be governed under their own personal religious or customary codes of law. As for the third category i.e. man-made laws, these would be applicable uniformly to all the citizens in the best interests of the state. In this background the discussion of accepting or rejecting secularism is not at all relevant to the state in Islam, which is admittedly not a theocracy.

Iqbal takes pains in explaining that the division of the religious and the political functions of the state in Islam must not be confounded with the Western idea of the separation of church and state. To Iqbal, in an Islamic state there is only a division of functions, whereas in the other case the division is based on the metaphysical dualism of spirit and matter or sacred and profane. Since a separate religious organization (as church organization) cannot be contemplated in Islam, Iqbal recommends the establishment of a separate Ministry of Religious Affairs which should, among other things, control the Madaris (institutions of religious instruction) and mosques. It should appoint qualified Imams and Khatibs for the mosques. He also suggests that no one should be permitted to preach in the mosque without holding a license from the state.

When religious reforms were promulgated in modern Turkey by Kemal Ataturk, Iqbal hailed them in the following words: "As to licentiate the Ulema, I will certainly introduce it in Muslim India if I had the power to do so. The stupidity of the average Muslim is largely due to the inventions of the myth-making

Mullah. In excluding him from the religious life of the people, Ata-Turk has done what would have delighted the heart of an Ibn Taimiyah or Shah Waliullah. There is a tradition of the Holy Prophet reported in the Mishkat to the effect that only the Amir of a Muslim state and the persons appointed by him are entitled to preach to the people. I do not know whether the Ata-Turk ever knew this Tradition, yet it is striking how the light of his Islamic conscience has illuminated the zone of his actions in this important matter".⁵⁶

Iqbal's view is supported by the history of Islam. When the Abbasid Caliphate in Baghdad was at its lowest ebb, the Caliph retained the power of appointing the Qadis (judges) and the Mosque-Imams (preachers). Evidently this method was adopted by the Islamic polity for curbing those who were inclined to disseminate sectarian hatred among the Muslims.

As for Islamic legislation in Iqbal's proposed Islamic state, he urges that 'Ijtihad' must be adopted as a legislative process in the elected assemblies. This is the only form, which 'Ijma' (Consensus of the Community) can take in a modern democratic Islamic state. It may be interesting to note that Maulana Shibli believed that decisions in 'Ijma' on the majority basis were recognized as correct in Caliph Umar's times.

Iqbal also held that the modern Muslim liberals' claim to re-interpret the Shariah (or the foundational legal principles of Islam), in the light of their own experience and the altered conditions of modern life, is perfectly justified. He is convinced that the Islamic world is confronted by new intellectual forces, which were unleashed by the extraordinary development of human knowledge. He suggests that every generation of Muslims, guided but unhampered by the work of its predecessors, should be permitted to solve their own problems. He maintains: "The growth of a republican spirit and the gradual formation of legislative assemblies in Muslim lands constitutes a great step forward to transfer the power of Ijtihad from individual representatives of Schools to a Muslim legislative assembly. This is the only possible form which Ijma can take in modern times. It will secure contributions to legal discussion from laymen who

happen to possess a keen insight into affairs. In this way alone we can stir into activity the dormant spirit of life in our legal system and give it an evolutionary outlook”.

Although Imam Abu Ishaq Shatibi (whom Iqbal mentions in his Reconstruction Lectures) accepts the possibility of Ijtihad in Ijma by a non-believer, Iqbal does not touch the question whether or not the Non-Muslim members of a modern Muslim legislative assembly (Ijma) could participate in Ijtihad on Islamic law-making. So far as the practicing of Ijtihad on individual basis is concerned, in British India in the course of the development of Anglo-Muhammadan Law, a Non-Muslim judge decided matters involving Muslim Personal Law without any objection on the part of the Ulema.

However admitting that Ijma can “limit”, “extend”, or “hold in abeyance” the application of a Quranic injunction, Iqbal does not go to the extent of subscribing to the viewpoints of the Mutazilla and an eminent Hanafi Jurist Isa ibn Abban to the effect that Ijma can also “abrogate” any specific Quranic rule of law.⁵⁷

Evidently in emphasizing equality, solidarity, and freedom, Iqbal desires to incorporate in his Islamic democracy, the principles of supremacy of the rule of law, guarantee of human rights, realization of social and economic justice, as laid down in the Quran and Sunnah. He is reluctant to discuss some aspects of the Shariah, especially the problems of civil and criminal legislation, which require re-interpretation. The reason for his hesitation is the conservative character of the Muslim community, which, because of sectarian differences, is not yet emotionally prepared to accept that the Shariah in its spirit is cohesive and not divisive, and Muslims need to restore its original spirit.⁵⁸ Despite his caution in this matter, his scattered views indicate the trends of his progressive thought.

One important qualification of a legislator, in Iqbal's eyes, is that he should be a lawyer who has studied the conventional Islamic Fiqh in the light of modern jurisprudence. He desires that a new syllabus, integerating both disciplines should be introduced in the schools of legal instruction. He explained this approach in

answer to a question as to how the present Muslim legislators, with no knowledge of Islamic law, would interpret and make laws without committing grave mistakes. Iqbal recommends that in the absence of qualified legislators, a Board of Ulema be nominated as a part of the legislative assembly. They should have no right to vote, but only help and guide free discussion on questions of interpreting Islamic law. This improvisation should be merely a temporary arrangement as a safeguard against erroneous interpretations. In the process of Islamic law-making in modern times, Iqbal is aware of the sectarian and intellectual limitations of traditional Ulema who are inclined to differ from one another on trivial matters and are unlikely to provide proper guidance. Therefore he appreciates the importance of the 'non-Ulema' experts in specific fields, and the general contribution which laymen can make, especially if they possess keen insight into affairs.⁵⁹

He was in favour of legislation on family planning. He approved the banning of polygamy in Turkey on the ground that the Amir or Head of an Islamic state has the power to hold in abeyance a Quranic sanction if the social conditions so demand.⁶⁰ An Islamic state, according to him, is fundamentally a progressive state. In order to illustrate this point he quoted a passage from an article (on the Indian Banking Inquiry Committee) in the Times of India, which included: "In ancient India, the state framed laws regulating the rates of interest; but in Muslim times, although Islam clearly forbids the realization of interest on money loaned, Indian Muslim states imposed no restrictions on such rates".⁶¹

About Islamic criminal law and its penalties (Hudud), relying on Shibli's translation of a passage of Shah Waliullah, Iqbal observes: "The prophetic method of teaching, according to Shah Waliullah, is that, generally speaking, the law revealed by a prophet takes special notice of the habits, ways and peculiarities of the people to whom he is specifically sent...His method is to train one particular people, and to use them as a nucleus for the building up of a universal Shariat. In doing so he accentuates the principles underlying the social life of all mankind, and applies them to concrete cases in the light of the specific habit of the

people immediately before him. The Shariat values (Ahkam) resulting from this application (e.g., rules relating to penalties for crimes) are in a sense specific to that people; and, since their observance is not an end in itself, they cannot be strictly enforced in the case of future generations".⁶²

Also Iqbal developed a degree of appreciation for the egalitarian principles of socialism. He applauds the socialist movement in Russia in many of his Persian and Urdu poems. Sympathetically, he watched the Russian experiment with communism, because, at least in appearance, its aim, like Islam, was to destroy monarchy, to end ecclesiastic hierarchy, and to realize the ideal of equality. But he rejected it as it was founded on atheistic materialism. He proclaimed in a letter of 24th June, 1923: "I am certain that the Russians themselves, after discovering the faults of their present system through experience, shall be compelled to turn to some other type of economic structure, the foundational principles of which are either purely Islamic or identical to them".⁶³

As a Muslim, he believes that the Quran has provided the best solution to the economic problems of different classes of humanity. The objective of the Shariah is to stop one group from exploiting the other through the power of capital. Islam does not completely eliminate the power of capital from its economic system, but after a careful study of human nature, retains it as a structure based on the balance between capital and labour (Iqtasad). In one of his letters to Jinnah (28th May, 1937) he wrote that the economic problems of the Muslim community could be resolved by the implementation of the Shariah and its future interpretation in the light of modern ideas. He observes: "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".⁶⁴ He stood for the strict enforcement of the Islamic law of inheritance, and other welfare laws like organization of Zakat and Ushr. In referring to the principle of the Quran that 'surplus wealth be given away' (sura 2: verse 219), he advances the reasoning that any measure of taxation adopted by the state in order to realize

the collective welfare (*Maslehat-i-Aama*) could not be opposed by the Shariah.⁶⁵

Why did Iqbal consider God as the real owner of land, and that man held it only as a trustee or lessee for personal benefits? In Muslim India landed estates were granted by the Sultans and Emperors to those individuals who could provide effective military aid to Delhi and to conduct local administration including the collection of taxes from the population. The British continued the same system and created a new aristocracy. The new feudals provided military aid to the British and rendered political allegiance. In other words the new Muslim feudals in the areas now constituting Pakistan became the right arm of the British imperial rule. To Iqbal the ownership of land presented a dilemma. He castigated the feudals for their subservience to the British government; at the same time he rejected the British contention that the land was owned by the British Crown. Consequently he described land "*Ard-i-Allah*" (land belongs to God). This viewpoint enabled him to champion the rights of landless tenants.

Iqbal was opposed to '*Mukhabara*' (collection of *batai* or rent from land), and recommended the enactment of prohibitory legislation against it. An individual could hold an appropriate extent of land that he could cultivate himself. He believed that since the state could not own land, half of the state-owned land should be sold to the landless tenants who might pay the price in installments. In 1927, while Iqbal was an elected member of the Punjab Legislative Council, he attempted to impose agricultural income tax on the feudal landowners in the same proportion as income tax was assessed. Low-income bracket groups, Iqbal reasoned, were exempt from the payment of income tax, similarly the land revenue should be remitted in the case of petty landholders.⁶⁶ Iqbal projected himself as anti-capitalist as well as anti-communist, he stood for the establishment of a welfare state of the middle class.

Iqbal, in his writings (poetry as well as prose), also covered the '*Ibadaat*' (Religious Obligations) component of the Shariah. But here again his approach was that of a philosopher rather than a

theologian. He emphasized improvement in the quality of the educational system so that the universities could produce dedicated young Muslim men and women who, at the same time were modern in their outlook and instinctively creative and innovative.

Iqbal was the first Muslim thinker in South Asia to define the state in Islam as a spiritual democracy. He argued that: "In view of the basic idea of Islam that there can be no further revelation binding on man, we ought to be spiritually one of the most emancipated people on earth. Early Muslims emerging out of the spiritual slavery of pre-Islamic Asia were not in a position to realize the true significance of this basic idea. Let the Muslim of today appreciate his position, reconstruct his social life in the light of ultimate principles and evolve out of the hitherto partially revealed purpose of Islam that spiritual democracy which is the ultimate aim of Islam".⁶⁷

This passage is rather unconventional. From where did Iqbal derive this idea? He does not explain. He may have picked up the idea of "spiritual democracy as the ultimate aim of Islam" from the principle on which 'Mithaq-i-Medina' was created or sura 5: verse 58 of the Quran. In this verse, Allah addressing mankind commands: "For each of you We have given a law and a way (of life) and if Allah hath willed He would have made you one religious community. But (He hath willed it otherwise) so that He may put you to the test in what He hath given you. Therefore compete with one another in good works. To Allah will ye be brought back. And He will inform you about that wherein ye differed."

If 'Mithaq-i-Medina' and this Quranic verse were his guides, then how should the spiritual democracy be established in practical terms? Probably he contemplated the spiritual democracy as a state in which all religions are equally free, authentically tolerated, respected and accepted. Such an ideal state, in his eyes, would probably be superior to the two known varieties of secularism evolved by Western civilization. Thus Iqbal's Islamic state stands for religious and cultural pluralism and peaceful co-existence.

As noted above, the Islamic state which was created during the Prophetic era, although unique, was not a finished product. After the Prophetic state different forms of Caliphate – republican (through election, nomination, election through an electoral college, or direct referendum) and autocratic (through coercion, force, or usurpation) followed each other until the Caliphate was absorbed into the Sultanate. Afghani introduced the concept of “constitutional” Caliphate before its disappearance in 1924. In Iqbal’s interpretation the power (sultan) of the Caliphate could be exercised by an elected Muslim legislative assembly. Originally this was also the creed of the Khawaraj. Iqbal’s modern Islamic state is also an aspiration, which remains to be fulfilled.

Iqbalian idealism is an appropriate example of the fusion of some of the new Western ideas with Islam. He was declared ‘Kafir’ (infidel) by some conventional Ulema for the views which he expressed in his poems, and in a lecture on ‘Ijtihad’ in 1924. Clearly he was ahead of his times as the Muslim community was not ready to accept his views. Iqbal’s Western critics or Western-oriented Muslim critics may find his concept of a modern Islamic state as anchored in ‘secular humanism’ or ‘liberal unitarian humanism’. To Iqbal, the spirit of Islam is inclusive and limitless. As established by its past history, it is capable of assimilating all the new ideas of the other civilizations, giving them its own synthesized direction. He was convinced that: “The inner catholicity of the spirit of Islam is bound to work itself out in spite of the rigorous conservatism of our doctors. And I have no doubt that a deeper study of the enormous legal literature of Islam is sure to rid the modern critic of the superficial opinion that the Law of Islam (Shariah) is stationary and incapable of development”¹⁷.^{OH}

MAIN FEATURES OF IQBAL’S MODERN ISLAMIC STATE

1. It is a democratic state.
2. Parliament should adopt ‘Ijtihad’ as the guiding principle of particularly Islamic legislation to cope with the requirements of the modern times.

3. The separation between the religious establishment and the state organs is strictly functional. It is not identical to the separation of church and state.
4. The Criminal Law of Islam need not be enforced dogmatically.
5. Interest-free banking need not be enforced in order to promote the free-market economy.
6. The state must protect the economic rights of landless tenants and workers, and impose tax on agricultural produce.
7. The state is also under an obligation to protect and determine the minimum wages of industrial workers and to provide them medical care and assure compensation upon their retirement.
8. To strengthen national integration in a Muslim majority state the principle of joint electorates can be adopted.
9. While spiritual democracy remains undefined, it seems to stand for equality of all citizens regardless of their race, religion or creed.

IQBAL'S ROLE IN POLITICS OF MUSLIM INDIA

What role did Iqbal play in the political development of the Muslims of India? Intellectually, Iqbal had been deeply influenced by the political ideas of Sir Syed and the possibilities of their future development. He joined the London branch of the Muslim League in 1907 while he was a student in England. When separate electorates for Muslims were granted by the British under the constitutional reforms of 1909, he renounced Indian nationalism for good, and arrived at the conclusion that the preservation of a separate national identity for the Muslims was necessary.

His magnum opus, "*Asrar-i-Kbudī*" contains a concluding poem, 'Dua' (prayer) in which, addressing God, he pleads that he be granted a companion who could share his secret thoughts. What were those secret thoughts that he wanted to share? Did he have a vision of consolidating Islamic political power in North West India, where the Muslims constituted a majority?

He started taking active part in Muslim politics in 1926, when he was elected member of the Punjab Legislative Council from Lahore. He gained prominence in All India Muslim politics in

1927, when the Muslim League split on the divisive issue of retaining or surrendering separate electorates for Muslims. As Secretary General of the All India Muslim League (Shafi Group), Iqbal opposed surrendering of the separate electorates. On his reconciliation with Muhammad Ali Jinnah in 1929, Iqbal emerged as a Muslim leader at All India level. At the meeting of the Muslim League Council on 13th July, 1930, Jinnah proposed his name as President of the All India Muslim League Session 1930. This proposal was unanimously adopted. Jinnah wanted that Iqbal, as President of the Muslim League, may be asked to attend the Round Table Conference as a delegate along with him. But due to the machinations of Sir Fazli Husain, Chief Minister of the Punjab, the invitation was not extended to him.¹⁹

While the Muslim delegates proceeded to London to attend the Round Table Conference, Iqbal remained politically very active. He had already hinted in his address to the Muslim Conference (29th December, 1928) that there were some parts of India where the Muslims constituted a majority and therefore they should have a separate political programme. In line with this thinking, he called a meeting of eminent Punjabi Muslims at Lahore on 23rd November, 1930 and persuaded them to hold a special conference of Muslims of North India, in which, the representatives of the Frontier Province, Baluchistan, Punjab, and Sindh should be invited. The objective was to organize the Muslims of these provinces and to work out an agenda for their demands. In the same meeting a reception committee of the Upper India Muslim Conference was established and Iqbal was elected President of the Conference.

On 19th December, 1930 an appeal was addressed in the name of the Conference by Iqbal (along with other members of the reception committee) to the eminent Muslims of these provinces to the following effect: "The object in summoning this Conference is that the Muslims of these provinces should be made to understand their position in the background of the present political crises, the strategy of our neighbour community as well as that of the rulers of India, and to make them aware of the dangers which the Muslim community is facing. Furthermore,

they are also to be told that God, who is Wise, Knowledgeable and Well-informed, has not created Muslim majorities in these provinces as a mere coincidence, but in keeping them together in a contiguous area, He has such a purpose (Maslehat) which is gradually being revealed to those who can perceive and comprehend. It is therefore necessary to give through this Conference a message of action for the protection of Islam and Muslims in India".⁷⁰

The need to call the Conference did not arise as the session of the All India Muslim League, which was presided over by Iqbal, was eventually held at Allahabad on 29th December, 1930. Iqbal in this address proposed the creation of an 'amalgamated state' (consisting of the Punjab, Sindh, Frontier Province, and Baluchistan) as the national homeland for at least the Muslims of North West India. In order to make this state less extensive and more Muslim in population, he suggested the exclusion of some districts of East Punjab, where non-Muslims predominated. The establishment of such a state "within the British Empire or without the British Empire", according to him, would result in an internal balance of power and thus mean security and peace.⁷¹

Iqbal's proposal was severely criticized in the Anglo-Indian and Hindu Press. The proceedings of the Round Table Conference in London were interrupted by the Hindu Maha Sabha leader Dr. Moonje, who angrily addressed the Committee: "I do not know whether I should refer to what appeared in the Press yesterday as a report of a speech made by Sir Muhammad Iqbal. He is President of the Muslim League in India. I am loath to refer to that matter, but as insistent demands on these lines have been made, I am painfully obliged to refer to it.....I appeal to our Mohammadan friends not to let sentiments run away with them. We are all people living in India; there is no difference in bone and blood between you and us. We are all children of the same people, and we are prepared to give you the utmost protection you demand for your culture, for your religion and for your race progress. I appeal to you to take up your courage in both hands and to put yourselves in the common pool of the nationality in India; and I am positive that if you try that

experiment for the next ten years you will never have cause for complaint.”

In reply, Sir Muhammad Shafi said: “ Dr. Moonje was pleased to make a pointed reference to the speech which is said to have been made by Sir Muhammad Iqbal.....I wish Dr. Moonje had not made this reference and compelled me to do that which I had no intention whatever of doing.....If Sir Muhammad Iqbal said that when there will be a Hindu state in the whole of India by reason of the Hindus being in a permanent and unalterable majority in the Central Government, when there will be six Hindu states out of the eight Governors’ provinces, by reason of a similar unalterable permanent majority in those six provinces, there ought to be four Mussalman states, because the Mussalmans in those four provinces are in a majority, I see nothing wrong in that.....No pointed reference need have been made, if that is what he said. But if he said anything in connection with the foundation of an independent Muslim state outside the British Commonwealth of Nations, then I, on behalf of the whole Mussalman delegation, repudiate that.....But, Mr. Prime Minister, I can well imagine a Mohammadan exasperated by pronouncements of the type that my friend Dr. Moonje has been making in different parts of India, possibly in a moment of thoughtlessness saying something similar”.⁷²

There existed many schemes for the division of India between the Hindus and the Muslims put forward by numerous personalities which need not be perused here.⁷³ Iqbal’s proposal was made by an eminent and responsible Muslim leader from the platform of the Muslim League, and it logically exceeded the Muslim demands embodied in Jinnah’s Fourteen Points under consideration at the Round Table Conference. If there was a possibility of an inter-communal settlement, it meant the acceptance of the Fourteen Points, or the creation of a ‘Muslim India’ within India, as the word ‘state’ used by Iqbal, only implied the grant of full autonomy (for the Punjab, Sindh, Frontier Province and Baluchistan). The nature of the constitution of the Centre had been left open.

In the thirties the political strategy of Iqbal and the other Muslim leaders, who thought like him, was not to talk in terms of an 'independent' Muslim state in North West India. This was the reason why Iqbal in his Allahabad Address had used the ambiguous phrase 'within' along with 'without the British Empire' while determining the status of the proposed amalgamated Muslim state. This was also the reason why Iqbal in his letters addressed to Edward Thompson and Raghīb Ahsan (written in 1934) disassociated his proposal from the scheme called 'Pakistan' that had been formulated by Rahmat Ali and his colleagues in Cambridge.⁷⁴ Even Muhammad Ali Jinnah, after the adoption of the Lahore Resolution in 1940, as recorded by Frank Moraes in his book, 'Witness to an Era', did not approve of Rahmat Ali's concept of 'Pakistan', possibly for the same reason. Moraes writes: "I noticed a distinct lift of Jinnah's eyebrows whenever I happened to mention Rahmat Ali. He seemed to regard Rahmat Ali's concept of Pakistan as some sort of Walt Disney dreamland, if not Wellsian nightmare, and I think he felt the professional's contempt for the amateur's mistake of showing his hand without holding the trumps".⁷⁵

While Hindu Maha Sabha leaders condemned Iqbal for advancing the idea of establishing an amalgamated Muslim state, they also approached him for a settlement. S.V. Lalit, who was already in touch with Maulana Shaukat Ali, wrote to Iqbal on behalf of Dr. Moonje in his letter of 28th May, 1932: "To come to the actual point, I have secured consent of Dr. Moonje (of course strictly privately) to support your scheme of amalgamation of the four Muslim Provinces on India's North Western Border. We might not agree to your phrase - Muslim State, but the same meaning could be expressed under the title of Muslim Province. Words may differ, but the substance would be the same....Please note that Dr. Moonje at the present time is not in a position to support your scheme publicly; that stage will come later on; for the present I have his authority to carry on certain private conversations....I shall report the progress of my efforts to him, when he will be in a position to make a formal move....I may however mention the fact that Maulana Shaukat Ali has promised

to help me in my efforts. After hearing from you as to how far you will value such an understanding.....I can ask Dr. Moonje to move formally in the matter".⁷⁶ The conversations referred to above however, did not lead to any positive result.

Two years after Iqbal's death, when the Muslim League passed the Lahore Resolution in 1940, an attempt was made by responsible Hindu leaders to propagate that Iqbal had resiled from his proposal for the creation of an amalgamated Muslim state in North West India. Such views had been expressed by Pandit Jawaharlal Nehru in his 'Discovery of India'⁷⁷ as well as by Ambedkar in his 'Thoughts on Pakistan',⁷⁸ besides many other writers on Indian politics. But the person actually responsible for the circulation of this falsehood after the death of Iqbal, was no other than Edward Thompson (a pro-Congress professor of Bengali language at Oxford), who asserted in his book, 'Enlist India for Freedom' (published in 1940) that Iqbal had written to him that the creation of 'Pakistan' would be destructive for the British, the Hindus and the Muslims, and that he was compelled to support this proposal because at that time he happened to be the President of the Muslim League.⁷⁹ Earlier, the very same Edward Thompson had published a letter in the London Times on 3rd October, 1931 condemning Iqbal's concept of an amalgamated Muslim state as 'Pan-Islamic Conspiracy'. Iqbal explained in his reply to The Times dated 12th October, 1931 that he did not contemplate a Muslim state in North West India 'outside the British Commonwealth of Nations' as a plan of practical politics, and that this state would be "the bulwark of India and the British Empire against the hungry generations of the Asiatic highlands".⁸⁰

Fortunately the letters of Iqbal addressed to Edward Thompson have recently been edited and published by A. Hassan of Aligarh. Iqbal's letter referred to by Edward Thompson in his book 'Enlist India for Freedom' bears the date 26th July, 1934. Iqbal writes to him: "As President of the Muslim Conference it was my duty to support the separation of Sindh; personally I have always believed that the amalgamation of the provinces on the North-West of India will be of infinite advantage to England,

India and Islam".⁸¹ The dishonesty of Edward Thompson is self-evident.

Iqbal lived almost eight years after advancing his scheme for the creation of an amalgamated Muslim state in North West India. During this period on numerous occasions he referred to his scheme as the only method of solving the inter-communal problem. Some outstanding documents may be enumerated: his letters dated 12th October, 1931 to the London Times and 26th July, 1934 to Edward Thompson; there is also his Presidential Address delivered at the session of the All India Muslim Conference held at Lahore on 21st March, 1932 in which he spoke at length against the idea of an All India federation;⁸² his letter dated 8th June, 1932 addressed to Maulana Muhammad Irfan Khan in which he wanted Maulana Shaukat Ali to hold talks with the Hindu Maha Sabha leaders respecting his scheme of the Muslim state;⁸³ his speech in London at the meeting of the National League dated 24th November, 1932 in which he asserted that his scheme was the only solution of the Hindu-Muslim problem;⁸⁴ in his reply dated 6th December, 1933 to Pandit Jawaharlal Nehru's criticism of the Muslim delegates, who were attending the Round Table Conference (third session) in which he proclaimed that the only solution of the Indian problem was to divide the country on the basis of religious, historical and cultural trends;⁸⁵ finally, his letters to Jinnah from 1936 until his death, particularly the one of 21st June, 1937 in which he emphasized: "A separate federation of Muslim provinces reformed on the lines I have suggested above is the only course by which we can secure peaceful India and save Muslims from the domination of non-Muslims. Why should not the Muslims of North-West India and Bengal be considered as nations entitled to self-determination just as other nations in India and outside India are?"⁸⁶

All this evidence conclusively establishes that he never changed his position. It is impossible to believe that a person who had spent his entire life in endeavouring to create a new Muslim individual and a new Muslim society, through his interpretation of Islam as a nation-building force, who, through

his passionate poetry, encouraged Muslims to develop an 'ego' of their own and who had drawn a blue-print of a modern democratic Islamic welfare state, would withdraw his demand of creating an amalgamated Muslim state in order to territorially consolidate Islam. What could possibly be the reason for the circulation of this falsehood? The only plausible reason that can be offered is that by disassociating Iqbal's name from the scheme of the establishment of a Muslim state, the effort was made to deprive it of an ideological foundation as provided by Iqbal.

In 1931, before proceeding to London for attending the second session of the Round Table Conference, Iqbal and Maulana Shaukat Ali made numerous unsuccessful attempts to work out some form of Hindu-Muslim settlement. Iqbal also took part in the Kashmir movement and as an active member of the Kashmir Committee, fighting against the oppression of the Kashmiri Muslims at the hands of their Dogra rulers, which subsequently led to his entry into Kashmir being permanently banned.

The participation of Mahatama Gandhi (after his release under Irvin-Gandhi pact), and Pandit Madan Mohan Malaviyah in the second session of the Round Table Conference did not lead to the solution of the inter-communal problem. The Muslim delegates were not interested in the deliberations unless five out of the eleven provinces of India were granted autonomy. They were willing to leave the question of Central Legislature for future consideration. The failure of the Conference to resolve the Hindu-Muslim deadlock made it obligatory for the British Parliament to issue the Communal Award in August 1932. The Award retained separate electorates for the Muslims, but reduced their percentage of representation in the Punjab from 56 to 49, and in Bengal from 55 to 48 seats. The Muslims were disappointed with the Award because their representation in the Punjab and Bengal was 7 percent below the population ratio.

After the failure of Indian leaders to arrive at an inter-communal agreement at the Round Table Conference, Iqbal foresaw that in the near future the Muslims would be called upon to adopt an independent course of action. He urged that they

should unite and concentrate their energy for the achievement of a single purpose.

Before returning to India at the conclusion of the second session of the Round Table Conference, Iqbal attended the World Muslim Congress (on 6-14 December, 1931) called by the Mufti of Palestine at Jerusalem. In his address he spoke at length on the objectives of the World Muslim Congress, namely to work for the unity and co-operation of the Muslim peoples, to awaken the spirit of real Islamic brotherhood among Muslims, to divert the attention of Muslims towards observing their collective Islamic obligations, and finally, to protect the religion of Islam from its detractors and to work for the dissemination of Islamic culture.

Iqbal was elected President of the All India Muslim Conference in 1932. In his Presidential Address at the Lahore session of the Conference on 21st March, 1932, he reiterated his scheme of creating an amalgamated Muslim state in the North West of India. With regard to the future political agenda of the Muslims, he made the following suggestions: first, that the Muslims should have only one political organization, the branches of which should be established all over India. The constitution of this organization should be assimilative, allowing expression of all shades of political opinion among the Muslims; second, that funds should be raised, to begin with, at least Rs. 50 lakh for the organization of youth leagues and volunteer corps on all-India basis. To these bodies should be deputed the task of social service, custom reform, commercial organization and economic uplift of the rural Muslims, particularly of those provinces (such as the Punjab) where the indebtedness of the Muslim agriculturists was enormous; third, that male and female cultural organizations should be formed in all the important districts of India, in order to promote the growth of Muslim nationalism among the younger generation, by reminding them, with a series of lectures, of the past achievements of Islam and what Islam has yet to achieve in the moral and cultural development of humanity; and fourth, that an assembly of the Ulema including those Muslim lawyers who were acquainted with

the Law of Islam (Shariah), should be formed. This assembly should endeavour to enlarge the scope of Islamic Law by reinterpreting it in the light of modern experience, but in such a way that the original spirit embodied in its basic principles was not lost.⁸⁷

Iqbal attended the third session of the Round Table Conference which commenced on 17th November, 1932 in London. The Congress was not represented and, although Jinnah resided in London during those days, he had not been invited. According to Ambedkar, Iqbal made only one speech during the session in which he expressed the view that there should be no central government in India, and that the provinces should be independent and free dominions directly connected with the Minister of India in London.⁸⁸

During 1933-34, Muslim leaders of different shades of political opinion were working for a greater unity among themselves, while the communal gulf widened. J. Coatman observed in 1932: "The creation of a strong united India...is, day to day, being made impossible, and in its place it seems that there may be brought into being a powerful Mohammadan state in North and North-West, with its eyes definitely turned away from India, towards the rest of the Moslem world of which it forms the fringe".⁸⁹

Unsuccessful attempts were made to fuse the Muslim League into the Muslim Conference. On the return of Muhammad Ali Jinnah from England in 1934, he was elected President of the Muslim League. A resolution was passed at the League session, stating that the Muslims had no intention of surrendering separate electorates; that they accepted the Communal Award; and that they would vote only for those Muslim candidates who subscribed to the policy of either the Muslim League or the Muslim Conference. The rest of the resolution was a repetition of safeguards which the Muslims desired to see incorporated in the Constitution. The special demands however, were the separation of Sindh from the Bombay Presidency, and the extension of constitutional reforms to Baluchistan.

The Government of India Act 1935 was inaugurated in 1937. The Act provided: (a) autonomous governments in the provinces with emergency powers vested in the Governors; and (b) an All-India Central Federal Government, composed of the representatives of the provinces of British India and the Indian States. All the important departments including Defence and Foreign Affairs remained 'reserved' or under the control of the Governor General. In the preceding year, Sindh had been separated from the Bombay Presidency.

The Muslims accepted the Communal Award in the absence of any other solution of communal representation. The Provincial scheme of the 1935 Act guaranteed a certain amount of autonomy to the provinces, and therefore it was regarded by the Muslims as an advance on the existing position; but they boycotted the Federal scheme promulgated at the Centre because it was devoid of all the essential features which were necessary for the formation of a true federation.

Iqbal was of the opinion that the Constitution provided Muslim India with a unique opportunity for self-organization. The future political developments in India and Muslim Asia, according to him, depended to a large extent on the consolidation of Indian Islam.⁴¹

Regarding the Muslim League as the only political organization representing Muslim India, Iqbal wrote to Jinnah that the League should not represent the upper class Muslims only. The Muslim masses showed no interest in the League because it gave no promise of improving their position. The future of the League would depend entirely on its policy and activity which provides a solution to the Muslims' economic problem. He likened the conflict between social democracy and Brahmanism (high caste Hindus) in India to the one between Brahmanism and Buddhism. Hinduism would cease to be Hinduism, if it accepted social democracy. For Islam, on the other hand, 'the acceptance of social democracy in some suitable form', was not a revolution but a return to its original purity. It was easier for the Muslims to solve their economic problem. In order to enable the Muslims to solve their economic problem, it

was necessary to redistribute India by creating one or more predominantly Muslim states.⁹¹

For the development of the mass movement of the Muslim League, Iqbal suggested to Jinnah that his reference to the Palestine question (which attracted the attention of Muslim India) in his address to the forthcoming League session would popularize the League.⁹² He also suggested that all the important sessions of the League should be held in the capitals of Muslim majority provinces, such as Lahore, Peshawar, Karachi, and Dacca, instead of in the capitals of Muslim minority provinces.⁹³ He also suggested that an All-India Convention, including the Muslim members of the new provincial assemblies and prominent Muslim leaders, should be called at Delhi. At this Convention the political aim of Muslim India should be restated. The Muslim members elected to the Central Assembly should be bound by an All-India Muslim policy, and they should pledge themselves in support of Muslim causes related to the Central subjects, and the Muslims' position as the second great nation of India.⁹⁴

At its session in April 1936, for the first time in its history, the Muslim League adopted the policy of mass contact, issued instructions that the Muslims should organize themselves as one party with an advanced and progressive programme, and resolved to participate in the approaching elections.⁹⁵

In June 1936, the Muslim League established a Central Parliamentary Board, and subsequently provincial boards were created. By 1937, the District Leagues had been formed all over India. The Muslims started rallying round the League from the middle of 1936. From the Lucknow session of the League in October 1936 they entered the final phase of their political life in British India.

Iqbal's letters to Jinnah reveal that during the last two years of his life (1936-38), he advised and guided Jinnah virtually from his death-bed. Jinnah acknowledged this fact in these words: "To me he was a personal friend, philosopher and guide, and as such the main source of my inspiration and spiritual support. While he was ailing in his bed, it was he who... stood single-handed like a rock

in the darkest days in the Punjab by the side of the League banner, undaunted by the opposition of the whole world".⁹⁶

It also appears from this correspondence that by 1937, Iqbal had added Bengal to his scheme for the creation of a Muslim state, and he also thought in terms of the Muslims' secession from India, by pleading with Jinnah to demand a separate federation of Muslim provinces, so that Muslims of North West India and Bengal could be considered as nations entitled to self-determination like other nations outside India.⁹⁷

In the last few weeks of his life he had become extremely sensitive on the issue of the political future of the Muslims. He would lose his temper if anyone were to criticize Jinnah, or questioned his leadership of Muslim India. Similarly he would not tolerate any dissent from the ultimate political goal of the Muslims. He repeatedly asked Jinnah if the time had arrived for making the crucial demand of a separate federation of Muslim provinces. Jinnah tried to assure Iqbal that the political charter of Muslim India, as formulated by him, would be eventually presented from the platform of the Muslim League, but that he should leave the suitable time frame for such a presentation to Jinnah.⁹⁸

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¹ *Indian Nationality*, by R.N. Gilchrist, pp. 83, 84.

² *Ibid.*, p. 61; *The New World of Islam*, by L. Stoddard, p. 201.

³ *Ibid.*, pp. 7, 62, 91, 92, 128, 134, 135, 137; also see Introduction: *The New World of Islam*, p. 201, 203.

⁴ *The Untouchables*, by B.R. Ambedkar, pp. 14-22.

⁵ *India in 1931-32*, pp. 70, 71; *India in 1932-33*, p. 10. Dr. Ambedkar died as a Buddhist.

⁶ *Speeches & Writings of Jinnah*, ed. by Jamil-ud-din Ahmad, Vol. 1, p. 6.

⁷ *Thoughts & Reflections of Iqbal*, ed. by S.A. Wahid, pp. 163-165.

⁸ *Stray Reflections - A Note-Book of Allama Iqbal*, ed. by Javid Iqbal, p. 99.

- ⁹ *Urdu Collection of Papers of Iqbal*, ed. by S.A. Wahid, p. 222.
- ¹⁰ *Yafina-i-Hayat*, by G.Q. Farrukh, p. 23.
- ¹¹ Iqbal's Letter to Araf Hussain, *The Dawn Iqbal Supplement*, 21st April, 1949.
- ¹² *Man Who Made Urdu Poetry Masculine*, by A.S. Bokhari, *The Hindustan Times*, 23rd April, 1938.
- ¹³ Muhammad Iqbal: Presidential Address, The Muslim League (Allahabad Session), December 1930, p. 16.
- ¹⁴ *Iqbal-Nama*, Vol. 1, ed. by Sh. Ataullah, pp. 106, 107; also see *Zinda Rud*, by Javid Iqbal, p. 416.
- ¹⁵ *Ibid.*, p. 158.
- ¹⁶ *The Reconstruction of Religious Thought in Islam*, p. 157.
- ¹⁷ *Harf-i-Iqbal*, pub. by Al-Minar Academy, pp. 228, 229.
- ¹⁸ *Islam & Ahmadism*, pp. 31-33.
- ¹⁹ *The Reconstruction of Religious Thought in Islam*, p. 158.
- ²⁰ *Ibid.*, p. 147; *Islam & Ahmadism*, p. 41.
- ²¹ *The Reconstruction of Religious Thought in Islam*, p. 158, 173.
- ²² *Ibid.*, p. 159; *Islam & Ahmadism*, p. 45.
- ²³ *The Indian Annual Register 1932*, Vol. 1, ed. by N.N. Mitra, p. 301.
- ²⁴ Islam & Nationalism by Muhammad Iqbal. *The Daily Ehsan*, 9th March, 1938.
- ²⁵ *The Reconstruction of Religious Thought in Islam*, p. 153, 163.
- ²⁶ Muhammad Iqbal: Presidential Address. The Muslim League (Allahabad Session), December 1930, pp. 2,3.
- ²⁷ Islam & Nationalism by Muhammad Iqbal. *The Daily Ehsan*, 9th March, 1938.
- ²⁸ *Iqbal-Nama*, Vol. 2, pp. 56, 57.
- ²⁹ *The Reconstruction of Religious Thought in Islam*, p. 147,148.
- ³⁰ Islam & Nationalism by Muhammad Iqbal. *The Daily Ehsan*, 9th March, 1938; *Islam & Ahmadism*, p. 43; *Harf-i-Iqbal*, pp. 60, 61.
- ³¹ Islam & Nationalism by Muhammad Iqbal. *The Daily Ehsan*, 9th March, 1938; *Islam & Ahmadism*, p. 43.
- ³² Islam & Nationalism by Muhammad Iqbal. *The Daily Ehsan*, 9th March, 1938; *The Reconstruction of Religious Thought in Islam*, p. 167; *Zinda Rud*, pp. 1039-1043.
- ³³ Muhammad Iqbal: Presidential Address. The Muslim League (Allahabad Session), December 1930, p. 2.
- ³⁴ *Islam & Ahmadism*, pp. 35, 36.
- ³⁵ *Ibid.*, p. 43.
- ³⁶ *Ibid.*, p. 44.
- ³⁷ *Ibid.*, p. xxxi.
- ³⁸ *Modern Trends in Islam*, p. 60.
- ³⁹ *Zinda Rud*, p. 1046.

- ⁴⁰ Oriental College Magazine *Jashan-i-Iqbal* Number ed, by Dr. Ibadat Barelvi, pp. 19-39.
- ⁴¹ *Ibid.*, pp. 19-39.
- ⁴² *Zinda Rud*, p. 308.
- ⁴³ *Ibid.*, pp. 318-320.
- ⁴⁴ *Pakistan (As Visualized by Iqbal & Jinnah)* compiled by G.H. Zulfiqar, p. 44.
- ⁴⁵ *Stray Reflections*, p. 139.
- ⁴⁶ *Zinda Rud*, p. 317; See *Javid Nama* (Kuliyat-i-Iqbal, 1973 Ed.) pp. 654,655.
- ⁴⁷ *The Indian Annual Register 1932*, Vol. 1, p. 306.
- ⁴⁸ *The Reconstruction of Religious Thought in Islam*, pp. 157, 158.
- ⁴⁹ *Ibid.*, p. 154.
- ⁵⁰ *Statements & Speeches of Iqbal*, p. 10.
- ⁵¹ Muhammad Iqbal: Presidential Address. The Muslim League (Allahabad Session), December 1930, p. 5.
- ⁵² *Harf-i-Iqbal*, pub. by Al-Minar Academy, p. 237.
- ⁵³ *Discourses of Iqbal*, ed. by S.H. Razzaki, pp. 65, 66.
- ⁵⁴ *Statements & Speeches of Iqbal*, p. 136.
- ⁵⁵ *The Reconstruction of Religious Thought in Islam*, pp. 155.
- ⁵⁶ *Statements & Speeches of Iqbal*, p. 131, 132.
- ⁵⁷ *The Reconstruction of Religious Thought in Islam*, pp. 168,173- 176. Shatibr's *al-Muwafaqat* vol. 4 p. 80; Abd al-Aziz Bukhari's *Kashf al-Asrar* vol. 3, pp, 895, 896, cited by Muhammad Khalid Masud in *Iqbal's Reconstruction of Ijtihad*, pp. 147, 188, 189. Iqbal Academy Pakistan, 1995.
- ⁵⁸ *The Reconstruction of Religious Thought in Islam*, pp. 164, 165.
- ⁵⁹ *Ibid.*, pp. 175, 176.
- ⁶⁰ *Islam & Ahmadism*, pp. 35, 36.
- ⁶¹ Presidential Address, The Muslim League (Allahabad Session), December 1930, p. 8.
- ⁶² *The Reconstruction of Religious Thought in Islam*, pp. 171, 172.
- ⁶³ *Ideology of Pakistan by Javid Iqbal*, p. 20.
- ⁶⁴ *Ibid.*, quoted pp. 34, 35.
- ⁶⁵ *Ibid.*, pp. 21, 38.
- ⁶⁶ *Ibid.*, p. 38.
- ⁶⁷ *The Reconstruction of Religious Thought in Islam*, pp. 179, 180.
- ⁶⁸ *Ibid.*, p. 164.
- ⁶⁹ *Syed Shams-ul-Hassan's Plain Mr. Jinnah*, pp. 50-52.
- ⁷⁰ *Castar-i-Iqbal*, pp. 113-116.
- ⁷¹ Presidential Address, The Muslim League (Allahabad Session), December 1930, pp. 11, 12.
- ⁷² Proceedings of the First Round Table Conference (Minorities sub-committee) pp. 43, 44, 60, 61.
- ⁷³ The schemes are enumerated in Sharifuddin Pirzada's *Evolution of Pakistan*, and Ishtiaq Hussain Qureshi's *Struggle for Pakistan*.

⁷⁴ See *Iqbal - His Political Idea at the Cross-Road*, (Letters to Edward Thompson) ed. by A. Hassan. Aligarh, p. 80; also see *The Daily Jang*, Iqbal Edition, 21st April, 1982.

⁷⁵ Frank Moraes, *Witness to an Era*, pp. 79, 80.

⁷⁶ The original letter is preserved in Iqbal Museum, Lahore.

⁷⁷ Jawaharlal Nehru, *Discovery of India*, p. 298.

⁷⁸ Ambedkar, *Thoughts on Pakistan*, p. 326.

⁷⁹ pp. 58, 59. Iqbal was President of the Muslim League in 1930 when its demand consisted of the Fourteen Points of Jinnah and not 'Pakistan'. He was therefore under no compulsion to support this proposal.

⁸⁰ *Iqbal's Letters & Writings*, ed. by B.A. Dar, pp. 119, 120; Proceedings of Round Table Conference (Second Session), pp. 116, 117.

⁸¹ *Iqbal - His political Idea at the Cross-Road*, p. 81.

⁸² *Iqbal's Speeches & Statements*, ed. by A.R. Tariq (English), p.38.

⁸³ *Annuaire-i-Iqbal*, ed. by Bashir Ahmad Dar, pp. 208, 209.

⁸⁴ *Iqbal's Letters & Writings*, p. 75.

⁸⁵ *Iqbal's Speeches & Statements*, p. 216.

⁸⁶ *Letters of Iqbal to Jinnah*, 1943. Pub. Sh. Muhammad Ashraf, p. 22.

⁸⁷ *Harf-i-Iqbal*, pub. by Al-Minar Academy, pp. 79, 80.

⁸⁸ *Pakistan*, pub. 1945, p. 329.

⁸⁹ *Years of Destiny (India 1926-1932)*, pp. 238-240.

⁹⁰ *Letters of Iqbal to Jinnah*, p. 11.

⁹¹ *Ibid.*, pp. 15-18.

⁹² *Ibid.*, p. 26.

⁹³ *Ibid.*, p. 23.

⁹⁴ *Ibid.*, p. 8.

⁹⁵ *Speeches & Writings of Jinnah*, Vol. 1, pp. 27, 28.

⁹⁶ *Pakistan*, p. 38.

⁹⁷ *Ibid.*, p. 35.

⁹⁸ *Zinda Rud*, pp. 1035, 1036.

Chapter Eight

EMERGENCE OF A MUSLIM STATE

Throughout the 1930's-40's the prospects for a Muslim state in India appeared to be fairly bright. The big questions were: What role did the Muslim League play under the leadership of Muhammad Ali Jinnah in the political organization of the Muslims? What led Jinnah to his ideological conversion from a 'nationalist' to a 'Muslim nationalist' and his rise as Quaid-i-Azam (the Supreme Leader) of the Muslims in their struggle? In what respect was the 'Pakistan' movement different from the earlier religio-political movements of modern Muslim India? Did Jinnah envisage Pakistan as a 'Muslim' majority state to be governed as a 'secular' state or an 'Islamic' state?

Let us briefly recapitulate the development of the Muslim League as a political organization. As already noted, it was formed in 1906 by a few affluent Muslims who had the Viceroy's promise for the grant of separate electorates for the Muslims. These Muslims supported the Government-sponsored partition of Bengal. The Muslim League guarded the interests of the Muslim community, while remaining 'strictly' loyal to the constitutional authority. 'Suitable Self-Government' for India as the ultimate goal was added to its constitution in 1913. With the formation of the Khilafat Committee in 1919, the Muslim League died its first death. Muhammad Ali Jinnah revived it in 1924; but before it became popular among Muslims, it was split in 1927 on the issue of separate versus joint electorates, and thus, died a second political death. Muslims were also divided on the publication of the Nehru Committee's Report in 1928. In anticipation of the approaching Round Table Conference for the future constitution of India, the Muslim Conference was

organized in 1929, which superseded all the other Muslim political organizations for some years. Under the presidentship of Muhammad Ali Jinnah, the Muslim League was revived in 1937 at Lucknow, when it adopted the policy of mass contact, whereas before 1937, the Muslim League lived a shadowy existence, because Muslims showed little interest in its leadership.¹

Muhammad Ali Jinnah (1876-1948) made a political debut as a dedicated member of the National Congress. He was elected in 1910 by separate Muslim electorates, to represent the Muslim business community of Bombay in the Viceroy's Legislative Council. Three years later he joined the Muslim League while still retaining his membership of the Congress. At this stage, he believed that "loyalty to the Muslim League and the Muslim interest would in no way and at no time imply even the shadow of disloyalty to the larger national cause to which his life was dedicated".² Owing to his absolutely liberal and non-sectarian reputation, he was elected President of the Muslim League in 1916, the year in which the Lucknow Pact was signed. "A nationalist first, a nationalist second and a nationalist last",³ he was nevertheless, aware that the national aspirations of India could not be realized, until the Muslims achieved adequate and effective safeguards of their constitutional rights.⁴ His efforts to bring Hindus and Muslims together earned him the title of the 'Ambassador of Hindu-Muslim unity'.⁵

Jinnah did not associate himself with the 'Pan-Islamic' movement, although he sympathized with, and spoke in favour of the Khilafat.⁶ However he opposed the Non-Cooperation campaign of the Khilafatists in collaboration with the Congress (1919-22). Whilst the 1919 Reforms were unsatisfactory, Jinnah advised that they should be accepted.⁷ He resigned from the Congress on that account, and was elected in 1923 as an independent nationalist, leading a small group in the Legislative Assembly.⁸ He revived the Muslim League in 1924 and endeavoured to bring about an inter-communal settlement⁹, by urging the Muslim leaders to accept joint electorates¹⁰, and the Hindus to accede to the Muslim demands for the extension of constitutional reforms to the North Western Frontier Province

and Baluchistan; the separation of Sindh from the Bombay Presidency; the election on the basis of population in the Punjab and Bengal. The optimist Jinnah, made attempts to reach an agreement with the Hindus which were unsuccessful. In 1929, he made some additions to the Delhi Proposals of the Muslim Conference which were also called Jinnah's Fourteen Points—they were rejected by the Hindus.

During the sessions of the Round Table Conference in 1930, he remained silent on Iqbal's proposal for the creation of an amalgamated Muslim state in the North West of India. A remarkable change had occurred in Jinnah, as his 'despondent mood' became palpable.¹¹ He observed: "I worked so incessantly to bring about a rapprochement that a newspaper remarked that Mr. Jinnah is never tired of Hindu-Muslim unity"; and continued, "But I received the shock of my life at the meetings of the Round Table Conference. In face of danger the Hindu sentiment, the Hindu mind, the Hindu attitude led me to the conclusion that there was no hope of unity".¹² In 'utter helplessness', he could neither change the Hindu mentality nor make the Muslims realize their precarious position. Despairingly he decided to give up politics and to settle in England. This sense of gloom and doom disturbed Jinnah's mind for almost four years of his stay in England. Similar sentiments had been expressed by other Muslim leaders, like Maulana Muhammad Ali, and Iqbal who at one time upheld the nationalist cause of India. But Jinnah's case was different as he was much more liberal and open-minded than any other Muslim leader. If a liberal leader like him could be so disillusioned with the Hindus' attitude, and find refuge in Muslim political 'conservatism', it implied that there remained not the slightest possibility of a compromise or understanding between Muslims and the Hindus of India.

It is not clear who eventually persuaded Jinnah to return to India. Some scholars maintain that Liaquat Ali Khan, among others, begged him to return. There is some evidence to suggest that in 1931-1932, while Iqbal attended the Round Table Conference in London, he met Jinnah and suggested to him to return and reorganize the Muslims under the banner of the

Muslim League with a new political agenda recommended by him in the Allahabad Address. In any event Jinnah returned to India in 1934, and described his political situation as: "Having no sanction behind me I was in the position of a beggar and received the treatment that a beggar deserves".¹³ He condemned the Federation at the centre, but accepted the Provincial Scheme of autonomy. Under his presidency in 1936 the Muslim League Central Parliamentary Board and Provincial Boards were established. After the Lucknow session of the League in 1937, Jinnah, forsaking the 'ambassadorship' of 'Hindu-Muslim unity', upheld the cause of Muslim separatism for the first time in his life. During this period (1936-38) he was profoundly influenced by Iqbal who remained constantly in touch with him.¹⁴ Within five years he was able to raise the Muslims, whom he had formerly described as being in 'No man's land', into a position where they held the 'balance of power' between the British and the Hindus.¹⁵

Shortly after the elections were held under the new Constitution the struggle for political power between the Congress and the Muslim League started in 1937. The Congress won almost all the seats in Hindu constituencies; in addition to that it won most of the Muslim seats in the North Western Frontier Province. The Muslim League, won in most of the Muslim constituencies, particularly those of the Hindu majority provinces. On the whole, the Muslim League failed in the Muslim majority provinces.

The victorious Congress formed governments in Madras, the United Provinces, the Central Province, Bihar and Orissa, Bombay and the North Western Frontier Province, but it failed to create governments in the provinces of Sindh, the Punjab, Bengal and Assam, where provincial non-communal but predominantly Muslim political organizations formed their own coalitions under Muslim Chief Ministers.

The Congress leaders had asked for a guarantee, before accepting office that the provincial Governors would refrain from using their special or emergency powers, and that they would not hinder in any way the functioning of the Congress

ministries. Having secured such an assurance, the Congress formed exclusively Congress ministries instead of forming Congress-League coalitions, thus ignoring the League, and depriving the Muslims of their right of representation. The most fatal policy of the Congress was its attempt to dissolve the League Provincial Boards in order to amalgamate the provincial League parties into its structure.

In triumphant mood the Congress was not prepared to compromise but was bent upon enforcing the rule of brute majority at all costs. Despite its strength in the Hindu majority provinces, the League was too weak to compete with the Congress on an equal footing. It hardly made its presence felt in the Muslim majority provinces. Consequently the Congress leaders determined that it was an appropriate time to absorb the League. The mass contact campaign was started to bring the rural Muslims of the United Provinces within the fold of the Congress. In the Muslim majority provinces, efforts were made to break the non-Congress ministries by supporting their opponents. In short, the Congress planned to liquidate the League in the Hindu majority provinces (where it was the strongest), because if it could be absorbed in the Hindu majority provinces, the League would cease to exert significant influence over the rest of the provinces.

The 'mass contact' campaign of the Congress failed. The attempts to absorb it energized the League to emerge even stronger in the Hindu majority provinces. The League retaliated by starting a counter-campaign against the hoisting of the Congress tri-colour flag, the compulsory singing of the 'Bande Matram' (Hindu prayer to Mother Earth), the wearing of home-spun cloth and the worshipping of Mahatama Gandhi's portrait in schools. The Muslim League protested against the use of Hindi, instead of Urdu, as the lingua franca of the country, the 'Vidia Mandir' (Temple of Learning) educational scheme, the prohibition of cow-slaughter, the boycott of Muslim business, and the prevention of the use of wells used by high-caste Hindus.¹⁶

The complaints of the provincial League parties moved the Central Office of the League, to appoint the Pirpur Committee to investigate the grievances of the Muslims in the Hindu majority provinces. The Report of the Committee was published at the end of 1938. This report was followed by the Shareef Report which investigated into the grievances of the Muslims of Bihar; and the Kamal Yar Jung Report, which dealt with the future of Muslim education in the Hindu majority provinces. Jinnah formally brought to the Viceroy's notice the failure of the provincial Governors to take steps, which they were obliged to take under the new Constitution, to protect the minorities. He now demanded that a Royal Commission should be appointed to investigate the grievances of the Muslims. All this led to suspicion and increased alarm. The Muslims felt, as R. Coupland observed, that the day was not far off when Indian Islam, like Buddhism, would be completely absorbed into Hinduism.¹⁷

The Congress rule gave a unique opportunity to Jinnah to emphasize the fact that the Congress was an exclusively Hindu organization pursuing a policy that would ultimately result in communal strife. The Congress, its deeds and policies, he maintained, had made it clear that the Muslims could not expect justice or fair play at the hands of the Hindus.¹⁸

The Muslim League was gaining strength throughout India. The Chief Ministers of the Punjab, Bengal, and Assam, with their supporters joined the League. At this stage the Congress leaders realized that the ignoring of or suppression of the League had not been a sound policy. Mahatama Gandhi and Pandit Jawahirlal Nehru opened negotiations with Jinnah, but these 'unity talks' failed, because Jinnah claimed that the League was the only representative organization of the Muslims and demanded that it should be acknowledged as such. The Congress refused to recognize this claim, because 'ideologically' the Congress was a non-communal organization that represented all the communities of India.

Interestingly the 'Muslim national' consciousness developed among the Muslims of the Hindu majority provinces, before it came to Muslim majority provinces. Obviously Islam was on the

defensive in the predominantly Hindu provinces, whereas it needed no defence in the Muslim majority provinces. Isolated and threatened, the Muslim minorities made the entire Muslim India conscious that Islam was in danger. Consequently the new Constitution was attacked with renewed vigour. The League had already boycotted the Federation at the centre, while it had accepted the Provincial Scheme. Now it denounced the Provincial Scheme as well, because in Jinnah's words, it led to a systematic persecution of the Muslims in the Hindu majority provinces. He argued that if the Central Federation came into existence it would enable the Hindus to establish the same ascendancy at the Centre that they had exercised in the provinces.¹⁹

In order to frustrate the 1935 Act, the Central Office of the League, under Jinnah's presidentship, established an effective 'unitary centre', which was to tighten its hold on the non-Congress ministries (now called the League ministries because the Chief Ministers of these provinces had signed the Creed of the League).²⁰ The Muslims had advanced beyond the position of demanding legal safeguards, because the Congress governments and the provincial Governors had failed to protect the minorities. The Muslim League argued that it clearly demonstrated the worthlessness of such safeguards in the face of a permanently hostile Hindu majority.

Consequently in 1938, the League resolved that the future constitution of India should be revised again in the light of political experience gained since the inauguration of the 1935 Act;²¹ also that the League should devise a constitutional scheme under which the Muslims might attain full independence. Jinnah was authorized to examine numerous schemes which had been under consideration as alternatives for the Federal scheme of 1935.

On 3rd September, 1939 the Viceroy declared that England was in a state of war with Germany, and asked for cooperation in the war effort. The Congress took advantage of the situation and demanded that it would cooperate, only if India was granted complete independence, and that its future constitution must be

shaped in accordance with the Congress scheme. No such assurance was given, and in retaliation Congress ministries tendered their resignations by November 15.

The end of Congress rule, however, was an occasion for rejoicing for the Muslims. Jinnah issued an appeal for the observance of 'Deliverance Day' which was celebrated with great enthusiasm by Muslims on December 22, 1939. The League, without hindering the war effort, made its cooperation conditional. It refused to accept the Congress scheme for the settlement of the future constitution or any constitutional advance for India without the consent and approval of the Muslims and insisted that the Muslims alone had the right to determine their future constitutional position.

The time was now most appropriate to declare the new Muslim goal. On 23rd March, 1940, the League passed its historic resolution (popularly known as the Pakistan Resolution) at Lahore. In his presidential address, Jinnah emphasized that the Hindus and the Muslims were two distinct nations. The Muslims, he pointed out, were not a minority because they demographically predominated in large parts of India including Bengal, the Punjab, the North Western Frontier Province, Baluchistan and Sindh. Muslims had every right to self-determination, especially since the ministries in four out of the eleven provinces, where they predominated, were functioning despite the decision of the Congress for non-cooperation. "The problem in India," Jinnah said, "is not of an inter-communal character but manifestly of an international one and it must be treated as such...If the British Government are really in earnest and sincere to secure peace and happiness of the people of this sub-continent, the only course open to us all is to allow the major nations separate homelands by dividing India into 'autonomous national states'".²²

In this background the League resolved that "geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Moslems are numerically in a majority as in the North Western and Eastern zones of India, should be grouped to constitute 'independent States' in which the

constituent units shall be autonomous and sovereign". The League Working Committee was authorized 'to frame a scheme of a constitution in accordance with these basic principles, providing for the assumption finally in the respective regions of all powers such as defence, external affairs, communications, customs and such other matters as may be 'necessary'.²³ Subsequently the League Legislators' Convention in Delhi adopted a resolution on the 9th of April 1946 clarifying that the 'zones' in the 'North-East' and the 'North-West' of India be constituted into a sovereign independent State, and that an unequivocal undertaking be given to establish Pakistan without delay.

The League resolution demanding separate homelands for the Muslims rested on what has been called Jinnah's 'Two-Nation Theory'. The Hindus and the Muslims had been regarded as two distinct and separate nationalities by numerous Hindu as well as Muslim leaders long before Jinnah. Since the grant of separate electorates to the Muslims, despite the assumption that the eighty million Muslims were a minority and needed safeguards, the Muslims looked upon themselves as a separate political entity which must be preserved. "The separate electorates were" as Jinnah pointed out, "only an indication of this inner feeling of the Mussalmans." He continued, "It was in this spirit that the Lucknow Pact was signed, the basic principle of which was that two separate distinct entities were entering into a mutual settlement".²⁴ After 1924, the Muslims endeavoured to secure real power in those provinces where they were in majority, but the "Hindu" community aspired to dominate even where they were not in a majority which demonstrated that the unity of India or the oneness of an Indian nation did not exist in reality. "The history of the last twelve hundred years" Jinnah said, "has failed to achieve unity and has witnessed, during the ages, India always divided into Hindu India and Muslim India. The present artificial unity of India dates back only to the British conquest and is maintained by the British bayonet".²⁵

"The Hindus and Muslims" he declared, "belong to two different religious philosophies, social customs and literatures.

They neither inter-marry nor inter-dine together and indeed they belong to two different civilizations which are based mainly on conflicting ideas and conceptions...It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history...To yoke together two such nations under a single state, one as a numerical minority and the other as majority, must lead to growing discontent and final destruction of any fabric that may be so built up for the government of such a state²⁶.

Beni Prasad has explained that while pre-Muslim invaders of India were absorbed into the Hindu social (or caste) system, no real fusion took place between Islam and Hinduism. It was, he maintained, the highly developed theology of the Muslims that rendered it impossible for Hinduism to assimilate Islam. Consequently the Muslims remained a distinct community and in the earlier stages of their rule in India, maintained contacts with Muslim states of the Middle East. Hinduism, particularly after the establishment of the Muslim rule, as could be expected, made itself defensive and tightened itself more than ever before. Those who went over to Islam therefore, were regarded as outcast. Islam and Hinduism stood opposing one another in the thirteenth and the fourteenth centuries in the North and the South respectively. A fusion between the two communities, however, followed later owing to the tolerant policy of the Mughals; yet the religious distinction remained and was heightened during Aurangzeb's reign. The crucial aspect of the nineteenth century revivalism in India, according to Beni Prasad, was its bifurcation. Hindus and Muslims derived inspiration through different sources, which led to inter-communal antagonism. The grant of separate electorates to the Muslims completed their separation from the Hindus and established them as a distinct cultural entity.²⁷

Ambedkar who found more similarity between the Buddhist Burmese and the Hindus of India, than between the Muslims and the Hindus, observed that Hinduism and Islam were spiritually alien and socially hostile to each other, because the Hindus never forgot the religious persecution carried out by the Muslims when they became the masters of India.²⁸ He believed that the partition

of India by redrawing the boundaries and exchanging the population was the best solution of the inter-communal problem.²⁹

The official view of the Hindu Maha Sabha, which has since 1924 upheld the cause of 'Pan-Hinduism', is best expressed in the words of Savarkar, who said: "It is safer to diagnose and treat deep-seated disease than to ignore it. 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 Muslims in India".³⁰ The Hindu Maha Sabha openly acknowledged the Muslims as a separate nationality and allowed them to reside in India, but only as a subject people, the Hindus being the ruling nation.³¹

I.J. Pitt emphasizing the distinction between Hindus and Muslims observed that since religious upbringing of the Muslims was semitic, their political thinking was logical and systematic as compared with the Hindus, who being Vedantic were vague, illusionary and idealistic.³²

M.R.T. maintains that the Hindus and the Muslims were divided not only religiously and socially, but also politically and economically. The Muslims aspired to the political regeneration of their community not only in India, but also in the Muslim world as a whole, whereas the Hindus did not have such extra-territorial aspirations. Political divergence between the two peoples had its foundations in their past history which resulted in the division of their sources of inspiration.³³

Also economically there was a clash between Hindu and Muslim interests. Certain occupations including shopkeeping, control of the grain and cloth markets, and the internal and external trade of the country, were a monopoly of the Hindus even in the Muslim majority provinces. Again Hindu money-lenders in the Muslim villages reduced the Muslims into a debtor community; their savings went into the pockets of the Hindus in the form of interest which in the Punjab alone was ten times the land revenue of the province. In the cities the Hindu middle class was prosperous, whereas the Muslim middle class was composed of either those who secured petty jobs in the

Government service or engaged in petty business. M.R.T. observed: "Their (Muslims) fears are intensified by the realization that a concentration of political and economic power in the hands of a hostile community will make their condition politically and economically worse than that at present".³⁴

Muslims occupying large contiguous tracts with independent outlets to the sea could not be coerced into the status of a minority among a people contained in a larger geographical unit.³⁵ If they accepted 'united India' in the form of a federal or even a confederal system of Government, it would be ruinous for them socially, economically, educationally, culturally and politically.³⁶

"The nationalism of the Hindus and the Musalmans" Durrani writes, "has been of slow growth and no definite date can be assigned as to when it ripened...It showed itself first in the form of economic rivalry, especially with regard to Government employment, which later turned into political rivalry and finally into national animosity... Absence of separate electorates" he continues, "would certainly not have created a united homogeneous nation. It would have simply resulted in the dominance of the Hindus over the Muslims...The two peoples have become self-conscious nations and not until they readjust their relations in the light of this new consciousness will there be any peace between them".³⁷

The 'Two-Nation Theory' eventually raised two very important questions: First, was India geographically one? And secondly, did India (prior to the British conquest) ever achieve what might be called 'political unity'?

With regard to the first question, it was argued that India was a sub-continent; its size equal to that of Europe (excluding Russia); its population three times of North America (including Canada, the United States and Mexico);³⁸ its climatic, ethnographic and topographical diversity provided geographically not one, but several countries, with many different human environments. The North Western Zone for instance, was a naturally distinct region, occupying the Indus Basin and its tributaries which flowed in a direction opposite to the rivers of the rest of India; it had a separate drainage system; its climate,

and products were different, even the people differed from those residing in the rest of India, in physical features, complexion, dress, diet etc.³⁹ The Eastern Zone, consisting of the Brahmaputra and the Lower Ganges Basin (or the Delta) was on similar grounds distinct from other regions. The Gangetic Basin and the Deccan were two more regions that differed from each other.⁴⁰ These four regions, it was held, could serve as a kind of natural basis for the creation of four states.⁴¹

With regard to the second question of political unity, it was argued that prior to the British conquest, if India achieved anything like a 'political unity', it was imposed by superior military power like the British rather than by a desire on the part of the peoples to unite.⁴² According to Ambedkar, the writers of the Puranas divided India into nine distinct divisions;⁴³ all early traditions of the Hindus (as recorded in the Mahabharata and Ramayana) described India as made up of an infinite number of small kingdoms fighting against one another.⁴⁴

At the time of the invasion of Alexander, India was divided into numerous small kingdoms. "No lasting imperial dominion in India" R.E. Roberts observed, "was ever established by a Hindu people, though on three occasions such an event appeared to come within the bounds of probability. The short-lived empire of Asoka is supposed by some authorities to have extended from the Hindu Kush mountains to approximately the northern frontier of Mysore. Again, Samundragupta of Patliputra, A.D. 400, and Harsha of Kanauj about 200 years later, extended their suzerainty over a great part of northern India, but neither founded a lasting dynasty",⁴⁵

Hwen Thasang, the Chinese pilgrim, who visited India in the seventh century A.D., recorded that India was divided into five divisions or five 'Indies'; these five 'Indies' contained eighty separate kingdoms.⁴⁶

When the Arabs invaded in the eighth century A.D., India was again divided. The Arabs cut off Sindh from India. Later, Sultan Mahmud of Ghazna annexed the North Western Zone into his empire and ruled it from Ghazni, his capital. When Muhammad Ghori invaded India, the sub-continent was split up into a

number of independent principalities. The danger of foreign invasion did not serve as a permanent unifying force among the Hindus. Ghorī's viceroy Qutb-ud-Din Aibak, who later became the first Sultan of India, selected Lahore as his capital, but as the empire extended, he moved it to Delhi. During the reign of the Delhi Sultans, whenever the centre grew weak, the North Western and Eastern Zones of India, owing to their distance from the centre, became independent. The South (or the Deccan) however, did not form part of the Muslim empire; it remained divided into numerous independent or semi-independent Muslim and Hindu kingdoms.

The Mughals were successful in building up an empire that brought the whole of India except the extreme South under their rule, but it was accomplished by force of arms. It is a fact that India's unity under the Muslim rulers was maintained by force of arms and Hindu subjects never missed an opportunity to rise in revolt if they felt themselves strong enough to bear arms.

On the decline of Mughals, the Marathas attempted to unite India in the form of a confederacy of Hindu states as opposed to Islam, but they did not succeed because each state of the confederacy preferred to drift along independently from the rest. If the British had not entered the field at that stage, the so-called unity of India would have remained a pious hope and India would have been parcelled into a number of independent Kingdoms.

The North Western Zone in particular, it was argued, had maintained its distinctive position throughout the course of history. Except for a short period when it constituted part of Samudragupta's empire, it had always been governed by its own kings. During the Muslim period, it was distinguished from the rest of India beyond the Jamna, which was regarded as 'Hindustan'. Prior to the British occupation, it regained its distinctive and separate identity first under the Afghans and then under the Sikhs.

A nation, according to Gilchrist, is actually a 'territorial state plus nationality'. Every nationality, he maintained, has either been a territorial state or it aspires to be one by claiming a previously

existing state or by carving out a new state.⁴⁷ The Muslims' emphasis that they were a nation therefore, simultaneously implied a demand for the creation of an autonomous national state (or states) which should provide a separate homeland for them. Jinnah urging the Muslims to the biggest project that they had undertaken since the fall of the Mughal empire, declared: "We are a nation. And a nation must have a territory...Nation does not live in the air. It lives on the land, it must govern land and it must have a territorial state".⁴⁸

The Lahore resolution (1940) was criticized⁴⁹ because of its vagueness. The areas which were to constitute the Muslim states were not specifically mentioned. 'Separate homelands' for the Muslims, 'autonomous national states', and 'federation', all appeared together. It was not clear whether the resolution demanded the formation of two sovereign Muslim states in the North Western and Eastern Zones of India, or a federation, or a confederation of the Muslim states. The subtle difference between the terms 'national homeland' and 'national state' was left untouched.⁵⁰ Nevertheless the resolution laid down the principle of the partition of India. Jinnah explained that the partition should be carried out on the lines of the then existing boundaries of the six Muslim majority provinces (the North Western Frontier Province, the Punjab, Sindh and Baluchistan in North West India, and Bengal and Assam in East India), subject to territorial adjustments that might be regarded as necessary. These provinces as autonomous units would choose their own constitution-making body which would represent the sovereign federal state.⁵¹

Was there anything novel in the Muslim demand for the separation of the North Western and Eastern provinces from the rest of India? Ambedkar remarked that the amalgamation of the North Western Frontier Province, the Punjab and Sindh had been an old project recommended by numerous viceroys and administrators of India. The Punjab and the North Western Frontier Province in fact formed a single province until 1901. He believed that if the occupation of Sindh by the British had followed and not preceded the occupation of Punjab, Sindh

would have been incorporated into the Punjab instead of Bombay, because the two provinces (the Punjab and Sindh) were contiguous and connected by the natural tie of a single river and its tributaries.

With regard to the Eastern provinces (Bengal and Assam), he pointed out that these provinces were amalgamated by Lord Curzon in 1905, with Dacca as the capital. Had the partition of Bengal (as it was then called) remained intact and not been set aside in 1911 owing to the opposition of Hindus, this Muslim state in the Eastern Zone would have been thirty five years old instead of being regarded as a new project.⁵²

Anyway the question of secession of the Muslim provinces arose only when it became evident that the Muslims could not expect fair play at the hands of the Hindus. There existed schemes for the partition or provincial redistribution of India before the Muslim League adopted the Lahore resolution (1940). Some of these schemes had been studied and examined by the League Working Committee, though the Committee did not follow any of those specific schemes. The Lahore resolution for instance, did not mention the word 'Pakistan' (coined by Chaudary Rehmat Ali and his colleagues in Cambridge in 1932), but was actually used by the Hindu Press in the course of its attack on the resolution. The word caught the imagination of the Muslim masses and was accordingly accepted by the League as the name of the proposed federation of the Muslim provinces.⁵³

The adoption of the Lahore resolution would have delighted the heart of Iqbal. After the passage of the resolution, according to Jinnah's secretary Mutlub-al-Hassan Syed, Jinnah visited Iqbal's grave to offer Fatcha, and said to Mutlub: "Iqbal is no more amongst us, but had he been alive, he would have been happy to know that we did exactly what he wanted us to do".⁵⁴ However the Muslim League's demand for the partition of India led to violent outbursts in Congress circles. Mahatama Gandhi called it 'a vivisection of India'; C. Rajgopalachari said that it was 'cutting the baby into two' or 'cutting the mother cow into two halves'.⁵⁵ The Hindu Press put out propaganda that the independent Muslim state would be a theocratic state; it would

annihilate the non-Muslim minorities; form alliances with the adjoining Muslim states; revive the 'Pan-Islamic' movement and become a menace to Hindu India. It was also asserted that the Muslim state would serve as an instrument of British imperialism and thereby place chains on the freedom of India. The scheme of division, it was proclaimed, was wholly impracticable because it left the Muslim minorities in the lurch in Hindu India; the proposed state would not be economically self-sufficient and would prove fatal for the Muslims.⁵⁶

Impervious to the wholesale condemnation of the Lahore resolution, the Muslim League demanded that the British Government should guarantee that no constitution (interim or final), would be adopted without the approval of the Muslims; and if the Viceroy's Executive Council was enlarged for the conduct of the War, and the Congress decided to cooperate, the League would participate in it provided the Muslim members of the Executive Council were equal in number to that of the Hindus.⁵⁷

After the resignation of the Congress ministers in 1939, the Governors had taken charge of the Congress provinces, which implied that the Provincial scheme of the 1935 Act had failed. The British Government suspended the Central Federation which had been rejected formerly by the major political parties of India, and was administered by the nominated members. The League, as has been noted, had boycotted the Central Federation, and while at one stage its demand was restricted to 33 percent Muslim representation at the Centre, now since the adoption of the Lahore resolution, the League increased its demand to 50 percent representation of the Muslims at the Centre, and made it a *sine qua non* of its participation in any interim Federal scheme.⁵⁸

On 8th August, 1940, the Viceroy announced the new policy of the Government (generally known as the 'August Offer'). The British Government undertook that no future constitution would be framed without the consent of the minorities. The Viceroy added that owing to war conditions, it became necessary to expand his Executive Council, and to establish an advisory

Defence Council. He also appealed to the leaders of political parties to cooperate with him.

Apparently the Congress had assumed that there were only 'two parties' in India - the British Government and the National Congress; and that the Congress alone would 'take delivery' of power from the British Government in the event of its abdication. Standing firmly on its previous demand for full independence the Congress rejected the 'August Offer'.

In declaring that the Muslims would not agree to any constitution that rejected their demand for Pakistan, the Muslim League accepted the 'August Offer' provided the Congress agreed to the principle of parity. During the War the Muslim League's demand for Pakistan remained mute. In the words of Jinnah: "As to why they (the Muslims) did not demand Pakistan here and now ... we did not wish to embarrass the British Government when they were engaged in this struggle of life and death and their own existence"⁵⁹.

In October 1940, the Congress Working Committee passed the Ramgarh resolution, launching the disobedience movement under Mahatama Gandhi's leadership. This decision was taken to oppose India's participation in the War without the consent of its leaders. Consequently all important Congress leaders were arrested, and then freed in March 1941, when Sir Stafford Cripps arrived in India.

Authorized by the British Cabinet to negotiate with the Indian leaders to solve the political deadlock, Cripps arrived at the critical time when India was threatened by a Japanese invasion. His Proposals were multi-dimensional: the British were prepared to create a new Indian Union, which would have the status of a Dominion, and powers to secede from the British Commonwealth; shortly after the War, a constitution-making body would be elected by an electoral college composed of the members of the lower houses of all the provincial legislatures (the princely States would choose their own representatives) who would be elected according to the principle of proportional representation; if any province or provinces were unwilling to accept the new constitution (on the basis of a bare majority), they

would be allowed to frame a constitution of their own by a similar process and possess the same status and powers as the Indian Union; and further that the defence of India would remain under the British control as part of their world war effort.

The Cripps' Proposals were very carefully designed to include a single Indian Union, accepting at the same time, the right to self-determination of the seceding provinces, or the formation of more than one Union in India. Mahatama Gandhi stated that the Draft Declaration was a 'postdated cheque on a bank that was obviously failing'.⁶⁰ The Cripps' Proposals were rejected by the Congress because they contained the principle of non-accession of provinces, which was against the Congress' stand for the unity of India.

The League however, rejected the Proposals for different reasons. Describing the Draft Declaration as 'loaded dice', Jinnah emphasized that the primary objective of the Declaration was to form a single Indian Union.⁶¹ Consequently the League resolved that while Pakistan was 'recognized by implication' in the Declaration, its main object was to create one Indian Union, 'the creation of more than one Union being relegated only to the realm of remote possibility'. The election of the constitution-making body by a single electoral college (elected on the lines of proportional instead of communal representation) and the taking of decisions by a bare majority implied the establishment of a single Union which went against the League's demand for the partition of India.⁶²

In August 1942, the Congress passed the 'Quit India' resolution demanding immediate withdrawal of the Allied troops and British rule from India. A mass civil disobedience movement was launched under Mahatama Gandhi's leadership. In retaliation the British Raj declared the Congress an unlawful body; the members of its Working Committee including Gandhi were incarcerated from August 1942 to June 1945. Gandhi was released in May 1944 for reasons of ill health.⁶³

Jinnah declared that the 'Quit India' resolution was designed to coerce the British 'to concede a system of Government which would establish a Hindu Raj' sacrificing all other interests,

particularly those of the Muslims in India. He dissuaded the Muslims from participating in the civil disobedience campaign.⁶⁴

The absence of the Congress from the political scene strengthened the position of the League. It had been powerful in the Hindu majority provinces, but by 1942, it became far more strong in the Muslim majority provinces. In June 1943, Lord Wavell was appointed Viceroy of India. Ever since Gandhi's release in May 1944 numerous unsuccessful attempts were made to bring Gandhi and Jinnah together to resolve the Hindu-Muslim problem, the last attempt was made by C. Rajgopalachari.⁶⁵

Gandhi-Jinnah negotiations started in September. Gandhi was prepared to consider a zonal division of India but only in terms of C. Rajgopalachari's Formula; which was: (a) The Muslim League should endorse the Congress demand for the independence of India (in other words the League should adopt the 'Quit India' resolution that it had formerly opposed). (b) An interim unitary centre should be constituted to take charge of the subjects of common interests, namely defence, foreign affairs, commerce and communications (this meant the setting up of a unitary central government with an overwhelming majority of the Hindus). (c) At the end of the War, the unitary central government should appoint a commission to demarcate contiguous districts where the Muslims were in absolute majority; in the areas thus demarcated, a plebiscite of the inhabitants, Muslims as well as non-Muslims, should be held on the basis of adult suffrage, and that should eventually decide the issue of secession of those areas from India. (d) These terms would be binding only if Britain was prepared to transfer full power and responsibility to the proposed unitary central government.

Jinnah maintained that if the principle of division was accepted, then it logically followed that both India and Pakistan should choose their own constitution-making bodies. Jinnah was unwilling to accept that the authority for appointing the commission should be delegated to the unitary central government, nor was he prepared to consider Pakistan in terms of 'a bundle of contiguous districts', which might be offered to

him. The Muslims, he insisted, demanded their right of self-determination as a nation and not merely 'as a territorial unit', the non-Muslims consequently were not entitled to participate in determining the future of the predominantly Muslim provinces. The failure of Gandhi-Jinnah talks however, was due mainly to Gandhi's insistence on the 'quitting' of the British before the 'division' whereas Jinnah held the opposite view.⁶⁶

When Germany was defeated in 1945, the Viceroy proposed to release the Congress Working Committee. He called a Conference of the Indian leaders at Simla in order to Indianize his Executive Council (with the exception of the posts of the Viceroy and the Commander-in-Chief), which was supposed to function as an interim Government until the war with Japan came to an end. The Congress and the League were asked to nominate an equal number of representatives for the Viceroy's Council, but the Conference failed because the Congress was not willing to accept the League's exclusive right to nominate all the Muslim members of the new Executive Council.⁶⁷

Shortly after the defeat of Japan, the elections for the central and provincial assemblies were held, and Jinnah issued an appeal to numerous pro-Congress or independent Muslim groups to join the League.⁶⁸

The elections demonstrated that an overwhelming majority of the Muslims supported the League. All the Muslim seats in the Central Legislature were captured by the League. In the provincial elections it won 446 out of 495 Muslim seats.⁶⁹ Nevertheless it came into conflict with several pro-Congress, independent, communal or non-communal provincial political organizations before it managed to consolidate its position especially in Bengal, Assam, the Punjab, the North Western Frontier Province, Sindh and Baluchistan.

The membership of the League totaled 1,330 in 1937. Pandit Jawahirlal Nehru in one of his Press statements (issued in January 1938) confessed that out of 3.1 million members of the Congress only 100,000 were Muslim. The officially claimed figure of membership of the League in 1944 was 2.0 million.⁷⁰ "The Muslim League" W.C. Smith observed, "though dominated by

the reactionaries, was able presently to attract to its following practically the entire Muslim middle class, including the progressive sections; and then busied itself attracting also the Muslim lower classes. In the process, it has been transforming itself. It has become the organ of a Indian Muslims' national movement. The reactionaries have been losing their dominance".⁷¹

Palme Dutt gave numerous reasons for the popularity of the League among the Muslims, these are: Firstly, the growth of political consciousness in general brought new masses into the fold of the major political organizations of India. Secondly, the development of the spirit of Muslim nationalism and the subsequent reorganization of the League attracted a younger section of the Muslims, who insisted on the adoption of a democratic policy as opposed to the conservative and more loyal element on top. It was this younger group of the Leaguers who won the general support of the Muslims and conducted successful mass campaigns against the formerly dominant provincial organizations particularly in the Punjab and Bengal. In the Punjab for instance, the collapse of the Unionist Party in 1946 was a manifestation of the success of the new programme. Thirdly the suppression of the League in the provinces, where the Congress ministries were set up after the 1937 elections, led to the increase of Hindu-Muslim antagonism. "The Moslem masses" Palme Dutt writes, "were not attracted by the undeniably strong Hindu religious flavour of much Congress propaganda, especially of the right wing leadership and Gandhi, despite the public non-communal platform of the Congress and the presence of outstanding patriotic Moslems in its ranks." The Muslims therefore turned to the League as their political organization. Lastly the Pakistan resolution (1940) which provided the Muslims with a new aspiration, attracted a wide mass support.⁷²

In March 1946 the Cabinet Mission Delegation consisting of three members, Lord Pethick-Lawrence, Sir Stafford Cripps and A.V. Alexander arrived in India. The Delegation's objective was to assist the Indian leaders in the formation of a representative constitution-making body and an Executive Council, which

would be supported by the major political parties. In April 1946 the Muslim Legislators' Convention was called at Delhi by Jinnah and thus Muslim India unanimously reiterated the Pakistan demand.

After its failure to find an agreement between the Congress and the League, the Cabinet Mission announced its own Proposals on May 16, which were: (a) The provincial legislatures should elect members in the proportion of one representative for each million of population (these members were to be elected through separate electorates) to form a Constituent Assembly for a single Indian Union (including British India and the princely States). (b) The departments of foreign affairs, defence and communications should be entrusted to the Union. (c) The provincial delegates for the Constituent Assembly having framed the new constitution, should further meet in Groups A (consisting of Madras, Bombay, the United Provinces, Bihar and Orissa and the Central Provinces), B (the Punjab, the North Western Frontier Province and Sindh) and C (Bengal and Assam), and determine whether they would take any provincial subjects in common as a single Group. (d) The constitution of the Union as well as the Groups should grant the right of secession (from the Union) to any province if so desired, after an initial period of ten years. (e) For the transitional period the formation of an interim Executive Council was suggested.

The Muslim League accepted the Cabinet Mission Plan. At this stage why did Jinnah accept the Plan when under the Lahore resolution the League had committed itself to establishing Pakistan? Did Jinnah articulate the demand for Pakistan merely for political bargaining? The factual position is that the Muslim League Council discussed this matter for many days before coming to a decision. Indirectly Pakistan had been conceded through the grouping of provinces on communal lines, and the creation of three constitution-making bodies for all purposes except foreign affairs, defence and communications, entrusted to the Union for an initial period of ten years. By transferring the whole of the Punjab into Group B and Bengal and Assam into Group C, more territory was being provided to the League than

the League contemplated. There was no need for the exchange of population. Finally the arrangement provided mutual security to both Muslims in Hindu majority areas and Hindus in Muslim majority areas. The Plan was, at that stage, the maximum that the League could secure. Accordingly Jinnah advised the Council to accept the Plan and the members voted unanimously in its favour. The League also decided to join in an interim Government on the basis of the 5:5:2 formula of Lord Wavell.⁷³ (5 Congressmen, 5 Leaguers and 2, afterwards modified as 3, from other minorities).

The Congress first accepted the Plan, but thereafter gave their own interpretation of the long term possibilities, especially the constitution-making aspect of the Plan. It maintained that there was to be no grouping;⁷⁴ even if there was, then Groups B and C (the Muslim majority provinces) could opt out only at the beginning and not, as had been provided, after the Group constitution and the provincial constitution had been framed and elections held under the new provincial constitutions. The Constituent Assembly, according to the Congress' interpretation, was going to be a sovereign body. 'Foreign affairs', Pandit Jawahirlal Nehru explained, included not only foreign relations but also foreign trade, customs, and currency. The Congress however, decided to reject the interim plan (i.e. the formation of the Viceroy's Executive Council) according to the 5:5:3 formula. The Viceroy who had formerly announced his intention to constitute an interim Government if either party was willing to cooperate, instead of inviting the League to form the Government, postponed the formation of an interim Executive Council. Moreover to appease the Congress, as the League leaders suspected, he modified his formula to 6:5:3 (6 Congressmen, 5 Leaguers and 3 from other minorities) in consultation with the Cabinet Mission. The postponement of an interim Government and the conditional acceptance of the long term Plan by the Congress (which according to the League, amounted to no acceptance at all) led the League to reconsider its position regarding the Cabinet Mission Proposals. Therefore the League decided to withdraw its acceptance in July and to resort to

Direct Action for the attainment of an 'absolute, unconditional and completely sovereign state of Pakistan'. In support all the prominent Muslims renounced their British titles.⁷⁵

In August the Congress Working Committee decided to participate in an interim Government on the basis of the new 6:5:3 formula. The Viceroy announced the appointment of Pandit Jawahirlal Nehru and his colleagues to membership of the interim Government. Meanwhile communal riots broke out in Calcutta, Bihar, Bombay and Eastern Bengal. Alarmed at the prospect of a civil war in India, the Viceroy communicated with Jinnah, and finally the Muslim League was persuaded to join the interim Government in October.

The participation of the Congress and the League in the interim Government however, did not lead to the solution of the Indian problem. The Congress repudiated the Cabinet Mission Proposals regarding the grouping of the provinces and insisted (refuting the League demand) that even the authors of the May 16 Plan had no authority to interpret it. The Congress maintained that a specially appointed commission of the Federal Court Judges could decide the correct interpretation of the Plan. At this stage the representatives of the disputing parties were invited to London so that the British Cabinet might reiterate its original scheme. Those who went to London were Lord Wavell, Jinnah, Pandit Jawahirlal Nehru, Liaquat Ali Khan and Sardar Baldev Singh.

The British Cabinet in consultation with its legal advisors eventually announced that the Cabinet Mission had no intention of imposing a constitution on the unwilling Muslim majority provinces. In February 1947, Attlee, the British Prime Minister declared that India would be granted independence '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 interests of the Indian people'.⁷⁶

Lord Wavell was replaced by Lord Mountbatten as Viceroy of India in March 1947. After holding a series of negotiations with the Congress and the League leaders, Mountbatten finally

submitted his plan on June 3, which was subsequently approved by the British Cabinet.

According to the Mountbatten Plan the partition of India was recognized as inevitable; the British were to relinquish power in favour of the succeeding Governments by August 15 (granting full Dominion status with the implicit right to secede from the British Commonwealth); Punjab and Bengal were to be partitioned; the representatives in the provincial legislatures of the Muslim and non-Muslim districts of the Punjab and Bengal were to decide separately in favour of joining either the Indian Union or the Pakistan Constituent Assembly; Sindh through its legislative assembly, Sylhet (the Muslim majority district of Assam) and the North Western Frontier Province were to vote whether they wished to join the Indian Union or Pakistan by referenda based on an adult male suffrage, Baluchistan through a meeting of its representatives, and the States through their legislative agencies.

The June 3 Plan was accepted by the Congress and the League. On June 20 Eastern districts of Bengal voted for Pakistan; on June 23 Western districts of the Punjab decided to join Pakistan; Baluchistan voted for Pakistan on June 29, and Sylhet on July 13; Sindh voted for Pakistan, and the North Western Frontier Province decided to join Pakistan by an overwhelming majority.⁷⁷ Western Bengal and Eastern Punjab however, voted for the Indian Union.

A Boundary Commission (consisting of two Muslim and two non-Muslim representatives under Sir Cyril Radcliffe, the chairman) was set up to demarcate the boundaries between East and West Punjab and East and West Bengal. But under a conspiracy of Mountbatten, Radcliffe and Pandit Jawahirlal Nehru, an illogical and unjust line was drawn to demarcate the boundary between East and West Punjab, whereby chunks of Muslim majority areas contiguous to Pakistan were handed over to India in order to provide access to India to the Muslim majority State of Jammu and Kashmir. Thus receding British imperialism left as a legacy this disputed territory between India

and Pakistan, and Jinnah had to be content with, what he called 'a moth-eaten Pakistan'.

On July 18 the Indian Independence Act was passed through the British Parliament under which the Dominions of India and Pakistan were created and all powers were transferred to their Constituent Assemblies; British paramountcy over the Indian States came to an end and they were left free to decide the issue of joining either India or Pakistan.

Two provisional Governments were set up representing the new Dominions, India and Pakistan. The Award of the Boundary Commission was followed by a division of the armed forces, railways and numerous other assets belonging to the former central or provincial governments. Meanwhile the communal situation had deteriorated completely in the Punjab, the United Provinces, Bihar, Calcutta, Eastern Bengal and Bombay, and refugees poured over both sides of the border.

On 14th August, 1947 the official date of formal transfer of power, the Pakistan Government was inaugurated at Karachi. On the recommendation of the League Jinnah was appointed Governor General of Pakistan by King George VI. Thus Pakistan emerged as the homeland and the national state of the Muslims.

How did the 'Pakistan' movement differ from the earlier Muslim political movements? Ever since Muslim India entered modern history, the Muslims had been carried away by four major political movements. These are the 'Wahabi', the 'Aligarh', the 'Khilafat' and finally, the 'Pakistan' movement. Evidently these movements were motivated by the religious fervour of Islam with the sole object of preserving the distinct entity of the Muslim community. Since it is difficult to draw a line between culture and religion in Islam, it must be borne in mind that what had been shared in common by all these political movements was their dedication to the cause of Islam, and the protection of the Muslim community.

The militant 'Wahabi' movement made the Muslims conscious of the loss of their empire. Seeking inspiration from Shah Waliullah's teachings the movement demonstrated the Muslims'

determination to resist the concentration of power into non-Muslim hands of the Marathas, the Sikhs or the British. The 'Wahabis' declared that India had ceased to be 'Dar-ul-Islam' (Country of Islam) and had become 'Dar-ul-Harb' (Country of War). Under the Shariah the Muslims had the limited choice of either to wage a holy war (Jihad) to regain their lost political power or to migrate (Hijrat) from India to a Muslim country. They even attempted to establish an 'Islamic' state in the North West Frontier. While the leaders of the movement were well-versed in conventional theology, they were completely ignorant of the progress made by human knowledge in Europe, particularly in the field of weaponry. Obviously they were no match for the well-equipped and trained British army in modern warfare. As a result the movement collapsed retarding the progress of Muslim India for almost a hundred years.

The 'Aligarh' movement was led by the first modern Muslim in South Asia, Sir Syed Ahmad Khan. The movement emphasized modernity in the field of education and succeeded in creating an environment of cultural renaissance among the Muslims. It laid the foundations of Muslim nationhood and paved the way for Muslim separatism, but strict loyalty to the British was its political creed.

The 'Khilafat' movement reflected the deep attachment of Muslim India to the Pan-Islamic ideal. But as a reaction against the political conservatism and loyalism of the 'Aligarh' movement, it exceeded rational bounds by collaborating with the Hindus in agitation against the British, without defining their political status in united India. The call of the Ulema to the Muslims to migrate (Hijrat) took a heavy toll of Muslim lives in North West India and resulted in economic disaster.

The 'Pakistan' movement was different from the earlier movements because it had a definite and concrete objective in view. Instead of instigating Muslims to migrate, it struggled to create a Muslim homeland, a Muslim national state, or speaking in the conventional jargon, a 'Dar-ul-Islam' (Country of Islam) in the Indian subcontinent. Its ultimate goal was neither vague, nor was it based on vague religious romanticism. It was not to be

achieved through military action, violence or agitational politics, but through the cold logic of a modern democratic process, and the Muslims' right to self-determination in the territories where they constituted a majority.

The major difference was in the quality of leadership. The leadership of earlier movements was deficient in many ways. The 'Aligarh' movement's leaders emphasized loyalty to the non-Muslim political authority, while the Wahabis and Khilafatists were anti-British and their political agenda was determined by an idealistic yet strict interpretation of Sunni orthodoxy. The Khilafatist Ulemas' effort to amalgamate Pan-Islamism with Indian nationalism was illogical, irrational and inconsistent.

Despite the presence of numerous competent Ulema, the destiny of the Muslims of South Asia in the past two centuries has been moulded essentially by four outstanding 'non-Ulema' personalities, including Sir Syed, Syed Jamal al-Din Afghani, Muhammad Iqbal and Muhammad Ali Jinnah. Unfortunately these great men were declared 'Kafir' (Infidel) by the traditional Ulema at one stage of their lives or the other.

Jinnah, the Quaid-i-Azam, was more liberal than any of his great predecessors. After 1707 Muslim India has not produced a political leader of his caliber. His dynamic personality was the real catalytic spirit of the 'Pakistan' movement. His unwavering loyalty to the magnificent cause; his resolute, determined, confident and self-reliant leadership; his lofty single-mindedness, sincerity of purpose and bold conception of duty; his statecraft, superior political direction, organizing ability, analytical capability, flawless perception, and refinement of mind and spirit, were qualities never found before in any other Muslim leader. Unlike his contemporary political leaders, he always dressed immaculately, knew little Urdu, spoke only in English and yet the Muslim masses followed him with devotion. According to one of his biographers, he knew what he wanted and also knew how to get it.⁸ It was not only the attractive goal but also the charismatic leader which led the Muslim masses to the promised land. Indeed that made the big difference between victory and defeat. Pakistan

was created through the electoral verdict of the Muslim nation, but affected under the leadership and guidance of Quaid-i-Azam Muhammad Ali Jinnah.

Finally, did Jinnah envisage Pakistan as a 'Muslim' majority state to be governed as a 'secular' or an 'Islamic' state? This question need not be raised because all the Muslim political movements in India, including the 'Pakistan' movement, were motivated by Islam to safeguard the Muslims' interests. Consequently none of the Muslim leaders could deviate from Islam and move in the opposite direction. If Jinnah's aim was to create a 'secular' state then there was no justification in withdrawing Muslims from India. The Hindu leaders also envisaged India as a 'secular' state, and they were also supported by some Muslim members of the Congress, including the elite of Indian Ulema, who opposed the 'Pakistan' movement. They wished to be citizens of a 'secular' India.

It has already been observed that during his 'nationalist' phase of life, Jinnah believed that freedom could only be achieved through Hindu-Muslim unity. After his conversion to Muslim nationalism, according to his own claim, he still remained a 'nationalist'. His nationalism was redefined and he struggled for freedom exclusively of the Muslims. He explained in 1939: "The words 'nationalism' and 'nationalist' have undergone many changes in their definition and significance. Some people have a dictionary of their own, but within the honest meaning of the term, I still remain a 'nationalist'".⁷⁹ On another occasion, he asserted that he was willing to be called a 'communalist' for doing his duty to the Muslims and added: "I was born a Muslim, I am a Muslim and I shall die a Muslim".⁸⁰

While addressing the students at the Aligarh Muslim University in March, 1940, he stated that to think in terms of Muslims cooperating with Hindus, was against the dictates of Islam. He asserted: "I have devoted most of my time during the last six months to the study of Muslim history and Muslim law (Shariah) and I am inclined to think that it (Hindu-Muslim cooperation) is neither possible nor practicable. Assuming and admitting the sincerity of Mohammadan leaders (Hakim Ajmal

Khan and Dr. Kitchlu) in the non-cooperation movement, I think their religion provides an effective ban to anything of the kind.... Can any Muslim leader over-ride the Koran? I can only hope that my reading of the Islamic law is incorrect".⁸¹ He took pride in introducing religion into politics.⁸²

Jinnah had been educated in the discipline of the rule of law, rejecting the rule of an individual. Democracy was a matter of conviction with him. While he did not express preference for the parliamentary or presidential form of democracy, his mind was absolutely clear on such basic issues that the government should be legitimately constituted by the directly elected representatives of the people, that the federated units should have autonomy with certain essential powers to remain in the centre, that the fundamental rights of the citizens should be guaranteed, and that the judiciary should be independent. With this frame of mind, Jinnah believed that the principles he had upheld throughout his life were not repugnant to his interpretation of 'Islamic' democracy. "Democracy is in our blood" he said, "It is in our marrows. Only centuries of adverse circumstances have made the circulation of that blood cold".⁸³ "Let us lay" he asserted, "the foundations of our democracy on the basis of truly Islamic ideals and principles. Our Almighty has taught us that our decisions in the affairs of the state shall be guided by discussion and consultation".⁸⁴ His perception of Islam was that it taught equality of man, justice and fair-play to everybody. Against this background of personal convictions he replied to a question about the future constitution of Pakistan. "I do not know what the ultimate shape of this constitution is going to be. But I am sure it will be democratic type, embodying the essential principles of Islam".⁸⁵

He was also clear in his mind that Pakistan was not going to be a 'theocratic' state in which only Muslims would be full citizens, and non-Muslims would not be full citizens.⁸⁶ He emphasized: "Islam demands from us the tolerance of other creeds and we welcome in closest association with us all those who, of whatever creed, are themselves willing and ready to play their part as true and loyal citizens of Pakistan".⁸⁷ In his view

Pakistan would neither be a Sunni nor a Shia state. But he expected the Muslims to build Pakistan as a 'bulwark of Islam'⁸⁸ and took a solemn undertaking from them that they would protect and safeguard the rights of minorities.⁸⁹

Jinnah did not use the terms 'Pakistan Ideology' or 'Ideology of Pakistan'. But he did use the expression 'Ideology of the League'⁹⁰ and explained that Pakistan did not only mean freedom and independence for the Muslims, but it also preserved the 'Muslim Ideology',⁹¹ because "our religion, our culture and Islamic ideals are our driving force to achieve independence".⁹² Jinnah's speeches and statements indicated that for him the terms 'Muslim' and 'Islamic' were interchangeable.

In Jinnah's eyes the ideals of progress were equality, brotherhood of man and equal opportunities for all. He maintained: "We demanded Pakistan, struggled for it, we achieved it so that physically and spiritually we are free to conduct our affairs according to our own traditions and genius. Brotherhood, equality and fraternity of man - these are all the basic points of our religion, culture and civilization, and we fought for Pakistan because there was a danger of denial of these human rights in this sub-continent".⁹³

Jinnah did state that the Muslims would rule in Pakistan under 'Islamic law',⁹⁴ and that the constitution of Pakistan would not be in conflict with the Shariah. He declared: "Why this feeling of nervousness that the future constitution of Pakistan is going to be in conflict with Shariat law? There are people who deliberately want to create mischief and make the propaganda that we will scrap it (Shariah)".⁹⁵

His perception of the state in Islam was modernist, progressive and liberal. He reminded the students of the Aligarh Muslim University, on 18th October, 1940 of the responsibility of the coming generation to establish a 'progressive' nation in the country.⁹⁶ He was deeply concerned with the deplorable conditions in which Muslim women had to live, and he stood for their emancipation.⁹⁷ While addressing the students of Anglo-Arabic College in Delhi, he proclaimed on 3rd February, 1938: "What the League has done is to set you free from the

reactionary elements of the Muslims and to create the opinion that those who play their selfish game are traitors. It has certainly freed you from the undesirable element of Maulvis and Maulanas. I am not speaking of Maulvis as a whole class. There are some of them who are as patriotic and sincere as any other; but there is a section of them which is undesirable. Having freed ourselves from the clutches of the British government, the Congress, the reactionaries and the so-called Maulvis, may I appeal to the youth to emancipate our women. This is essential. I do not mean that we are to ape the evils of the West. What I mean is that they must share our life not only social but also political".⁹⁸

Whenever Jinnah stressed national unity or talked about the necessity of national integration, he based his arguments on nothing else except Islam.⁹⁹ 'Provincialism', according to him, was a 'poison' to be thrown out of the body politic of Muslims. Similarly 'sectarianism' (Shia, Sunni) was a 'curse' to be rid off.¹⁰⁰ He recommended the adoption of Urdu, the language of Muslim culture, as the single national language of Pakistan.¹⁰¹

At the opening ceremony of the State Bank of Pakistan on 1st July, 1948, he rejected the Western economic theory and practice. "We must work our destiny in our own way", he maintained, "and present to the world an economic system based on true Islamic concepts of equality of man and social justice".¹⁰²

Against the background of Jinnah's public addresses and statements, one cannot help arriving at the conclusion that he had a definite perception of the state in Islam, although he did not specifically use the expression 'Islamic' state. How should his presidential address of 11th August, 1947 to the Pakistan Constituent Assembly, four days before the formal establishment of Pakistan, be reconciled with the rest of his pronouncements? What did Jinnah imply when he said that in the 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".¹⁰³

The secularists have projected this address as a piece of evidence to establish that Jinnah stood for a 'secular' state.

Rosenthal is of the view that this statement was either an example of 'loose thinking' or 'imprecise wording' on the part of Jinnah and that he had departed from his earlier position.¹⁰⁴

Sharif al-Mujahid argues that although the address caused a great deal of confusion in the subsequent years and was invoked even for condemning the Objectives Resolution (1949), it was only intended to bury the bitter memories of the past, and to build trust and confidence in the minorities. He thinks that the address could also mean that Jinnah, as a modernist, rejected the traditional or conventional concept of Islamic polity which was evolved during the reign of some autocratic Caliphs and Sultans, who discriminated between Muslims and non-Muslims by denying non-Muslims the political rights and privileges as enjoyed by Muslims. He is convinced that the substance of the address did not mean that Islamic principles would not constitute the basis of the future constitution of Pakistan. There is no denying the fact that Jinnah considered the guarantee of "religious freedom" as an integral part of Islamic polity. However, if Jinnah's pronouncements after this address were taken into consideration, they would reveal that the secularists' interpretation was incorrect.

Sharif al-Mujahid has stated that three days after this address, when Mountbatten visited Karachi and commended to the Pakistan Constituent Assembly the Mughal Emperor Akber's policy of political and religious tolerance, Jinnah at once reminded the last Viceroy: "The tolerance and good-will that great Emperor Akber showed to all non-Muslims ... dates back thirteen centuries ago when our Prophet not only by words but by deeds treated the Jews and Christians handsomely after he had conquered them. He showed them the utmost tolerance and regard and respect for their faith and beliefs". He concluded that this represented an invocation to the Islamic principles which Jinnah emphasized repeatedly throughout the rest of his short life.¹⁰⁵

It is difficult to understand that when Jinnah assured religious freedom for all in Pakistan, and that the Hindus and the Muslims were free to go to their places of worship or that there would be

no discrimination between Muslims and non-Muslims as citizens of the state, how was he violating any principle of Islam or holding out Pakistan as a 'secular' state? Before him, Iqbal had high-lighted that 'Tawhid' (God's Unity) stood for human solidarity, equality and freedom. He had also affirmed that the real aim of Islam is to establish a 'spiritual' democracy.

The crux of the debate is that Jinnah did not visualize the state in Islam as a 'theocracy'. Also he never claimed that Pakistan would be a 'secular' state. His position was that of a 'liberal' and 'modernist' Muslim. This meant that in his concept of the state in Islam, he absorbed certain new ideas like 'nation-state', 'right of self-determination', 'democracy', 'constitutionalism', 'rule of law', 'human rights', 'social justice' and equality of all citizens. In short, Jinnah aspired to establish a liberal democratic Muslim welfare state in Pakistan.

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 - ⁴ *M.A. Jinnah: Speeches (1912-1917)*, pub. by Ganesh & Co., Madras, pp. 45, 46, 78, 99.
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 - ⁷ *Ibid.*, pp. 199, 200.
 - ⁸ *Hayat-i-Quaid-i-Azam*, by S.M. Khan, pp. 174, 175, 183.
 - ⁹ *Muhammad Ali Jinnah*, by M.H. Saiyid, p. 305.

- ¹⁰ Jinnah personally did not approve of separate electorates but since a majority of the Muslim leaders regarded this measure as necessary, he was obliged to support it. Speech of Jinnah May 30, 1927 quoted by S.M. Khan in *Hayat-i-Quaid-i-Azam*, pp. 207, 208.
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CONCLUSION

This book makes a case that the nationality of Pakistani Muslims is based on a common spiritual aspiration. The Two-Nation Theory enabled them to develop a consciousness of their identity and forged a cultural and social solidarity which ultimately formed an ideological basis for the creation of Pakistan. In other words, Islam released the catalytic impulse for nation-building in the Indian subcontinent. The demand for the creation of Pakistan did not imply the establishment of any specific kind of sectarian Muslim state; it was a state for anyone who considered himself a Muslim. In view of the human and natural resources of the Muslim majority provinces, the founding fathers of Pakistan were convinced that the separation of these areas from India would resolve the Muslims' problem of economic development. Finally, by reconciling traditional Islamic values with modern liberal ideas, they highlighted the broad principles of a modern Muslim entity, and provided a political and intellectual framework for a new Islamic state, which Pakistan was expected to be.

A thesis has been advanced that the state in Islam has always been in the process of becoming. Its political order is distinct from its legal order, because an Islamic state becomes "Islamic" only when it enforces Islamic laws (Shariah) for its Muslim citizens. Although in the Prophetic era, certain guiding constitutional principles were laid down, politically the state itself was never considered a finished product. During the Republican period, different experiments of constitutional dispensation were made, namely: election, nomination, election through an electoral college and referendum, followed by usurpation of power, which eventually assumed numerous forms of autocratic monarchy.

Syed Jamal-ud-Din Afghani thought in terms of a "constitutional" Caliphate, and Iqbal believed that all the powers of the Caliph could be transferred to a democratically elected Muslim assembly. Jinnah was of the firm view that federal parliamentary system which guarantees human rights, treats all its citizens equally and upholds the rule of law is not repugnant to Islamic injunctions. Both Iqbal and Jinnah thus reconciled tradition with modernity, justifying the establishment of a contemporary parliamentary form of government in a democratic Islamic dispensation.

Chapter One demonstrates that the conventional jurists always distinguished the political order from the legal order of the state in Islam. On the basis of this distinction some of these jurists asserted that the rule of a usurper should be accepted if he did not interfere in the Muslims' performance of their religious obligations and he undertook to implement the Shariah. In Muslim history, the political order assumed many different forms, and its legal order was not always consistently based on laws derived exclusively from the Quran and Sunnah. Under the rubric of "Sovereign" acts, the wielders of power ruled through edicts and ordinances in addition to, and sometimes in conflict with the Shariah laws.

In modern times, the Prophetic or Republican systems of government cannot be recreated. Whilst the establishment of an Islamic state on those models under which "Shura" is merely an advisory body for the wielder of power may be an aspiration of some religious extremists, it would not be acceptable to modern Muslims in those Islamic countries which are governed by "mixed" laws. Confronted by this dilemma of mixed laws, the founding fathers of Pakistan (Iqbal in particular), realized that the Shariah laws had to be modernized through the process of "Ijtihad" in the Parliament.

Pakistan was declared an Islamic Republic shortly after its establishment in 1947. The Objectives Resolution was adopted in 1949. Subsequently it was incorporated as the Preamble in the Constitution of 1956, followed by the 1962 and 1973 Constitutions. Pakistan's aspiration to make Islamic laws in the

Conclusion

future was reflected in these Constitutions through the Chapters on Principles of State Policy and Islamic Provisions under which the Council of Islamic Ideology was constituted to advise the assemblies in Islamic law-making.

Pakistan faced problems which were not anticipated or even contemplated by the founding fathers. Jinnah had denounced provincialism and sectarianism as the bane of Pakistan's national existence, but regional and ethnic forces superseded the spirit of Muslim nationalism. This development severed the Bengali province from the federation of Pakistan. In 1976-77 Prime Minister Bhutto, in order to save his tottering government, succumbed to the pressure of the extremist elements and conceded their "Islamic" demands: Announcing Friday as weekly holiday instead of Sunday, imposing prohibition on the sale and consumption of liquor, banning gambling on horse-races, and earlier declaring the "Ahmadis" a minority community. This is how Islam was introduced in Pakistan for the first time after almost thirty years of its establishment. But the opponents of Bhutto were not satisfied by the promulgation of these "Islamic" reforms. They were mainly interested in getting rid of him, and they succeeded when General Zia-ul-Haq took over.

The politicizing of Islam and the short-sighted policy of making compromises with the religious extremists for immediate political gains, initiated by Bhutto, spawned the growth of extremism and sectarianism among the Pakistanis in 1976-77.

During Zia's regime further steps were taken to enforce Islam. The 1973 Constitution was amended so as to high-light discrimination between "Muslim" and "Non-Muslim" in all important personal documents like identification cards, passports etc. Changes were made in the Pakistan Penal Code imposing restrictions on the "Ahmadis" in the use of Islamic modes of worship. The Blasphemy law was enforced and its likely abuse could not be prevented through the improvement of procedure of its application owing to the pressure of the Ulema. As a result this piece of legislation created insecurity among the already discriminated minorities. Through further amendments in the 1973 Constitution Islam was declared the state religion of

Pakistan and the Objectives Resolution was made a substantive part of the Constitution. Certain provisions of Islamic Criminal Law (Hudud) were added to the Pakistan Penal Code. Similarly changes were made in the Evidence Act. A Federal Shariat Court with a restricted jurisdiction was created to hold trials and impose penalties in Hudud cases. Methodology was evolved to collect "Zakat", "Ushr" etc., but due to corruption of the authorities, the deserving people could not benefit from these welfare measures. Zia's Islamization was based on a personal restrictive interpretation of the Shariah laws and it was never subjected to "Ijtihad" in Parliament. The bulk of Islamic criminal legislation was merely decorative or cosmetic because penalties under the Hudud laws could not be imposed owing to strict standards of proof. As a result these laws did not in any manner improve the deplorable law and order situation in Pakistan, but rather it worsened the miserable condition of women who were victimized under these laws. In brief, the form of Islamization introduced by Zia was a complete departure from the interpretation of Islam favoured by the founding fathers of Pakistan. It disseminated intolerance and sectarianism which increased to such an extent, that rival groups of sectarian terrorists did not hesitate to slaughter their fellow Muslims even while they were praying in the mosques.

The founding fathers did not visualize that the new and fragile Muslim democracy would not only be subject to pressures of Islamization along the conventional patterns under the influence of religious zealots, but that its immature and inefficient political leadership would become an easy prey to frequent interventions of the army. Consequently Pakistan has remained under military rule for more than half of its fifty-five years of national existence.

Democracy in Pakistan has passed through numerous stresses and strains. No elected government was ever given an opportunity to complete its term. The military interfered again and again under the pretext that a balance could not be worked out between the powers of the President and the Prime Minister, despite the fact that in a federal parliamentary dispensation, the President only represents the unity of the federation whereas all

the executive powers are concentrated with the Prime Minister. Jinnah himself set the precedent. He, as Governor-General, never interfered in the administrative powers of Prime Minister Liaquat Ali Khan. However, the 1956 Constitution was abrogated because it did not give those powers to the President which Iskander Mirza wanted for himself.

Thereafter the experiment of a Presidential form of government was tried in the 1962 Constitution to suit the requirements of Field Marshal Ayub Khan. But under the 1973 Constitution the President was again reduced to a mere figure-head and Prime Minister Bhutto became all powerful. On Bhutto's fall, Zia mutilated the 1973 Constitution through the addition of Article 58(2)(b) whereunder the indirectly elected President was given powers to dismiss the Prime Minister and his cabinet as well as to dissolve the National Assembly. Later by a unanimous decision of the House the Constitution was again amended, Article 58(2)(b) was deleted and federal parliamentary form of democracy was restored. Eventually under Pakistan's fourth military regime of General Pervez Musharraf, a package containing many amendments to the 1973 Constitution was introduced. Article 58(2)(b) was restored, although the exercise of this power by the President (i.e. Pervez Musharraf) was made subject to the advice of a newly created forum called the National Security Council. About the National Security Council, which consisted of four Army Chiefs, beside other members, it was explained in a Press briefing by Musharraf that the device would stop further coups by the army in Pakistan, and that to keep the army out it was necessary to bring them in, and that in the presence of the National Security Council, the Army Chief could not take over. Thus a permanent role of the army in the political system of the country was institutionalized through making a provision for the National Security Council in the Constitution.

Just as there was a complete departure from the implementation of Islam in Pakistan as visualized by the founding fathers, there had also been a complete departure from their aspiration of constructing permanent democratic political structures in the country.

These problems raise another set of questions: The Two-Nation Theory, which created Pakistan, cannot be underestimated as it will always distinguish the Pakistani Muslim nation from the Indian nation. However, now Pakistan is the homeland of a single Muslim nation. What is the relevance of discrimination between Muslims and non-Muslim minorities? How should the regional and ethnic forces in Pakistan be absorbed within the framework of Muslim nationalism so that national solidarity is strengthened and these forces do not threaten the territorial integrity of Pakistan? What system of accountability should be introduced to eradicate corruption from the country and to restore the health of its economy? Finally how should Pakistan stop the spread of extremism, sectarianism and persecution of certain minorities before it destroys the country?

Of all the problems confronting Pakistan, the rapid growth of religious terrorism is inarguably the worst. It is frightening to realize that the idealism which laid the foundations of Pakistan, is being overtaken by terrorism that can demolish the pluralistic civil society and the founders' vision of a democratic state in Pakistan.

The phenomenon of terrorism is one of the most perplexing problems confronting the international community. Yet there is no agreement on the definition of "terrorism." The Western mind generally believes that terrorism in all forms must be condemned. Pakistan also condemns terrorism, but its attitude takes into consideration the liberation struggles of the peoples of Palestine and Kashmir; it lays emphasis on the removal of the causes of terrorist activity, and condemns retaliatory reprisals.

Pakistan has been a victim of all varieties of terrorism: domestic, international as well as transnational. The acts of sabotage and terrorist subversion inspired and abetted from across its South-Eastern border in Pakistan are increasing every day. At the domestic level, religious terrorism is also on the increase ever since Pakistan joined the U.S.-led war on terror. Musharraf's decision to change the Afghanistan policy and to abandon the Taliban has provoked hard-line Islamic groups and militants to launch a series of bloody attacks on Western and

Christian targets in Pakistan. As prejudice against Muslims grows in the Western world, there is every likelihood that the extremist elements would gain more strength in Pakistan and a clash between Islam and the West would become a reality.

Even before the catastrophic terrorist attacks on the World Trade Center and the Pentagon on 11th September, 2001, with the presumed involvement of Afghanistan, there existed an impression in the West that Islam is an intolerant creed which encourages its adherents to kill innocent people with terrorist methods. This impression is based on the assumption that after the collapse of the Soviet Union, Islam is the next ideology of hate and the world is likely to witness a clash of cultures between Islam and the West in the 21st century. The main concern in this debate is that, under the New World Order, the global Islamic conglomerate serves as a threat to the basic values and interests of Western civilization.

Among the Western scholars, Bernard Lewis sees a clash between Islam and Christianity because, in his view, the two civilizations are incompatible as they present competitive modes of life that have been in conflict with each other during the past 1400 years. He asserts that Islam finds unacceptable the Western concepts of secularism and modernity (*Roots of Muslim Rage*). At the same time, John Esposito argues that while Western countries are endeavoring to establish a New World Order, the rival transnational Islam generally appears as the new global monolithic enemy of the West (*Islamic Threat-Myth or Reality*). On the other hand, Huntington has asserted that Islamic and Confucian (Chinese) civilizations could join together against the West because of their basically divergent beliefs and value systems. He has maintained that the Western concepts of individualism, liberalism, constitutionalism, human rights, equality, liberty, the rule of law, free markets, and the separation of Church from the State are not found in Islamic and Confucian cultures. Therefore, a clash between Western civilization - with its universalist vocation and global attraction - and the Islamic and Confucian cultures is inevitable (*The Clash of Civilizations and the Remaking of World Order*).

According to Fukuyama, a Japanese-American scholar, the history of mankind has been spawned as a result of tension and conflict between competing ideas. Every idea endeavours to establish itself as the universal norm and constructs a society and a political order in conformity with the model it has founded. In this struggle, only the superior idea survives. The inferior one is destroyed. In vanquishing the socialist creed of the Soviet Union, the West has established the superiority of its ideas. Therefore, history has now ceased to move forward and has been brought to a halt (*The End of History and the Last Man*).

As for Huntington's view on the collaboration of Islamic and Confucian civilizations for the extermination of Western civilization, it is reminiscent of the nineteenth century confrontation in Europe when terms like "Pan-Islamism" and "Yellow Peril" were coined. The term "Yellow Peril" was used to make the West conscious of the Japanese threat. The Japanese had started competing with the West by dumping cheap goods in the so-called free markets established by the West to economically exploit Asia and Africa. The pejorative term, "Yellow Peril" has now been replaced by the "Confucian" threat probably because the Chinese (also considered as a "Yellow" race) are likely to emerge as a great economic power before the end of the 21st century.

The term "Pan-Islamism" was used by European journalists and policy-makers to emphasize Islam's mustering of forces against Christian Europe. The grand design of Western diplomacy during those times was to revive the old Christian hatred against a "fundamentally aggressive Islam". Hence, any attempt on the part of weak Muslim countries to form a united front against European imperialism was viewed as the perennial Muslim plot to blow up Europe.

The term "Pan-Islamism" was coined in the 19th century by Western diplomacy to justify the elimination of the crumbling Muslim empire. According to a Muslim observer, "To the man in the street (in Europe) Pan-Islamism was synonymous with a gigantic union of the Moslems of the World, having for its cherished object the extermination of Christianity as a living

political force. As long as Morocco, Tripoli, Persia, or Macedonia had to be grabbed, the bogey of Pan-Islamism was a most useful adjunct. It helped the stalwarts of Christendom to constantly confront their fanatical dupes with an imaginary peril, the bare possibility of which was to be removed by depriving the Moslem of his hearth and home" (B. C. Pal: *Nationality and Empire*). When Western theoreticians assert that Islam is the future enemy, the Muslims, stung by their past experience, seem to have no alternative but to construe this as another attempt by the West to politically and economically exploit Muslim lands.

When the European imperial powers penetrated into the Islamic world, the Muslim reaction to the new, imported Western ideas was not uniform, but three-dimensional: (i) total rejection; (ii) acceptance and adaptation; and (iii) reconciliation of the new ideas with Islam. Muslims belonging to the first category, consisting mostly of religious zealots, were considered "conservative", the second category was labeled as "Westernized", and the third category was known as "liberals" or "reformists". Ever since Islam entered modern history, the "Westernized" Muslims have usually sided with the "liberal-reformists," and opposed the "conservatives".

In Turkey and Muslim India, the problem of "conservatism" was handled in two different ways. In Turkey, Kamal Ata-turk obliterated the role and influence of the Ulema (religious scholars) from the religious life of the Turks. In Muslim India, reformers like Syed Ahmed Khan and Muhammad Iqbal followed another approach: They endeavored during their lifetime to educate and train scholars so as to form a new group of Ulema who would interpret Islam in an enlightened, motivated and rational manner and present it to a new Muslim society which, they thought, would evolve a modern outlook on life.

The conventional or conservative Muslims (who are now labeled as fundamentalist, radical, militant or political by the West), do not accept any new Western ideas. They regard change as an innovation, and reject modernity. Since the Western concepts of individualism, liberalism, constitutionalism, human rights, the rule of law, and nation-state are an inseparable part of

secularism, they brand them as "Godlessness". Secularism is denounced and defined as profane. Secularism, in their view, is an ideology that aims to destroy the very foundation of religion. To them, the Western concept of a nation-state is likewise unacceptable as it divides humanity into groups and erects barriers between man and man. This concept of a nation-state also conflicts with the Islamic ideal of "Ummah" (oneness of the Muslim community). According to the conservative minds, the Islamic constitution is the Quran. Their concept of the rule of law is the supremacy of the Shariah. They believe that individualism and liberalism have no equivalent in Islam, as every Muslim is to act in conformity with the injunctions of Islam. Islam has its own system of "rights of God", "rights of man" and "rights that are common to God and man". Also, they believe that this system is superior to the man-made system of human rights. Furthermore, Islam is founded on the principles of equality and liberty of Muslims. It does not stand for the separation of Church from the State, as there is no "church" or clergy in Islam. Free-markets are permitted to function as long as they abide by the rules of the Shariah. Finally, they assert that the New World Order of the West must be repudiated because every Muslim is enjoined to impose the Divine Order in the whole world. In brief, this is how the so-called fundamentalist Muslims stand up to Western ideas. But this confrontational posture does not represent the views of the entire Muslim community which believes in peaceful co-existence with all other communities.

At this stage, three questions are relevant. First, why does the West regard the Muslim world as its new enemy? Second, why are the so-called fundamentalist Muslims opposed to the West? Third, how did the reformist Muslim thinkers, particularly from South Asia reconcile Western ideas with Islam and thereby advocate peaceful co-existence with the West and other civilizations?

The West's antagonism toward Islam dates back to the times of the Crusades. The memories of Muslim rule over Spain, the fall of Constantinople, the siege of Vienna, the Christian defeat at

Gallipolis and numerous other such incidents make Westerners feel perennially threatened by Islam. When new challenges emanate from "militant" Islamic factions, it only exacerbates this feeling.

Three major events in the recent past have raised the Western apprehension of a new Islamic resurgence: 1) the Iranian Revolution, 2) the Islamist success in Algerian elections, and 3) the Taliban victory in Afghanistan. The image of an aggressive and revolutionary Islam, that believes in a fusion of the spiritual and the temporal, that recognizes no territorial boundaries, that cuts across continents, nations and races and, like Christianity, is the only other global religion, becomes a matter of great concern. As a proselytizing faith, Islam is projected as a catalytic force destined to achieve ultimate triumph and universal acceptance. As a universal ideology, Islam by itself is a challenge to the West's conviction of its own civilizational superiority, claimed on the basis of secular humanism, and its ultimate victory. Against this background, according to Shireen Hunter, "Islam is the ideal candidate for the new enemy figure that will fill the gap created by the fall of Communism (*The Future of Islam and the West*).

Muslims' collective memory of Western domination is more recent and fresh. Specifically, the roots of their rage are found in the past three centuries of humiliation under the expansion of Western imperialism from Africa to the Middle East and to South East Asia. The creation of Israel aggravated the humiliation of the Arabs especially when a large number of Palestinians were expelled from their homeland. In Muslim eyes, the U.S. military support enabled Israel to inflict defeat after defeat on Arab States. Similarly, the support of anti-people rulers like the Shah of Iran and encouraging Sadat at Camp David to make sweeping concessions to Israel, the Gulf War, the continuous blockade of Iraq and its periodic bombardment during the last ten years and the denial of democratic rights to "Islamists" in Algeria are some of the many irritants which outrage Muslims. The slaughters of the Muslims in Bosnia, Kashmir, Chechnya and Kosovo, in addition to a large number of Muslim refugees leaving their homes in these countries, have been generally blind-sided by the

West. Moreover, Muslims are convinced that the U. S. and her allies have double moral standards where Muslims are involved. The United Nations' resolutions against Israel are always ignored while those against Iraq are immediately implemented.

When inspectors of the UN team headed by Hans Blix reported that there were no Weapons of Mass Destruction or Chemical Weapons in Iraq, President Bush and British Prime Minister Tony Blair declared unilaterally that they would affect a regime change in Iraq. Their justification being that: Saddam was oppressing the masses; he had Weapons of Mass Destruction; and he was harbouring terrorists.

“Operation Iraq Liberation “(OIL) was renamed “Operation Iraq Freedom” and “Coalition” forces arbitrarily launched an invasion of Iraq during which they indiscriminately used Weapons of Mass Destruction against the innocent Iraqi population. This so called pre-emptive action which was taken despite the protests of almost all the members of the United Nations has set a horrific international precedent whereby any state possessing adequate Weapons of Mass Destruction would be at liberty to invade any other sovereign state with impunity on the pretext that it is pre-emptive action. It is pertinent to note that the Pentagon had announced that only the US has the right to control post-war Iraq since its forces have rendered innumerable sacrifices during the war. This exposes the malafide intention of the US of recovering its entire war-cost and bolstering its economy at the expense of the innocent and wretched Iraqi people who have already undergone immense suffering first at the hands of Saddam and then his “successors”, the Coalition forces.

On the one hand the US policy-makers persistently ignore the daily excesses perpetrated by the Israeli forces against unarmed and helpless Palestinians and on the other they are “rushing” to free the Iraqis from the purported excesses of the dictatorial regime of Saddam. Anti-war rallies around the world have refuted Huntington's hypothesis that the future conflicts would be based not on political ideologies or economics but on clash of cultures. The conflict in Iraq is clearly based on economic expediency. In

short, naked aggression in the garb of pre-emptive action and the duplicitous conduct of the US and her allies are substantially responsible for engendering aggressive extremism in Muslim countries.

These extremist groups call their militant struggle "Jihad" which is misinterpreted by the Western policy-makers as an aggressive "terrorist" holy war to destroy Western civilization. The Islamic concept of Jihad means "to put in effort" or "to struggle" to achieve a desired objective. Militarily, it is war which can be waged only by an Islamic state against those non-Muslims who are: enemies of Muslims, have forcibly occupied Muslim territories, are subjecting Muslims to oppression, there exists no treaty of peace between Muslims and them, the nature of war must be defensive and finally, there must be chances of winning the war.

However, if different groups of Muslim militants rise against their Non-Muslim oppressors in a predominantly Muslim country, then even if it is called Jihad, it is essentially a national struggle of freedom. Such is the case in the Indian-held Kashmir or in Palestine, where wars for national freedom are being waged to regain lost territories and political rights.

In reality, a large number of Muslims all over the world who stand for peaceful co-existence with the West and other civilizations have either accepted modern ideas or have reconciled them with Islam. The liberal-reformist Muslim thinkers differentiate between modernity and westernization. According to them, modernization is the recognition of the factor of change as a normal process in the life of a society. But westernization is the adoption of an alien culture. It is indeed possible to remain faithful to one's own cultural traditions and simultaneously welcome change or modernity. Muslim liberal thinkers in South Asia and the founding fathers of Pakistan successfully incorporated modern ideas of the West within the Islamic culture. In reality, Pakistan is a product of the fusion of new Western ideas with Islam.

The confrontational theories of civilizations are based on unverified facts. The theoreticians have not paid enough

attention to the recent past or contemporary history of the Muslim world which contains different nation-states, is governed by different political systems and guided by different political interests. While it is rich in resources, it is not united. It cannot pose any threat to the West.

The main concern of the U. S. and its Western allies in the Muslim Middle East is the preservation of Israel, even if they have to redraw the map of the Middle East. Therefore, they feel threatened if any Muslim state acquires military strength. Pakistan's nuclear capability has been termed the "Islamic" bomb because there is an apprehension in the West that if nuclear technology falls into the hands of extremists or is transmitted to any other Muslim state like Iran, Iraq or Libya, it may be used against Israel. On the other hand, Israel's significant but undeclared nuclear capability is tolerated and indeed accepted with equanimity.

There is no real possibility of a general clash between Islam and the West at present. But if the terrorist activities of some Muslim militants against the all-powerful U.S. lead her to retaliate by launching missile attacks or carpet-bombing on Muslim states like Iraq or Iran, instead of picking up the culprits by other means, then the liberal Muslim governments are likely to be destabilized by the spill-over effects of war. The overthrow of these governments may lead to their replacement by extremist elements and the fragmentation of these states.

Although in the past fifty five years Pakistan has drifted away from the ideals of the founding fathers, the preponderant majority of Pakistani Muslims has always been moderate by temperament. They subscribe to the liberal view of Islam propounded by Jinnah. They believe in cultural pluralism and peaceful co-existence with others. But since the past two decades they are being held hostages by the extremist minority that has emerged with the encouragement of the military dictator Zia-ul-Haq, who exploited them as his own power base. The Islamic identity of Pakistanis is a strong emotional link between them and the rest of the Muslim world. They are deeply concerned with the merciless killing of innocent Afghans and Iraqis, who had

nothing to do with terrorism, by the invading U.S. army, the systematic genocide of the Palestinians by Israel with U.S. support, and the atrocities being committed against Muslims in Kashmir to which the international community has turned a blind eye.

It is unfortunate that the repeated military coups in Pakistan have not allowed dynamic democratic leadership to develop in the past. Pakistanis are capable of developing their polity along the lines envisaged by the founding fathers if the democratic institutions are permitted to flourish without impediments created by the outgoing military regime which on every occasion results in power being transferred to the same elements who had earlier been responsible for causing a break down of the democratic dispensation. The politicians quarrel. The army takes over. The politicians agitate for restoration of democracy. The army transfers power to them. The politicians again quarrel. The army again takes over. Even if it is claimed that the cult of personality has been suppressed, that political parties will be encouraged to gain strength, and that opportunities will be provided to the educated, intelligent and talented young men and women to participate in the political progress and economic development of their country, the same feudal aristocracy, corrupt bureaucracy, remnants of the colonial past, opportunist industrial magnates and drug barons, with a different face, collude with the "fauji" wielders of power and step in since all of them have a common interest that the status quo should prevail.

Pakistan is trapped in a vicious circle. Progressive, educated and committed individuals, who could contribute to the development of Pakistan, are constrained to consider other avenues of developing their potentials such as migrating to countries which would provide them better opportunities. If data is collected regarding the numbers of young Pakistanis who annually apply for citizenship abroad, it would become evident that those who have the potential of being leaders of the new generation are contemplating abandoning this country to its misfortunes, since they see no likelihood of their being able to participate in bringing in a government which represents their

ideals. The low turn out at the polls in elections is also indicative of the fact that the majority of Pakistanis have lost faith in the manner in which the electoral process is conducted.

The process of accountability on every occasion is selectively exercised, and even those who come within its net, are at liberty to enjoy their ill-gotten gains by surrendering part of these to the prosecutors who are legally permitted to share the recovered spoils. A new power elite has emerged which is out to dominate the political, cultural and economic scene with the vast resources at its disposal collected through dubious methods.

Unless a system is evolved whereby honest, committed and educated individuals are enabled to participate in the governance of the country and development of stable democratic institutions that can ensure the availability of opportunity to every citizen to develop his/her potential, the political independence that has been attained by the establishment of Pakistan will remain an illusion.

The founding fathers and their generation have long since departed; the following generation has failed to discharge honourably the trust that was reposed in them. Pakistan is not a failed state; it is in the hands of a failed generation.

Pakistan stands on a crossroad. Its only hope of salvation is to entrust the new generation with the responsibility of managing its affairs. Pakistan has vast human and material resources; its ideology is derived from a liberal, humanistic and egalitarian vision of a state, which is to be run according to modern, democratic and Islamic ideals interpreted on the basis of "Ijtihad" in every sphere of the collective life of the people of Pakistan. It is the responsibility of those who wield power to persuade and encourage the educated and dedicated young men and women to grasp this opportunity to fulfill the dream of the founding fathers of Pakistan.

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