

SOCIAL TRANSFORMATION OF PAKISTAN UNDER THE SPEECH OF MUHAMMAD ALI JINNAH ON 11TH AUGUST 1947

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Abstract

Muhammad Ali Jinnah is the founder of Pakistan, delivered his first speech as Governor General of Pakistan in first session of the first Constituent Assembly of Pakistan on 11th August 1947. The speech has divided Pakistani society into 2 groups (i) first group advocates secularism in Pakistan, as (ii) second group emphasis that Pakistan is an Islamic State outcome of the struggle of Muslims of British India therefore there is no space of secularism in Pakistan. Muhammad Ali Jinnah stated that every individual living in Pakistan is the citizen of Pakistan without discrimination as to cast, color, creed, and community. If we look back to the first Islamic State founded by Prophet Muhammad ﷺ it is clearly held that Muslims and Jews of the first Islamic State were declared as equal citizens and one community without discrimination under the Constitution of Madinah (*Mithāq al-Madīnah*), therefore Islamic State does not mean discrimination based on religion as all citizens have equal rights before law without discrimination as to cast, color, creed and community.

Purpose – This research is an analysis of Muhammad Ali Jinnah’s speech before the first Constituent Assembly of Pakistan on 11th August 1947 under the light of the Constitution of the first Islamic State founded by Prophet Muhammad ﷺ in Madinah to clarify important portion of the speech of Muhammad Ali Jinnah.

Design/methodology/approach – This study is routed in qualitative method of research to analyze important portion of the speech of Muhammad Ali Jinnah under the light of relevant portion of *Mithāq al-Madīnah* to remove misconceptions spread among Pakistani society by a group advocates secularism in Pakistan.

Finding – This study would help people of Pakistan to understand the true meaning of the speech of Muhammad Ali Jinnah as well as the true message of Islam where there is equal opportunity for all and there is no discrimination as to cast, color, creed and community before Law as all living human beings in a state are citizens of the state as were declared by Prophet Muhammad ﷺ in *Mithāq al-Madīnah*.

Research limitations/implications – This study is an analysis of the speech of Muhammad Ali Jinnah on 11th August 1947 delivered before the first Constituent Assembly of Pakistan. This study is also an analysis of the Constitution of the first Islamic State in Madinah known as *Mithāq al-Madīnah*. This study will not go into deep detailed analysis of the speech of Muhammad Ali Jinnah as well as deep detailed analysis of *Mithāq al-Madīnah* and it is only an analysis of relevant portion of the speech of Muhammad Ali Jinnah delivered on 11th August 1947 and relevant portion of *Mithāq al-Madīnah*.

Practical implications – This study aims to point out and wipe out misconceptions created by a secular group in Pakistani society stating Muhammad Ali Jinnah wanted a secular State where religion does not come into discussion in framing of the Constitution and

Laws. This study aims to clarify important portion of the speech of Muhammad Ali Jinnah under the light of relevant part of *Mithāq al-Madīnah*.

Originality/Value – This study is personal and original work of the author on the chosen topic and there are not many articles written on related topic and this research is conducted keeping in mind principles of piracy and illegal methods of doing research.

Keywords: Prophet Muhammad ﷺ. Madinah. *Mithāq al-Madīnah*. Muhammad Ali Jinnah. Islamic Republic of Pakistan.

Research type: This study is general review of the speech of Muhammad Ali Jinnah on 11th August 1947 and its comparative analysis with the Constitution of the first Islamic State Madinah (*Mithāq al-Madīnah*) promulgated by Prophet Muhammad ﷺ.

Introduction

Muhammad Ali Jinnah is the founder of Pakistan, born on 25th December 1876, worked as a lawyer and later joined politics and led Muslim League who asked for a new Muslim Land Pakistan in British India on 23rd March 1940. Pakistan came into being on 14th August 1947 and Muhammad Ali Jinnah served as its first Governor General, delivered his speech before the first Constituent Assembly of Pakistan on 11th August 1947. The speech has divided Pakistani society into two groups (i) one group advocates that Pakistan is a secular state and religion is the personal matter of every citizen of Pakistan, (ii) second group (which is in majority) advocates that Muslims of British India struggled for a separate Muslim Land therefore there is no space of secularism in Pakistan. Pakistan is an Islamic State where all citizens have equal rights before law without discrimination as to cast, color, creed, and community.

The State religion of Pakistan is Islam as per article 2 of the Constitution of Pakistan 1973. Studying Islamic Studies and Holy Quran is made compulsory for Muslim citizens of the State as studying Arabic language is highly encouraged as per article 31 of the Constitution of Pakistan 1973. Muslim is defined under article 260 (3) (a) & (b) of the Constitution of Pakistan 1973 as a person who believes in oneness of Almighty Allah and last prophecy of the last Prophet Muhammad ﷺ and Non-Muslim is a person who does not believe in oneness of Almighty Allah and last prophecy of the last Prophet Muhammad ﷺ.

A small group advocates that Pakistan should be a secular state as the struggle of Muslims of British India was only for economic harmony and better opportunity for people who were deprived during the reign of British India (1857-1947). Secular group always quote Muhammad Ali Jinnah's speech delivered on 11th August 1947 in which he stated that Muslims and Non-Muslims will all be citizens of the State and serve the State jointly as one community.

Second group is in majority and does not accept secularism in Pakistan by stating that Muslims of British India were deprived of their religious rights as when Hindus came into the power, they promulgated many orders against Islamic beliefs includes slaughtering cows therefore Muslims of British India wanted a separate Islamic State where they can live peacefully and exercise their religious rights without any hindrance. Therefore, it is imbedded under article 227 of the Constitution of Pakistan 1973 that no law can be made in Pakistan contrary to injunctions of Islam laid down in Holy Quran and Sunnah of Prophet Muhammad ﷺ.

Muhammad Ali Jinnah stated in his speech on 11th August 1947 that Muslims and Non-Muslims of Pakistan will be treated equally and will be considered equal citizens of Pakistan. He clarified his statement that he was stating Muslims and Non-Muslims as one community in political sense as all are citizens of Pakistan their religious rights are guaranteed in the State of Pakistan. Therefore, it is imbedded under article 20 of the Constitution of Pakistan 1973 that every citizen of Pakistan shall have right to practice, profess, and propagate his religion. Moreover, as per article 36 of the Constitution of Pakistan 1973, the State of Pakistan is required to safeguard legitimate rights and interests of minorities.

Same is prescribed under the Constitution of Madinah (*Mīthāq al-Madīnah*) promulgated by Prophet Muhammad ﷺ as leader of the first Islamic State of the World. It states that Non-Muslims of Madinah will be treated as equal citizens with Muslims. They shall not be wronged, and their enemies will be considered as enemies of all and will not be supported against them.

This research is qualitative method of research, an analysis of the speech of Muhammad Ali Jinnah delivered before the first Constituent Assembly of Pakistan on 11th August 1947 created a controversy between secular and religious group. The speech is required to be analyzed under the light of the Constitution of the first Islamic State *Mīthāq al-Madīnah* where Muslims and Non-Muslims are guaranteed their fundamental rights of freedom and were declared as one community without discrimination as to caste, color, and creed.

Analysis of Muhammad Ali Jinnah's Speech under the light of *Mīthāq al-Madīnah*

The first Governor General of Pakistan Muhammad Ali Jinnah stated in his speech on 11th August 1947 that if we want to change the past we have to work together as one nation without discrimination as to community, religion, color, caste and creed. He added that every citizen of Pakistan has equal rights, privileges and obligations therefore we should strive together to make Pakistan one of the greatest nations of the World (Wolpert, 1984).

After the independence of Pakistan on 14th August 1947, religious rights and rights for minorities guaranteed under the Objectives Resolution in 1949 and later under the Constitution of Pakistan 1973. The Objectives Resolution 1949 guaranteed freedom of religion which was later imbedded under article 20 of the Constitution of Pakistan 1973. The Objectives Resolution 1949 also emphasized that adequate provision shall be made for minorities to freely profess and practice their religion which was later imbedded under article 36 of the Constitution of Pakistan 1973 (Mukhtar, 2016; Mukhtar, 2017).

Muhammad Ali Jinnah stated that Muslims and Non-Muslims are equal citizens of Pakistan without discrimination as to color, creed, cast, and community. The statement made by Muhammad Ali Jinnah quoted by secular group advocating secularism in Pakistan and believing that Pakistan is made to create a secular society where religion has nothing to do with affairs of the State (Hoodbhoy and Nayyar, 1985). Other group state that Pakistan is created for Islam and for the wellbeing of the Muslims of British India as Non-Muslim citizens of Pakistan have equal rights under the Constitution of Pakistan 1973 (Ahmed, 2005).

If we look back at the first Islamic State created in Madinah under the leadership of Prophet Muhammad ﷺ, there were two religious groups (i) Muslims, and (ii) Jews. Prophet Muhammad ﷺ was the founder and first leader of the State of Madinah. A charter was signed between Muslims and Jews of Madinah, which is considered the Constitution of Madinah and known as *Mithāq al-Madīnah*. *Mithāq al-Madīnah* guarantees social, legal and economic equality to all loyal citizens of the State without discrimination as to cast, color, creed, and community (Mahmood, 2002).

Mithāq al-Madīnah states that Non-Muslims of Madinah will be treated as equal citizens with Muslims. They shall not be wronged, and their enemies will be considered as enemies of all and will not be supported against them. *Mithāq al-Madīnah* further states that Non-Muslims will be treated as one community with Muslims, their freedom and personal rights are fully secured in an Islamic State except those who behave unjustly and sinfully. *Mithāq al-Madīnah* further states that no Jew will be wronged just because he is a Jew. Islamic State will protect life, liberty, and wealth of all citizens of an Islamic State without discrimination as to cast, creed, color, and community. Religious freedom is guaranteed under *Mithāq al-Madīnah* and Muhammad Ali Jinnah stated the same in his speech on 11th August 1947 that every citizen of Pakistan is free, Sikh is free to go to temple, Muslim is free to go mosque in a State of Pakistan (Jinnah, 1989).

Muhammad Ali Jinnah quoted an example that in England the situation was much worse than the situation in Pakistan. Roman Catholics and Protestants persecuted each other and there are some States in the World where discrimination is made, and bars imposed against a particular class which is a clear-cut violation of the teachings of Islam prescribed in Holy Quran and Sunnah of Prophet Muhammad ﷺ (Prasad, 1982).

Almighty Allah is the Lord of all that exist, Lord of each individual human being and not the lord of Muslims alone as he states, "All praise and thanks to Allah, the Lord of all creatures" (Holy Quran 1:1). He also states, "And if Allah did not check of people by means of another, the earth would indeed be full of mischief, but Allah is full of bounty to all that exist" (Holy Quran 2:251).

Muhammad Ali Jinnah stated 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. Muhammad Ali Jinnah himself clarified his statement that he is talking this in political sense and not in religious sense which is same as prescribed in *Mithāq al-Madīnah* where Muslims and Jews were treated as equal citizens of the first Islamic State of Madinah (Kamali, 1993).

Mithāq al-Madīnah states that Jews of Madinah will be treated as one community with believers of Madinah as same stated by Muhammad Ali Jinnah in his speech that Muslims and non-Muslims all are citizens of Pakistan and have full protection of life, liberty and property under Law of the Land. *Mithāq al-Madīnah* further states that only those Jews will be treated with strong hands who act against the State unjustly and sinfully and by so doing they wrong themselves and their families (Safi, 1991).

Muhammad Ali Jinnah emphasized that among duties of the State (i) to maintain law and order so that the life, liberty, property and religious belief of its subjects are

fully protected by the State, (ii) the second duty is to wipe out bribery, corruption, black marketing, nepotism and jobbery which all are poison for a society (Jalal, 1994).

Mithāq al-Madīnah states that enemies of Jews will not be helped and will be taken up by strong hands, therefore life and liberty of Non-Muslim Jews guaranteed under the Constitution of first Islamic State. *Mithāq al-Madīnah* further states that Jews will contribute towards the War while fighting alongside believers. The Charter of Madinah even goes beyond and states that those in alliance with Non-Muslim Jews of Madinah will be given the same treatment by the State of Madinah as given to Jews of Madinah. Non-Muslim Jews of Madinah were given privilege that if they do not want to go to a war and do not want to fight with enemies who attacked on an Islamic State, they may deny participating and instead pay expenses of war (Khadduri, 2006).

It is sufficiently clarified that the speech of Muhammad Ali Jinnah delivered before the first Constituent Assembly of Pakistan on 11th August 1947 is not against Islamic principles and does not propagate secularism as same is prescribed under *Mithāq al-Madīnah*; the first Constitution of the first Islamic State created under the leadership of Prophet Muhammad ﷺ.

Conclusion and Recommendations

Muhammad Ali Jinnah is the founder of Pakistan and served as its first Governor General from 14th August 1947 until his death on 11th September 1948. He took oath as first Governor General of Pakistan on 11th August 1947 and delivered his first speech as Governor General of Pakistan on the same occasion which divided Pakistani society into two groups.

One group advocates that Muhammad Ali Jinnah wanted a secular state where religion is private matter of every citizen and religion would not come into discussion while framing the Constitution and Laws. Muhammad Ali Jinnah stated that Muslims and Non-Muslims are all citizens of Pakistan and they are required to work jointly to make Pakistan one of the greatest nations of the World.

Second group is in majority emphasizing on an Islamic State where the Constitution and Laws are made in consistent with basic principles prescribed in Holy Quran and Sunnah of Prophet Muhammad ﷺ. It is therefore Islam is declared as religion of the State under article 2 of the Constitution of Pakistan 1973. Knowledge of Holy Quran and Islamic Studies made compulsory for Muslims and knowledge of Arabic language is highly encouraged under article 31 of the Constitution of Pakistan 1973. No law can be made in Pakistan against injunctions of Islam laid down in Holy Quran and Sunnah of Prophet Muhammad ﷺ as per article of 227 of the Constitution of Pakistan 1973.

After an analysis is made, it is concluded that the speech of Muhammad Ali Jinnah on 11th August 1947 is not against injunctions of Islam as same had been prescribed under the Constitution of Madinah (*Mithāq al-Madīnah*) 1400 years ago where Muslims and Non-Muslim Jews lived together in Madinah under the leadership of Prophet Muhammad ﷺ.

It is therefore recommended that the speech of Muhammad Ali Jinnah should not be understood in isolation and should be read under the light of *Mithāq al-Madīnah* for clear understanding of religious rights of Non-Muslims in an Islamic State.

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