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THE COMMUNAL AWARD AND ITS AFTERMATH IN BENGAL: A STUDY OF THE GHUZNAVI-BURDWAN PACT OF 1937

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IN India, the period between 1932 to 1937 witnessed a widespread agitation by the Hindus against the Communal Award. The severest agitation was launched in Bengal. As an effective contributory factor to the end of this agitation, the significance of the Ghuznavi-Burdwan Pact cannot be overemphasized.

The question of communal representation proved one of the main hurdles on the way of any constitutional advancement in the South Asian Subcontinent during the first half of the twentieth century.¹ The Round Table Conferences (1930-32),² which were held in London to find out solutions to the constitutional problems, could not proceed smoothly due to disagreement among the delegates on the question of communal representation.³

The First Round Table Conference sought to deal with the question of communal representation through the Minorities Sub-committee, but it could not settle the differences between the Hindu and Muslim delegates. In the end, the Muslim delegation declared, "no advance is possible or practicable, whether in the Provinces or in the Central Government, without adequate safeguards for the Muslims of India, and that no constitution will be acceptable to the Muslims of India without such safeguards."⁴

During the Second Round Table Conference,

the communal problem once again blocked the way of further progress. Consequently, the Hindu delegates, made Ramsay MacDonald,⁵ the British Prime Minister, their arbiter to give his decision on the communal issue.⁶ The Muslim delegates also supported the idea, provided all other groups also did the same.⁷

On 16 August, 1932, Ramsay MacDonald declared in the British Parliament his decision, which is popularly known as the Communal Award. The Communal Award retained separate electorates for the Muslims and for all other minorities. The Muslims got weightage in the Hindu-majority provinces and Sikhs and Hindus in the Punjab. On the other hand the Muslim majorities in Bengal and the Punjab were reduced to minorities. The Muslims formed 55% of the total population of Bengal, in contrast to the proportion of 43% Hindus but here the Muslims got only about 48% whereas the Hindus were given – as per their population percentage – 43% seats in the legislature. Similarly, in the Punjab the Muslims had to lose their due share in the provincial assembly. Here the Muslims comprised 57%, Hindus 27% and the Sikhs 13% of the population, but under the Award Muslims received 49%, Hindus 27% and the Sikhs 18% of the total seats in the legislature.⁸ The Hindu leaders who earlier supported MacDonald, now

turned against him and criticized the Award adversely. A joint Conference of the Working Committee of the All-India Hindu Mahasabha and the Hindu members of the Central Legislature was held at New Delhi on 26 March, 1933, to consider the situation arising out of the announcement of the Communal Award. The Conference through its resolution termed the Award as "predominantly pro-Muslim and highly unjust to the Hindus".⁹ Again, at a meeting of Bengali Hindus, held on 25 October, 1933, B.C. Chatterjee the president of the meeting, and Bhai Parmanand, in their exhaustive speeches termed the Communal Award as "absurd" and severely criticized the Muslim demand for a statutory majority in Bengal and the Punjab and weightage in the provinces where they were in a minority, while refusing the same to the Hindus. The resolution which was adopted by the meeting was still more critical and termed the Award as a move to keep the Hindus permanently in a position of "political inferiority."¹⁰ Bhai Parmanand, leader of the Hindu Mahasabha, again tremendously criticized the Communal Award during the fifteenth session of the Hindu Mahasabha held at Ajmer on 14 October, 1933, and said, "there is an open alliance between the British Government and the Moslems".¹¹

The Hindu Mahasabha took the matter even to the Joint Parliamentary Committee¹² and the League of Nations and sent cables to the aforementioned bodies on 15 October, 1933, appealing them to treat the Muslims of India as a minority and to oppose the enforcement of the Award on the Hindus of India.¹³ Bhai Parmanand, who presided over a crowded meeting of the Hindu Mahasabha at Nagpur on 31 October, 1933, termed the Award as "injustice to the Hindus of Bengal and the Punjab" and concluded his address by saying that "Hindus must organize, unite and agitate, with a view to getting the Award modified".¹⁴

The Muslim attitude towards the Award was generally favourable, though they accepted it with reservations on the question of reducing the majority community into a minority. The Bengal Presidency Muslim League in its annual session, held in Calcutta, on 26 November, 1933, through a resolution recalled the promise of the British

Premier during the Round Table Conference on the point that majority community of any province would not be reduced into a minority or even to equality. As the Award had assigned to Muslims number of seats much below the proportion of their population, it was not acceptable to the Muslims of Bengal.¹⁵ Nevertheless, the All-India Muslim League, accepted the Award in the best interests of the country", reserving in themselves "the right to press for acceptance of all their demands".¹⁶

The general Muslim gatherings and the Muslim League meetings also held the same view and were critical of the Hindu attitude towards the Award. The Muslims of Calcutta held a meeting at the Muslim Institute of Calcutta on 3 September, 1933, to give a reception to Sir Abdul Halim Ghuznavi, a Muslim delegate to the Round Table Conference, and also to protest against the reopening of the Communal Award, by the Joint Parliamentary Committee, as demanded by the Hindus. The resolution of the meeting said: "The reopening of the Communal Award was ill-advised and fraught with very grave danger both to the Moslem Community and the country at large". The resolution warned that "any further attempt to change the Award would give rise to a very intense feeling of discontent and dissatisfaction among the Moslems of Bengal".¹⁷ In the same year a meeting of Muslims held at the Howrah Town Hall, under the presidentship of Abul Kasem, also opposed the reopening of the Award and in a resolution observed that "the Award had already relegated the Moslem majority in Bengal to a statutory minority and that the participation of Moslem representatives in the constitutional discussions had been on the clear assurance that the Communal Award was final."¹⁸ Similarly, the Annual Session of the All-India Muslim League, held at New Delhi, on 26 November, 1933, also condemned those who were "trying to alter the decision in such a manner as to deprive the Muslims of those rights which were already conceded to them". Moreover, the meeting considered that the best course was to work together for the salvation of the country in a spirit of give and take. The All-India Muslim League strongly urged the Joint Parliamentary Committee to uphold the com-

munal decision.¹⁹ Consequently, on 7 January, 1937, a proposal designed to put an end to the political dispute between Hindus and Muslims in Bengal, by an equal division of executive power, was accepted by a large number of leaders of the two communities.²⁰ This pact is commonly known as "Ghuznavi-Burdwan Pact" or "Bengal Pact".²¹ To resolve the issue, Sir A.H. Ghuznavi had presented three points for agreement to the Maharaja of Burdwan, who accepted them and eventually they emerged as the crux of the pact. The terms of the pact were:

1. The Communal Award will remain effective subject to revision at the end of ten years, or unless and until the Award is modified by the mutual agreement of the communities concerned;
2. The Cabinet shall contain an equal number of Hindu and Muslim Ministers;
3. There shall be equal proportion of Hindu and Muslims in government services, subject to the reservation of an agreed percentage for members of the European, Anglo-Indian and Christian communities and also subject to qualification by candidates of all communities in the minimum efficiency test held by the provincial commission.²²

While forwarding the idea of the settlement A.H. Ghuznavi advocated that the Hindus and the Muslims should work together on non-communal lines and in a spirit of mutual tolerance and co-operation.²³ In short, a complete Hindu-Muslim settlement in Bengal was his ultimate goal.²⁴ The proposal which formed the basis of the three points contained in the Pact was originally²⁵ formulated by B.C. Chatterjee during his visit to London in 1933 and it enjoyed the support of some important leaders of both communities.²⁶

It was placed in before a meeting of the Muslim delegates²⁷ to the Joint Parliamentary Committee in London. After some discussion, A.H. Ghuznavi and Shaheed Suhrawardy accepted the proposals, on the advice of the Aga Khan, to put an end to the communal troubles. But later on when some Hindu leaders backed out of the agreement, the proposals fell through. This attitude of

the Hindu leaders discouraged A.H. Ghuznavi for the time being but he did not lose heart, because these proposals still enjoyed the support of important leaders of both communities. Hence A.H. Ghuznavi continued his efforts to come to an agreement with the Hindus. In August, 1936, when the Maharaja of Burdwan broached with him the subject of Hindu-Muslim settlement, the matter was already 'uppermost' in A.H. Ghuznavi's mind and he had touched upon it in his presidential address at a pro-Award Muslim demonstration in the Calcutta Town Hall on 2 August, 1936.²⁸ He also got 'considerable' encouragement in this connection from Zetland, the Secretary of State.²⁹ Thus, A.H. Ghuznavi spoke to the Maharaja of Burdwan about the infructuous proposal of 1933 and inquired whether anything on the same lines was feasible and acceptable to him and his friends. As the Maharaja and his friends took a favourable view of the proposal (September 1936)³⁰ A.H. Ghuznavi proceeded to consult the Aga Khan in London, who accepted the proposal observing that "proposed settlement with the Hindus would be excellent if possible and if acceptable" to the leaders of both the parties.³¹ According to A.H. Ghuznavi, the proposals got the support of "most of the other All-India Muslim leaders," as well.³² Then A.H. Ghuznavi through a letter put forward the terms of the proposed agreement to the Maharaja on 17 December, 1936. The Maharaja put up the matter before the Negotiation Sub-Committee of the Bengal Anti-Communal Award Committee of which he happened to be the President, in the evening of the same day. The Sub-Committee, which was vested with plenary powers by the parent body in the matter, unanimously accepted the proposals as the basis of a complete Hindu-Muslim settlement in Bengal in the near future.³³ While conveying to A.H. Ghuznavi, the acceptance of the proposal, the Maharaja observed that there would be no need in future for "militant public agitation either against or in support of the Communal Award".³⁴ Such assurance was given by the Maharaja in response to a warning put forward by A.H. Ghuznavi to the effect that, continuation of agitation against the Award would mean termination of the pact.³⁵

The Ghuznavi-Burdwan Pact brought in its

wake a mixed response from the Hindu, Muslim and British leaders. Famous Hindu poet Rabindranath Tagore, on 8 January, 1937, welcomed the agreement as a means to ease the communal situation which was everyday becoming 'ugly and painful.' He, however, left the matter of acceptance or rejection to the 'leaders of the people'. Sir Brojendra Lal Mitter, Executive Councillor, in an interview to the Associated Press, on 8 January, 1937, termed the pact as 'a good Omen'. He was of the opinion that the agreement would lead to an early rapprochement between the two communities.³⁶ Similarly, the Anti-Communal Award Committee in a statement on the agreement hoped a complete Communal solution in the near future through extension of its principle from the executive to the legislature.³⁷

In sharp contrast to this, the Bengal Provincial Hindu Mahasabha strongly opposed the settlement, and in a meeting of its Executive Committee passed a resolution rejecting all those arrangements which would keep the Communal Award intact. The Mahasabha thought that the Pact "was a clever attempt on the part of the Muslims to facilitate the way for the perpetuation of the Award by stifling agitation against the Award for revision."³⁸

Dr. B.C. Roy, a prominent Congress leader of Bengal, welcomed the Pact in the following words: "It is clear that the solution suggested in the correspondence which has been published, if accepted by the parties concerned, will be acceptable to Congressmen in general."³⁹ In a statement to the Associated Press, T.C. Goswami, the working Secretary of the Bengal Anti-Communal Committee and a prominent Congressman who later became the Deputy Leader of the Congress Assembly Party in Bengal, said: "the Ghuznavi-Burdwan proposal for the Communal settlement is in conformity with the Congress attitude. Let us hope that they will be beginning their earnest efforts to arrive at a complete settlement."⁴⁰

But practically the Pact was not acceptable to the Congress, whose President Jawaharlal Nehru rejected it as it retained the Communal Award and the separate electorates. In a speech at Ambala, on 16 January, 1937, he termed the opposition by the Hindus to the Communal Award as

"merely a fight for spoils".⁴¹ He further said: "It appears that the only aim of the opponents of the Award is to get ministership and government jobs and they are prepared to sell their community for their own petty interests".⁴² Giving reasons for his condemnation, Pandit Nehru said: "Communal Award which has been condemned as most undemocratic and anti-national will remain and so will remain the separate electorates and the percentage of seats allotted to the respective communities".⁴³ He mainly remained critical of retention of the separate electorates for ten years.⁴⁴ Probably more definite reason for his criticism was his notion that "the Congress alone could speak on behalf of masses of the country".⁴⁵

The Muslim reaction to the pact was mixed. Sir Shafaat Ahmad Khan, who was a member of the Round Table Conference, expressed the hope that the pact would usher in a new era in the relations between the two communities in Bengal. His support was based on his view that "the new constitution would never be a reality until these two major provinces⁴⁶ started on an even keel and built up the foundation of permanent peace on the firm grounds of communal concord and harmony".⁴⁷ He recalled some acute phases of this controversy which occupied several critical weeks in London and during which Bengal was always a 'stumbling block'. In his opinion, the pact was an eminently 'sensible and practical' document and the authors deserved congratulations on their statesmanlike proposals.⁴⁸ Sir Wazir Hasan, who was the president of Muslim League's Annual Session, held in Bombay, in 1936, said: "the Bengal Pact does not in any way solve the communal problem, but, if it eases the communal tension, it should be welcomed by every thinking Indian".⁴⁹ He was of the opinion that such a pact would not be fruitful if it did not have the support of the Congress party in Bengal and the influential Muslims leaders of the province.⁵⁰ Similarly, Maulana Shaukat Ali did not think it proper in principle that an All-India question like the Communal Award should be treated separately by the provinces.⁵¹

Quaid-i-Azam Muhammad Ali Jinnah, the President of the All-India Muslim League, pointed out that such a proposal was dismissed after the

Second Round Table Conference. He had declared that "I have never been consulted with regard to the proposals."⁵² He, however, opined that "it will be for the Council of the Muslim League to consider and decide one way or the other. But I must say those two gentlemen have proceeded in their individual capacity and, therefore, they have adopted a wrong procedure".⁵³

On the contrary, Sir Sikandar Hayat Khan, leader of the Unionist Party of the Punjab, immediately welcomed the pact and observed. "This is a good augury for the inauguration of the reforms and I earnestly hope that the settlement will be a lasting one". He also hoped "other provinces would benefit from the lead given by Bengal." He also said later on at Hoshiarpur on 12 January, 1937, that he would welcome "such a proposal" for the Punjab as well.⁵⁴ But the proposal was not accepted by the Hindu leaders of the province, Raja Nerendra Nath, the leader of the Nationalist Progressive Party, of the Punjab, in a statement issued a few days after the Ghuznavi-Burdwan Pact, said: "We do not accept the communal decision and have not, like the Hindus of Bengal agreed to give up all agitation against it".⁵⁵ This attitude of the Hindus was severely criticized by Mian Ahmad Yar Khan Daultana, the Chief Secretary of the Unionist Party of the Punjab, through an article published in the *Civil & Military Gazette*, of Lahore. He also emphasized the need for such a pact in the Punjab.⁵⁶

Despite the fact that A.H. Ghuznavi got considerable encouragement⁵⁷ from Lord Zetland in initiating such a settlement but ultimately the British Government lost interest in the pact. The Secretary of State Zetland, did not agree to tie the hands of the Governor by the agreement with regard to the appointment of the ministers.⁵⁸ He was also not ready to come to a conclusion until the result of the provincial elections was known.⁵⁹ However, the more definite reason for the rejection of the pact by the British Government was the general rejection of the pact by leaders of both the communities. The Governor of Bengal through a telegram informed the Secretary of State that the pact was not favourable as a whole. He pointed out, that, "Chief Hindu criticism is that they leave Communal Award untouched. Some individuals

welcome them but others regard as mere distribution of offices and Ministry. Some Muhammadan opinion protests against surrender of better opportunities."⁶⁰ The Governor of Bengal, also strongly advised the Viceroy not to receive⁶¹ A. H. Ghuznavi to discuss the pact, and suggested to the Viceroy to suspend the judgement till the formation of a new government.⁶²

A.H. Ghuznavi, however, continued to be much enthusiastic about the future of the pact. He claimed that there was a large volume of support behind the pact and every thinking citizen in Bengal "unconsciously if not consciously" was adopting his scheme in one form or another.⁶³ He continued his efforts to implement the pact and wrote a long letter to the Governor of Bengal, suggesting to him a possible way of forming a stable government in Bengal. He once again argued the relevance of his pact in the prevalent situation emerging as a result of the elections. He observed that every day he found a welcome change in the attitude of those who had started with an 'animus' against the pact.⁶⁴ In another letter to Zetland on 8 February, 1937, A.H. Ghuznavi after assessing the election results suggested: "Under the circumstances a coalition ministry of Hindus and Moslems alone can be stable; and Hindu-Muslim settlement proposed by me can remove the difficulties in the way".⁶⁵ However, his proposals were not acceptable to the British Government as they come to the conclusion, from the election results, that "the 'fifty-fifty' group"⁶⁶ ... have been heavily defeated They have turned out rather a damp squib".⁶⁷

On the question of communal representation in the proposed Ministry of Bengal, A.K. Fazlul Huq was not initially ready to give the Hindus more than 6:4 share. He deemed it needless to go out of the way to increase the size of the Cabinet to placate a section of the people who in his opinion, wanted all the advantages for themselves without coming forward to share with them the difficulties of the task before them.⁶⁸ He, ultimately, formed an eleven member Cabinet which consisted of five Hindus and five Muslims besides the Chief-Minister.⁶⁹ Similarly, in the case of appointments to the Government services, practically the Ghuznavi-Burdwan Pact was followed without

any reference to it.⁷⁰

As an aftermath of the Ghuznavi-Burdwan Pact the activities of the Anti-Communal Award Committee of Bengal came to an end and that seemed to be one of the main objectives of Lord Zetland who took some sort of interest in the pact.⁷¹ In Bengal the Anti-Communal Award Committee practically ceased to exist after 1937. The Hindu Mahasabha, however, in its Annual Sessions continued passing strong worded resolutions against the Award till 1940, through it had no practical impact on the masses.

REFERENCES

1. The principles of representation and election in India were introduced through the Indian Councils Act of 1892. Later on the Indian Council's Act of 1909, which is commonly known as Morley-Minto Reforms, established separate electorates for the Muslims of India. Hindu reaction to this decision remained bitter and they continued to oppose the Muslim demands from almost every forum. On the other hand, the Muslim League, the representative body of the Muslims of India, tried its best to resist this pressure. Consequently, the dispute continued and the two major communities of India could not settle their differences. The Round Table Conference was called to resolve those issues which hindered constitutional advancement in India.
2. Three sessions of the Round Table Conference were held. The first from 12 November, 1930, to 19 January, 1931, the second from 7 September to 1 December, 1931, and the third from 17 November to 24 December, 1932.
3. During the Conference the Muslim members worked as a team while the Hindus were "hopelessly divided". See *Indian Annual Register*, Vol. I, Calcutta, 1933, p. 61.
4. Ishtiaq Husain Qureshi, *The Struggle for Pakistan*, Karachi, 1974, p. 59.
5. The Hindu leaders had complete faith in Ramsay MacDonald, because in the past on many occasions he had shown his love to the Hindus. The Hindus even used to say that in his previous birth Ramsay MacDonald was a Hindu and then his name was 'Ramjee Mukandalal' — as in the beginning of the Second World War, Churchill, all of a sudden discovered that President Roosevelt of the U.S.A. was his cousin. See Muhammad Wali Ullah, *Amader Mukti Shongram*, Dhaka, 1953, pp. 312-15.
6. During the meeting of the Minorities Committee on 13 November, 1932, Sir Chimanlal Setalvad suggested that the Premier should assume the responsibility for giving decisions on the communal issue and everyone should accept them. The Premier, who was the Chairman of the Committee, asked every member of the Committee to request him in writing. The next day Pandit Malaviya wrote to the Premier along with the signatures of Maharaja of Darbhanga, Mrs. Naidu, Raja Narendranath, S.K. Datta, M.R. Jayaker, B.S. Moonje, G.D. Birla, A. Rangaswami Iyengar and Barooah. Tej Bahadur Sapru also wrote to the Premier supporting the request. Another group consisting of Sastri, Chimanlal Setalvad, A.P. Patro, N.M. Joshi, Padamji Ginwala, Phiroze Sethna, Cowasjee Jehangir, Ramchandra Rao, Shiva Rao and Diwan Bahadur A. Ramaswami Mudaliar also made the same request to the Premier. All of them were ready to accept any decision given by the Premier on the communal question. M.K. Gandhi, who was also a member of the Committee, however, refrained from signing any of those letters. He instead wrote another letter to the Premier in which he said, "his non-signature of Pandit Malaviya's letter did not mean that the Congress had indicated that it would not approve of any solution acceptable to the three parties concerned, Hindus, Moslems and Sikhs". For further details, see the note on Communal Award issued on 30 October, 1934, by the Director of Public Information, Government of India, in *Indian Annual Register*, Vol. II, 1937, pp. 301-302. Pandit Madan Mohan Malaviya himself later on confirmed that they made a request to Ramsay MacDonald to arbitrate on the question. See his address to the All-India Anti-Communal Award Conference, held at Bombay, on 25 October, 1934, in *ibid.*, p. 300.
7. In the beginning majority of the Muslim delegates were not ready to accept Ramsay MacDonald as arbitrator but finally in a private meeting the Aga Khan prevailed upon them to do so. For details, see Muhammad Wali Ullah, *op.cit.*, pp. 312-15. Also see *Indian Annual Register*, Vol. II, 1937, pp. 301-302.
8. I.H. Qureshi, *op.cit.*, pp. 62-63.
9. *Indian Annual Register*, Vol. I, 1933, p. 420.
10. *Ibid.*, Vol. II, 1933, p. 16.
11. *Ibid.*, p. 204.
12. In March 1933, the British Government issued a 'White Paper' containing its proposals for constitutional reform in India. A Joint Parliamentary Committee, under the presidentship of Lord Linlithgow, was appointed in the following April to consider the White Paper and make recommendations for a new government structure in India. This Committee deliberated upon the issue for eighteen months and submitted its report in November 1934.
13. *Indian Annual Register*, Vol. II, 1933, p. 210.
14. *Ibid.*, p. 17.
15. *Ibid.*, p. 218.
16. *Ibid.*, p. 214.
17. *Ibid.*, p. 9.
18. *Ibid.*, p. 11.
19. *Ibid.*, pp. 214-15.
20. *Ibid.*, Vol. I, 1937, p. 3.
21. According to the British Government's decision no alteration or modification of the Communal Award was possible without the support of all the affected parties. Hence, the pact attempted to bring about the required consensus. For the decision of the Government, see *Report Joint Committee on Indian Constitutional Reforms, Session 1932-33*, n.p., n.d., p. 66.
22. *Civil & Military Gazette* (hereinafter *C&MG*) Lahore, 8 January, 1937.
23. A.H. Ghuznavi to Raja of Burdwan, 17 December, 1936. For full text of the letter, see *C&MG*, 10 January, 1937.
24. A.H. Ghuznavi to Zetland, 7 January, 1937. See P.N. Chopra, ed., *Towards Freedom 1937-47*, Vol. I, New Delhi, 1985, p. 23.
25. The original proposed was almost the same as the one agreed upon with minor differences in wording in para 1

19. *Ibid.*
20. *Hukumat-i-Ilahiyyah ki Khususiyyat* (Main Features of the Divine State), Delhi, n.d. Also see the treatise titled "The Political theory of Islam," first published in Urdu in October 1939, has now been incorporated into Maududi's *The Islamic Law and Constitution*, Lahore, 1960, pp. 129-62. Also see Z.H. Faruqi, *The Deoband School and the Demand for Pakistan*, Bombay, 1963.
21. *Indian Annual Register*, 1944, Vol. I, pp. 239-40.
22. Liaquat Ali Khan, *op. cit.*
23. Fazlur Rahman, "The Concept of Hadd in Islamic Law," *Islamic Studies*, 4, No. 3 (September 1965), pp. 237-251; Fazlur Rahman, "Implementation of the Islamic Concept of State in the Pakistani Milieu," *Islamic Studies*, 5, No. 4 (December 1966), pp. 319-30; Fazlur Rahman, "The status of women in Islam: A modernist interpretation," *Separate Words: Studies of Purdah in South Asia*, eds. Hanna Papanek and Gail Minault, Delhi, 1982. pp. 285-310.
24. Fazlur Rahman, "The Principles of Shura and the Role of the Ummah in Islam," p. 8
25. Fazlur Rahman, "Concept of Sunnah, Ijtihad and Ijma in the early Period," *Islamic Studies*, Vol. 1, No. 1 (March 1962), pp. 5-21. Also Ahmad Hasan, *The Doctrines of Ijma in Islam*, Islamabad, 1976.
26. *Ibid.*
27. *Ibid.*
28. *Ibid.*
29. Hamid Enayat, *Modern Political Thought*, London, 1982, pp. 53-54.
30. *The Constitution of the Islamic Republic of Pakistan*, 1956, Part III: "Directive Principles of State Policy," and "Islamic Provisions".
31. *Ibid.*
32. *Ibid.*
33. *Ibid.*
34. *Ibid.*
35. *Ibid.*
36. Muhammad Jafar Malik, "Future of Islamic Law in Pakistan Judicial Process," *PLD*, 1968, *Journal*, pp. 127-29.
37. See "Report of the Basic Principles Committee," incorporated into Sayyid Abul Ala Maududi, "The Islamic Law and Constitution," Lahore, 1955.
38. *CAP Debates*, *op. cit.*
39. *Ibid.*
40. *Ibid.*
41. Syed Hossien Nasr, *Traditional Islam in the Modern World*, New York, 1987, p. 126; Hamid Enayat, *op. cit.*
42. Ibn Qayyim, *I'lam al Muwaqi in an Rabb al-'alamen*, Cairo, 1953, Vol. 4, pp. 309-10.
43. Fazlur Rahman, "A Survey of Modernization of Muslim Family Law," *International Journal of Middle Eastern Studies*, II (1980), pp. 451-65; Fazlur Rahman, "Islam in Pakistan," *Journal of South Asian and Middle Eastern Studies*, Vol. 3, No. 4 (1985), pp. 34-61.
44. Mohammad Ayub Khan, *Friends Not Masters: A Political Autobiography*, New York, 1967, pp. 199-203.
45. Fazlur Rahman, "Islamization of Knowledge," *American Journal of Islamic Social Sciences*, No. 5 (1988), pp. 3-11.
46. *Ibid.*, p. 8.
47. *Constitution of the Republic of Pakistan* (as modified upto 9 October, 1962), Part II "Principles of Law Making," Article I.
48. *Ibid.*, Fazlur Rahman, "Islam in Pakistan," *op. cit.*
49. *Ibid.*
50. *Ibid.*
51. *Constitution of the Republic of Pakistan*, *op. cit.*
52. *Ibid.*, also see Fazlur Rahman, "Some Islamic Issues in the Ayyub Khan Era," in Donald P. Little, ed, *Essays on Islamic Civilization*, Leiden, 1976, pp. 204-302; Fazlur Rahman, *Islam and Modernity* and "Islam in Pakistan," *op. cit.*
53. See, e.g., A. Shalaby, *History of Muslim Education*, Beirut, 1954, pp. 125-27; A. S. Tritton, *Material on Muslim Education in the Middle Ages*, London, 1957; B. Dodge, *Muslim Education in Medieval Times*, Washington, 1952.
54. Fazlur Rahman, *Islam and Modernity*, *op. cit.*
55. *Ibid.*
56. Fazlur Rahman, "Islam in Pakistan," *op. cit.*
57. *Ibid.*
58. *Ibid.*
59. Saeed Shafiq, "Politics of Islamization: The Ideological Debate on Pakistan's Political System," *Asian Profile*, Vol. 15, No. 5 (October 1987), pp. 450-52.

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- Bengal Legislative Council to Bengali Muslims and Hindus by the Communal Award to remain, subject to revision at the end of 10 years. See *C&MG*, 10 January, 1937.
26. Among them were: Nawab Sir Mohi-ud-Din Furoqui, Khan Bahadur Aziz-ul-Haque, Sir B.P. Singh Roy, Dr. Naresh Chandra Sen Gupta, Khan Bahadur M. Abdul Momin, Fazlul Hug, Shaheed Suhrawardy, Sir Abdulla Suhrawardy and Moulvi Abdul Kasem. *Ibid.*
 27. A.H. Ghuznavi in his letter to the Raja of Burdwan claimed that the meeting was attended, among others, by Shaheed Suhrawardy and Sir Abdur Rahim. But after the publication of the letter, Sir Abdur Rahim in a statement issued on 11 January, 1937, said, "I have absolutely no recollection of any such meeting and if it is sought to be conveyed that the said proposals met with my approval, it is wholly unfounded". The reason behind this disclaimer might have been his election to the 'Chair of the Indian Legislative Assembly.' In the same statement he himself said, "Since my election to the Chair of the Legislative Assembly, I have made it a rule not to participate in a discussion of any controversial, constitutional or political matter and I refuse to be drawn into any such controversy on the present occasion". See *C&MG*, 12 January, 1937.
 28. *Ibid.*
 29. A.H. Ghuznavi to Zetland, 7 January, 1937. Also see P.N. Chopra, *op. cit.*, p. 23.
 30. Maharaja of Burdwan to A.H. Ghuznavi, 8 September, 1936. See in *ibid.*
 31. Aga Khan to A.H. Ghuznavi (Telegram), 17 October, 1936.
 32. A.H. Ghuznavi to Maharaja of Burdwan, 17 December,

1936. See *C&MG*, 10 January, 1937.
33. Maharaja of Burdwan to A.H. Ghuznavi, 18 December, 1936.
34. *Ibid.*
35. A.H. Ghuznavi to Maharaja of Burdwan, 17 December, 1936.
36. *C&MG*, 9 January, 1937.
37. Quaid-i-Azam Papers, File no. 811, p. 16.
38. *C&MG*, 26 January, 1937.
39. *C&MG*, 10 January, 1937.
40. *Daily Gazette*, Karachi, 10 January, 1937.
41. P.N. Chopra, *op. cit.*, p. 42.
42. *Ibid.*
43. *Ibid.*, Pandit Nehru deprecated the Ghuznavi Burdwan Pact on 17 January, 1937 at Lahore, and said "it still maintained separate electorates". See *C&MG*, 19 January, 1937.
44. He further said in Rawalpindi, on 17 January, 1937, "why was this concession made? The reason was clear. One of the parties had promised to give the other a couple of Ministries in the future government. That was what let the cat out of the bag of the communal leaders." See *C&MG*, 19 January, 1937.
45. *C&MG*, 19 January, 1937.
46. Bengal and the Punjab.
47. *C&MG*, 13 January, 1937.
48. *Ibid.*
49. *C&MG*, 19 January, 1937.
50. *Ibid.*
51. *Ibid.*, 13 January, 1937.
52. Press clipping without date. See Quaid-i-Azam Papers, File No. F-811, p. 16.
53. P.N. Chopra, *op. cit.*, p. 37.
54. *C&MG*, 9 January, 1937.
55. *C&MG*, 10 January, 1937.
56. *C&MG*, 19 January, 1937.
57. A.H. Ghuznavi to Zetland, 7 January, 1937. See in P.N. Chopra, *op. cit.*, p. 23.
58. Zetland to Linlithgow, 18 January, 1937, See *ibid.*, pp. 44-45.
59. Zetland to A.H. Ghuznavi, 22 January, 1937. See *ibid.*, p. 59.
60. The Governor of Bengal to the Secretary of State (Telegram), 17 January, 1937. See in *ibid.*, p. 42.
61. A.H. Ghuznavi, probably in early February, 1937, wanted to meet the Viceroy to explain the position in regard to the Award and his views on the Bengal elections. See Linlithgow to Zetland, 17 February, 1937 in *ibid.*, p. 141.
62. *Ibid.*
63. A.H. Ghuznavi to Zetland, 8 February, 1937, *ibid.*, p. 106.
64. A.H. Ghuznavi to Anderson, 13 February, 1937. See *ibid.*, p. 132.
65. A.H. Ghuznavi to Zetland, 8 February, 1937, *ibid.*, p. 106.
66. The persons who were associated with the Ghuznavi-Burdwan Pact.
67. Anderson to Linlithgow, 8 February, 1937, *ibid.*, p. 108.
68. A.K. Fazlul Huq to the Governor of Bengal, 11 March, 1937, *ibid.*, p. 219.
69. Shila Sen, *Muslims Politics in Bengal, 1937-1947*, New Delhi, 1976, p. 94.
70. The Bengal Legislative Assembly on 25 August, 1938, recommended reservation of 60 per cent of all the Government appointment for the Muslims. However, in 1939 the Ministry decided that in case of new appoint-

- ments fifty per cent posts would be reserved for the Muslims, the ultimate aim of the Minister being to create a parity between Hindus and Muslims. For details, see *ibid.*, pp. 112-13.
71. Zetland, while replying to the letter in which A.H. Ghuznavi informed him regarding the pact, observed, "Much, no doubt, must depend upon the reception which the agreement receives from the two communities; but a great deal will have been gained if the agreement which you have secured serves to allay the acrimonious discussions which have been going on for some time past". See Zetland to A.H. Ghuznavi, 22 January, 1937, in P.N. Chopra, *op. cit.*, p. 59.

JINNAH OF PAKISTAN

Few individuals significantly alter the course of history. Fewer still modify the map of the world. Hardly anyone can be credited with creating a nation-state. Mohammad Ali Jinnah did all three. Hailed as "Great Leader" (Quaid-i-Azam) of Pakistan and its first governor-general, Jinnah virtually conjured that country into statehood by the force of his indomitable will. His place of primacy in Pakistan's history looms like a lofty minaret over the achievements of all his contemporaries in the Muslim League. Yet Jinnah began his political career as a leader of India's National Congress and until after World War I remained India's best "Ambassador of Hindu-Muslim Unity." As enigmatic a figure as Mahatma Gandhi, more powerful than Pandit Nehru, Quaid-i-Azam Jinnah was one of recent history's most charismatic leaders and least known personalities. For more than a quarter century I have been intrigued by the apparent paradox of Jinnah's strange story, which has to date never been told in all the fascinating complexity of its brilliant light and tragic darkness.

Stanley Wolpert