

## The Betrayed Promise [Dawn, 18 June 1995]

Before I recall Mr. Jinnah and the aspirations which inspired the subcontinent's Muslims to seek separate statehood, it is relevant to underline the price nations pay when the values and expectations on which a state is founded are systematically betrayed.

Since Plato's time political theorists have acknowledged the centrality of legitimacy in the consolidation and continuity of states. Legitimacy refers not to the popularity of a government or given institutions thereof; rather it entails the title to authority which a system of power enjoys among citizens. A subjective attribute, legitimacy issues forth largely from objective factors - the values which shape state or government policies, predominance of the rule of law and prevalence of distributive justice in society and, above all, the degree of coincidence between promise and fulfilment in terms of the rights of citizenship. It is for the lack of these attributes that Pakistan has been suffering from a growing crisis of legitimacy. The separation of East Pakistan was but the most dramatic outcome of this crisis. At the heart of this crisis has been our collective failure to resolve the central issue of the nature of the Pakistani state, and the sources of laws which govern it.

During the decade which preceded India's partition politics of the Congress no less than the Muslim League had become greatly laden with the language of religion and communal symbols. Mr. Jinnah too partook of it, most prominently when he enunciated the two-nation theory. Yet, two facts stood out: one was that the Ulema in their overwhelming majority opposed him and he made scant effort to placate them. The other was that he remained uncompromisingly opposed to theocracy. Thus, in the year of communal frenzy, and high point of religious fervour - 1946 he said: "What are we fighting for? What are we aiming at? It is not theocracy, not for a theocratic state. Religion is dear to us. All the worldly goods are nothing when we talk of religion. But there are other things which are very vital- our social life and our economic life, and without political power how can you defend your faith and your economic life." Need I explain the relevance of this passage in these tormented times of blasphemy laws, Hudood and Qisas ordinances, and Shariat Bills?

Jinnah did invoke Islamic ideals often as informing the policies and practices of the state and its governments. Always, this was to emphasise the congruence of democracy, social justice, and rule of law to Islamic values. Thus to the Sibi Darbar in 1948, he said: Let us lay 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 consultations. ♦ And again, ♦Islam and its ideals have taught us democracy. It has taught equality of man, justice and fairplay to every body. In any case Pakistan is not going to be a theocratic state, to be ruled by priests with a divine mission. We have many non-Muslims - Hindus, Christians, and Parsis - but they are all Pakistanis. They will enjoy the same rights and privileges as any other citizens as any other citizens and will play their rightful part in the affairs of Pakistan. ♦

This is a sort of pledge given to all citizens, has been honoured in the breach. In less than three decades we had four ♦minorities', each a little less Pakistani than the so-

called Muslim majority. During this year alone Christian citizens had to take asylums abroad because even after a court had acquitted them of blasphemy charges, their safety was not assured; an Ahmadi was beaten to death inside a government building, and scores languish in prisons without trial. If he were to appear in my dream how shall I convey our shame to the lean old man whose life and work we celebrate year with much fanfare and enthusiasm.

Or hear him on the question of women: ♦It is a crime against humanity that our women are confined within the four walls of their home like prisoners. Women are our companions and you should take them out with you to work shoulder to shoulder in all spheres of life.♦ I have not asked but Professor Zaidi may have been in the audience that day in 1944 when the Quaid spoke thus to students at Aligarh University. Four decades later a dictator promulgated in this country the Zina and Haddood Ordinances. Among their contributions to national progress is that one law provides a licence of sorts to actual and potential rapists, and the other reduces the worth of a woman's witness to half of a man's. So far three elected governments have failed to remove this stain on our society and the state.

Mohammad Ali Jinnah had been anxious from the outset over the persistence of sectarian and exclusionary tendencies in our social and political life. In speech after speech, he warned of their menace to society and beseeched: ♦♦For God's sake give up this provincialism. Provincialism has been one of the great curses, and so is sectarianism, Shia, Sunni, etc♦. You should live, act and think in terms that your country is Pakistan and you are Pakistani.♦ As I read this I wondered if he might have foreseen that the country he founded shall break up from an excess of sectarian practices by those in power, his successors shall engage in creating minorities, upholders of law shall dark, citizen in streets, offices, and mosques, and terrorist factions shall be allies of the state!

Civilizations are built on the rule of law as are states and nations. There is ample evidence that the Quaid-i-Azam did not lose sight of this civic principle even in the darkest hours of 1947. He made no distinction of class, ethnicity and religion when it came to the enforcement of law in defence of people and society. There is a rare note of admiration in Lord Louis Mountbatten's confidential memo of June 24, 1947, to Evan Jenkins: ♦I talked to Jinnah last night and he begged me to be utterly ruthless in suppressing trouble in Lahore and Amritsar. He said ♦I don't care whether you shoot Muslims or not, it has got to be stopped.\*/\*TN/♦ The death count mounts these days in the civil war born of sectarianism, terror and crime. Tragically, politicians and governments are so enmeshed as part of the problem that they can-not be even a small part of the solution.

Who then is responsible? And where do we go from here? Frankly, we have no one to blame but ourselves♦me and you who are in this hall♦members of all of the national intelligentsia. I am tempted one last time to quote Jinnah: ♦Corruption is a curse in India, and amongst the Muslims especially in the so-called educated and intelligentsia.

Unfortunately, it is this class that is selfish, and morally and intellectually corrupt. ♦

This straightforward estimation encapsules our ultimate failure. It has been a failure of conscience not intelligence, of will not comprehension, of courage not imagination. We could read a long length of time the writing on Bengali walls. But we read in selfish silence with an indifference seeped in self-absorption. Acquiescence prevailed as the Pakistani establishment dealt blow after blow at our body politics, made a mockery of citizenship rights, turn murder and mayhem into a mission, and finally surrendered to a conquering adversary. A simple insight is alien to us: that power is prone to excesses, corruption, and miscalculations; that it is moderated only by a dissenting and assertive civil society, and that critical mass is constituted, at all except the revolutionary moment, by the intelligentsia. Inertia is ever immune to experience. So horrors follow upon horror. And so we survey every day the killing fields of Karachi as we did those of Dhaka and Noakhali. This must end. It will not until our complicity comes to an end and our silence is broken.

POSTSCRIPT: Learned people have argued that the roots of the confusion which underlie Pakistan's crisis of ideology and statehood lie in its formative experience. Thus commenting on my last article in this space, Dr Akbar Naqvi, (Dawn, June 15, 1995.

♦Letters To the Editor♦) argues that it is not true that the Muslim masses instinctively chose progress and democracy against theocracy, because the 1946 election, which was a referendum for Pakistan, was won on the cry of Islam in danger. ♦ He writes further on that: ♦The Dilemma of two horns, one represented by the liberal and the other by Ulema was Mr. Jinnah's contribution to Pakistan. He needed it as an ambiguity which served well to make Pakistan a popular cause. ♦ Most historians would regard his argument about the 1946 election as much too moot. After all, the election served to confirm rather than to create broad-based Muslim support for the League. Also, to the best of my knowledge the Quaid never himself used the ♦Islam in danger' slogan. Dr Naqvi's more analytical argument over ♦Mr. Jinnah's contribution♦ is, nevertheless, worthy of reflection and debate which I hope shall be joined by others.

(Note: This is the last of three articles adapted from an address at the launching of Jinnah Papers, edited by Dr Z.H. Zaidi)