

he informed me that his concern was thinking of investing in Pakistan a large amount of capital but only if the judiciary of Pakistan will retain its present form and powers and judicial power will not pass on to the *Qazis*. I told him that he knew nothing about the *Qazis* of Islam who were specimens of fearlessness, independence, and integrity, but that if he wanted further assurance, I asked him to read this speech of the Quaid-i Azam. Lever Brothers now are one of the leading industrialists of Pakistan.

It is quite clear from this speech that the Quaid spoke with conviction and from his heart. The speech was loudly and repeatedly cheered during its delivery. There is a tendency to suppress or ignore this historic statement, and seven years later it was described before me as an inspiration by the devil. But twist it how you will, suppress or ignore it as you like, future historians will not omit to notice it or to explain its true purport. The question, however, still remains whether this speech was a *volte face* or a contradiction of his two-nation theory which was the main plank in the demand for Pakistan or whether that theory was just a convenient, expedient and temporary means for the attainment of a homeland for the Muslim majority regions. By taking that view we will be attributing hypocrisy, insincerity and dishonesty to the Father of Pakistan and I cannot possibly conceive of any such thing. He was a man of scrupulous honour and mental integrity. He was not thoroughly conversant with the intricacies of Islamic doctrines, but he was fully aware of the broad principles of Islam—Islamic democracy, equality, tolerance, freedom of religion subject to law and conscience, justice between man and man, particularly social justice. More than once he had said that these concepts were not borrowed from the West but had been revealed some fourteen hundred years earlier in a Divine message to the Holy Prophet and were actually practised during the first half

was unavoidable. . . . If you will work in co-operation, forgetting the past, burying the hatchet, you are bound to succeed. If you change your past and work together in a spirit that every one of you, no matter to what community he belongs, no matter what relations he had with you in the past, no matter what is his colour, caste, or creed, is first, second and last a citizen of this State with equal rights, privileges and obligations, there will be no end to the progress you will make.

“I cannot emphasise it too much. We should begin to work in that spirit and in course of time all these angularities of the majority and minority communities, the Hindu community and the Muslim community . . . will vanish. Indeed if you ask me this has been the biggest hindrance in the way of India to attain the freedom and independence and but for this we would have been free peoples long ago. . . . You are free; you are free to go to your temples, you are free to go to your mosques or to any other places of worship in this State of Pakistan. You may belong to any religion or caste or creed—that has nothing to do with the business of the State. . . . We are starting in the days when there is no discrimination, no distinction between one community and another, no discrimination between one caste or creed and another. We are starting with this fundamental principle that we are all citizens and equal citizens of one State. . . .

“Now, I think we should keep that in front of us as our ideal and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in the religious sense, because that is the personal faith of each individual, but in the political sense as citizens of the State.”*

The word “nation” is used in this speech more than once—even with reference to the four hundred millions in subjection in India. The speech was intended to allay the fears of minorities. That such fears did exist will appear from an incident I may mention. A representative of Lever Brothers asked interview with me and I wondered what business an industrialist could have with a judge. During the interview he told me that he had come to me to ask only one question. I asked him what that question was and

*Jamil-ud-Din Ahmad, Ed., *Speeches and Writings of Mr. Jinnah* (Lahore; Sh. Muhammad Ashraf, 1968), II, 402-04.

to win freedom from the British. And as a necessary condition to such unity he was all along demanding and enumerating some safeguards for the Muslims. But when during discussion of the Nehru Report the Congress rode roughshod over all the amendments proposed in the Muslim interests and he realised for the Muslims full implications of the Constitution that was recommended in that Report and adopted by the Congress, he realised the danger that lay ahead of the Muslims. Disappointed at this turn of events, and realising his inability to avert the danger, he left for England where he spent some years in disappointment and disillusionment. When he was requested to return to India by Liaquat Ali Khan and his wife and after pondering over the situation for long he returned to India in 1935, he was a changed man, and, as already stated, he parted company with the Congress and became a skilful advocate of the two-nation theory and a separate homeland for the Muslims of India.

But to some, the most puzzling enigma that has presented itself and left them guessing is his speech as President of the Constituent Assembly on 11 August 1947, just three days before Pakistan came into being. This was a considered speech and undoubtedly was in the nature of an announcement to his countrymen and the world what the future constitution of Pakistan would be. Two or three facts have to be mentioned before I read portions of that speech so as to enable you to comprehend its full implications. The Boundary Award had not yet been announced, not even signed. The indiscriminate killings, except those of Rawalpindi and Calcutta, had not yet commenced, nor the vast cross-migration of six to eight million people. He expected that a substantial number of minorities will remain citizens of Pakistan. Now I reproduce the important portions of that speech. He said:

“All the same, in this division it was impossible to avoid the question of minorities being in one Dominion or the other. Now that

uncompromising. Of course, he never yielded on a matter of principle. He always referred political issues to the Working Committee, but his own opinion prevailed because his colleagues in the Committee considered it to be sound or expedient in the circumstances. He was not a weather-cock changing his policy to suit the changing wind. He was a man of scrupulous honour and even his enemies never accused him of hypocrisy, selfishness or corruption. No price could buy him and no allurements could swerve him from the straight path, or make him yield an inch from his ideal. He was a prodigious worker in the profession and when he took to politics he engrossed himself in this activity as much as he had done in his profession. He was at the zenith of his reputation when he left that highly lucrative profession. He then indulged himself in an activity to do something for the country and later for the new nation he was creating, without the least desire for personal aggrandizement. And when the new dominion came into existence and he became its Governor-General, he gained nothing for himself but an accelerated end. One person can replace another, but in his struggle for Pakistan he was just irreplaceable and but for him there would have been no Pakistan.

Contemporary chroniclers describe the Quaid-i Azam as the most enigmatic and the most important personality of the period. Lord Mountbatten also noticed this enigmatic aspect of his personality when after an interview with him he wrote to the Secretary of State: "What are you to do with a man who says he sees your point, but does not agree with you?" The enigma that the historians refer to is how and why this ardent advocate of Hindu-Muslim unity and an enthusiastic nationalist was converted to the idea of a separate Muslim nation and clung to it to the end. The explanation is not far to seek. He advocated Hindu-Muslim unity because it appeared to him at that time a *sine qua non*

remarked to the Quaid-i Azam that his presence had saved his life. "No," replied the Quaid-i Azam, "it is I who saved your life." Such determination and fearlessness is a very rare trait in a human being.

To sum up. By all standards the Quaid-i Azam was a great man, the only other man in Indian history approaching or equalling his greatness being his Hindu opponent, Mohandas Karamchand Gandhi. He was the sole author of a unique event in history. He was the father of Pakistani Nation, the creator of the largest Muslim and fifth greatest country in the world. He himself was the product of historical forces that had been operating since long before him, but this does not detract from his role of the hero of the last decade of the drama of Independence. He was destined by history to fight against great odds and the strongest forces that had gathered against him. His opponents were the greatest Hindu leaders, the strongest political organisation, the representatives and plenipotentiary of the British Government ruling over the mightiest empire in the world and a powerful party and other smaller sections of his own community. And he fought single-handed, the galvanised Muslim masses that followed him being his own creation. He has been dubbed by his opponents as naughty, conceited, cold, frigid, and even as a dictator. All these epithets fit him in a sense because by his example, sincerity, selflessness, strength of his convictions, he had become the unchallenged leader of his community which blindly followed him and this had created in him a confidence which enabled him to speak boldly on their behalf, and he was fully conscious of the position. And by reason of his intellectual superiority, unerring judgment and political acumen, he was just incomparable to his lieutenants and followers. He thus stood aloof, walked alone and carried his secrets with himself. This does not mean that he did not listen to others, did not understand others' views and was always

summer of 1946 he had to tell him that the hectic life that he was leading will give him no more than eighteen months. But during this period ceaseless work, travel and thinking over problems with which hardly any man has ever been faced, rest and relaxation were an impossibility. Even during his last days when he was resting at Ziarat, official papers used to reach him for advice or decision.

Mr Ghulam Muhammad was fully aware of the condition of his health. A State secret which was known only to Ghulam Muhammad was communicated to me in my official capacity—I was then on the Pay Commission—but I am precluded by law and public interest to disclose it. If disclosed to the Quaid-i Azam, it would have caused him acute anxiety and adversely affected his health. Mr Ghulam Muhammad, therefore, kept that secret to himself and managed things in his own way and did not mention it to the Quaid-i Azam.

Another thing which must have weighed on his mind was the indiscriminate massacre in the Punjab and the displacement of some six to eight million people. I have already mentioned the talk I had with him about the Rawalpindi happenings of March 1947 and the confidence with which he thought he would be able to manage things.

A conspiracy among the members of the R.S.S., an organisation whose members later assassinated Mr Gandhi, had been communicated to the Quaid-i Azam by the Intelligence Department. The plan was that a bomb should be thrown on the carriage in which he was to drive with Lord Mountbatten through the streets of Karachi on 14 August 1947, and it was suggested that the procession should be cancelled. "I am not afraid," said the Quaid-i Azam, "and no one dare throw a bomb on me. The programme for the procession will stand." The procession, therefore, moved as arranged through the main streets of Karachi and when it ended at the Government House, Lord Mountbatten

by Mr Gandhi and Mr Nehru, the League had withdrawn its acceptance of the scheme. Lord Wavell was replaced by Lord Mountbatten who in his powers differed entirely from all other Viceroys. He arrived in India in March and brought with him the powers of a plenipotentiary of the British Government. Though a sailor, Lord Mountbatten was a shrewd and intelligent man, with an uncontrolled passion for speed and obsessed with the idea of carving for himself a niche in history. As in his several interviews with Lord Mountbatten Mr Jinnah did not yield an inch of his ground and insisted on separation and the establishment of a sovereign Muslim State having nothing to do with India, Lord Mountbatten had no option but to recommend partition. On this recommendation was passed the Indian Independence Act, establishing two independent dominions. This was a unique event in history which led to the then largest Muslim and fifth largest State in the world. The author of this event was the Quaid-i Azam.

Judged by all standards, the Quaid-i Azam was a great man. The first trait that one notices in his character is his devotion to the cause and spirit of self-sacrifice. In his speech at the Chowburji Gardens before an unprecedented audience, I heard him say that the love and pursuit of an ideal sometimes calls for a supreme sacrifice. And those who know the facts are convinced that he sacrificed his life for Pakistan. One can hardly imagine the strain, stress, anxiety and worry through which he had to pass through the last eleven years of his life. He was suffering from a disease whose treatment requires complete rest and relaxation, and where such freedom from worry and anxiety is not available and there is no time for rest and relaxation, no drug can cure the disease which ultimately takes the life of the patient. It has been disclosed in a recent publication that his physician, Dr Patel, was advising him rest and to avoid stress and strain. In the

were essential parts of the scheme. The Muslim League was the first to accept the scheme because it saw in it the embryo of a Pakistan and meanwhile expected peace and tranquillity to prevail in the country. Later, the Congress also accepted it, but as to the Constituent Assembly's powers both Mr Gandhi and Mr Nehru asserted that being a sovereign body it was not bound by the grouping provisions or separate electorates or the provinces' option to opt out. The Quaid-i Azam read the real intentions of these Congress representatives and saw through the whole game. Thus interpreted, the scheme could be made to destroy even the embryo of a Pakistan. There could be no separation of any section or provinces from the Federation, not even the Muslim majority provinces. There was also a long-drawn correspondence and controversy over the members to be nominated by the Congress or the Muslim League, the Quaid-i Azam maintaining that no Muslim members could be included in the Congress quota and the Congress insisting on its right to include anyone in its quota, Muslim or non-Muslim. Subjects of mutual or common interests could mean subjects like Defence, Foreign Policy, Communications, Commerce, etc., which are the life-blood of an independent State, and these could be retained for the centre by a Hindu-dominated Constituent Assembly, thus negating the whole idea of a sovereign, independent Pakistan. The interpretation put upon the scheme by the Muslim League was accepted both by the British Government and Lord Wavell, who said that the words of the scheme meant what they said. Mr Nehru said in reply that Lord Wavell did not know law and needed the advice of a lawyer. As the Congress felt that with Lord Wavell as Viceroy it could not have its own way, its members manoeuvred in England with their English friends and had Lord Wavell recalled before the expiry of his term. The result was a fiasco because on the statements

Muslim nationalists who were opposed to Pakistan idea could be taken. To this the Quaid-i Azam was strongly opposed, because an attempt to include a nationalist Muslim could weaken and create a rift in the Muslim community. In the long-drawn struggle over this issue, the Quaid won his point and no Interim Government was formed during Lord Wavell's time. From his experience of the Congress ministries in seven out of eleven provinces the Quaid could see that a ministry dominated by the Congress would damage Muslim interests. He, therefore, insisted that the division should take place before power was transferred by the British. That his fears were justified was proved by the dispute over the Cabinet Mission's Scheme. That Scheme which had the approval of the British Government was announced on 16 May 1946. It rejected Pakistan as an unreality and proposed a federation with three sub-federations, often referred to as groups or sections. The federal constitution was to be framed by a Constituent Assembly which was composed of three sections : Section A (general) was to consist of members elected on population basis from the non-Muslim majority area, Section B of members similarly elected from the Muslim majority areas and Section C of members elected from Bengal and Assam. The constitution for each sub-federation was to be made by the members of each section ; each member of the section was also free to make a constitution for itself. After the first general elections were held under such constitution, each member of the section or the section as a whole could opt out of the new constitution. An Interim Government with Congress and Muslim League members was to be set up at the centre immediately. Communal issues were to be decided by three-fourth majority of the Constituent Assembly and the same majority of the section concerned.

Grouping and the option of the provinces to opt out

he scored the ultimate victory.

While in the 1934-35 elections to the Central Legislative Assembly, the League's success was patchy, and that of Congress decisive, in the last elections held under the Government of India Act, 1935, preceding the partition, the Muslim League had swept the polls and it was from this legislature that the Constituent Assembly was formed. Mr Jinnah's two-nation theory received recognition, not only by men like Rajagopalacharia and Gandhi, but also by the British.

There are some broad aspects of and central points in the history of this decade. The Second World War began and ended during this period. The Japanese struck at Pearl Harbour on 7 December 1941. On 15 February fell Singapore and on 7 March Rangoon. The Japanese pushed their way to Imphal and India was exposed to a Japanese invasion. Indian National Army began to operate for the freedom of India. Though the Allies came out victorious and both Japan and Germany were humbled, Britain could no longer manage her mighty empire and she came out of this conflict a crippled nation and felt that she could hold India no longer. During the war Britain was anxious to secure cooperation of India in the war effort and for this purpose she decided to wash her hands of India after the war without leaving chaos and disorder behind her. Therefore an Interim Government was proposed to be formed in which both communities of India could join and assist her in the war effort. The Congress policy was that power should be immediately transferred to Indian hands, which meant Congress hands. The dispute between the Congress and the Muslim League was that, whereas according to the League in the Interim Government only non-Muslim representatives of Congress and members of the Muslim League should be taken, the Congress stuck to the view that it was free to make its own nominations in which

fox and there is no doubt that the Quaid-i Azam neither trusted the Congress nor Mr Gandhi who, as it suited him, led Congress by the nose. The condition in the Formula that division would take place after the British had transferred power was opposed to the Quaid-i Azam's basic demand "Divide and Quit". Once power had been transferred, there was no knowing whether the Congress or Mr Gandhi would agree to the partition. Secondly, "subjects of common interest" was an expression which could be interpreted in a variety of ways : Defence, Communications and Commerce are the life-blood of an independent country and in this expression there was an implicit denial of a separate sovereign State round which the whole struggle raged. Instead of a viable Pakistan, the Muslim League in the end could only get the husk of a Pakistan, a maimed, mutilated and truncated Pakistan. The Quaid-i Azam, therefore, came out of an alluring trap. During this period he had to fight with the greatest personalities of his time and his bitterest enemies, and, though he had the Muslim masses with him and some lieutenants, he had to fight single-handed because none of his lieutenants even approached his intellectual level, farsightedness, political sagacity and determination. Mr Gandhi was at the height of his power at this time ; the Congress was the most well-organised political party with intellectuals like Pandit Nehru, Rajagopalacharia, Patel, Menon and Azad ; the R.S.S. and Mahasabha were his bitterest foes ; intellectuals of the Cabinet Mission, particularly Stafford Cripps, and, above all, Lord Mountbatten who had the power to give or withhold power or impose conditions had no sympathy with him. None of them, except perhaps Lord Wavell, had any regard for Mr Jinnah or his idea of Pakistan. Even several sections of the Muslims, particularly in the Punjab, were against him, so he had to fight on all fronts and it was due to the sincerity and determination of his purpose that

join a provisional national government. After the War a commission was to demarcate those contiguous districts in north-west and north-east India where the Muslims were in a majority and in those areas there was to be a plebiscite for or against separation from Hindustan. In the event of partition, a mutual agreement would be entered into for essential common purposes such as Defence, Communications and Commerce. These terms were to be binding only if Britain finally transferred her power. Mr Jinnah, without committing himself, agreed to place the scheme before the Working Committee. This Formula had been prepared with the consent of Mr Gandhi. The League authorised Mr Jinnah to negotiate. Mr Gandhi also expressed his willingness to have personal talks with Mr Jinnah. Subsequently talks were held at the residence of Mr Jinnah between him and Mr Gandhi for several days and a general hope arose that they would come to some understanding, but nothing came out of these talks and Lord Wavell remarked that, though the two mountains met, not even the semblance of a ridiculous rat came out. The two crucial issues discussed in these talks were (1) the time of division, Mr Gandhi sticking to the point that partition will take place after the transfer of power ; and (2) the list of subjects to be reserved for the centre. On the surface the Formula appeared to be reasonable and worth discussing. In demarcating Muslim majority districts, not areas, a term which enabled Radcliffe to divide villages and houses, it recognised the need for partition and Pakistan; it proposed the formation of a provisional national government and it was prepared with the consent of Mr Gandhi. But the Quaid-i Azam at once realised the implications of the Formula. Though personally I have deep admiration for Mr Gandhi's spiritual strength and sincerity for the unity of different religious communities, in politics he was perhaps the shrewdest of men. The naked *Faqir* was considered by some as a wily

had in view as ultimate destiny a self-governing State for the Muslims of N.W.F.P., the Punjab, Sind and Baluchistan, but in that speech he had also referred to a federation with specified powers, residuary powers vesting in the provinces. He had not spoken specifically of separation and partition or the two-nation theory, and the Cambridge students had taken that speech as referring to a federation. However, it is difficult to gather from that speech whether Dr Iqbal was thinking of a federation of the four provinces or of these provinces having large residuary powers in a federation of India. The credit of giving to the events the shape they took and resulted in the creation of a sovereign Muslim State comprising the Muslim majority regions of north-west and north-east India goes entirely to the Quaid-i Azam and to him alone. By the untiring effort of the Quaid-i Azam and his relentless pursuit of the theory of two-nations, the Muslim League began to gain more and more popularity until in 1940 the idea of one or two sovereign Muslim States in the north-west and north-east of India assumed a definite shape and in 1947 resulted in the creation of Pakistan.

The most hectic period of the Quaid-i Azam's life was from 1937 to 1947—the decade preceding the establishment of Pakistan. This was the period of the behaviour of the Congress ministries in several provinces, the Pakistan Resolution of 1940, Rajagopalacharia Formula, personal talks between Mr Gandhi and Mr Jinnah, Cripps' offer, Cabinet Mission's Scheme, discussions for the formation of an Interim Government, the Simla Conferences, the Quit-India campaign, salt march to the sea, no-tax campaign, civil disobedience movement and Gandhi's fast.

The actual admission of an inchoate Pakistan is to be found in Mr Rajagopalacharia's Formula of 1944. According to this Formula, the Muslim League was to cooperate with the Congress in working for independence and to

to a nullity or abject submission even those provinces where the Muslims were in a majority. With the Congress obduracy, all hope of Hindu-Muslim unity, for which he had laboured for long years, had vanished.

A year and a half after his return to India, and with the experience of Congress ministries in seven out of eleven provinces under the Government of India Act, 1935, in the course of a speech at Lucknow he referred to the Muslims of India as a separate Muslim nation. This speech was declared by Mr Gandhi as a declaration of war. The differences between Hindus and Muslims of the subcontinent—differences in religion, culture and social systems—were noticed for the first time not only by the Quaid-i Azam; centuries earlier al-Biruni had described them at length and stated that there was nothing common between the two communities. Muslim rulers always took cognizance of them. Akbar felt them acutely and made an unsuccessful attempt to tide over them. During the British *raj*, Syed Ahmad Khan realised their consequences if the Hindu majority retained power at the centre where the Muslims would always be a voiceless minority. The word "Pakistan" had first been coined in 1933 by a few students of Cambridge and Chaudhri Rahmat Ali who described the Muslims a distinct nation and claimed for the Punjab, Afghanistan, Kashmir and Baluchistan an independent State. They said nothing about the Muslim majority in the north-east of India and took Kashmir and Afghanistan's amalgamation as granted. This was at a time when at a Round Table Conference in London attended by a delegation of the Muslim League and Muslim Conference, the scheme of a federation was being discussed, but the representative character of these bodies was denied in the leaflet relating to Pakistan circulated by this group of students. The great Muslim seer Dr Muhammad Iqbal, in his presidential address to the Muslim League in 1930,

Fourteen Points, demanding the Congress to agree to (1) Federal Government with specific powers, the rest of the powers vesting in the provinces, (2) separate electorates, (3) communal issues to be decided by three-fourth majority. These demands were endorsed by the Muslim League session at Delhi presided over by The Aga Khan. The reaction of the Congress to these was sharp and hostile and since Mr Jinnah never gave up a point in which he believed, this was the parting of ways and the rift between the Congress and the League widened.

Mr Jinnah went to England for the First and the Second Round Table Conference and after the Conference ended decided to stay there—a frustrated and disillusioned man. He was convinced that any further effort to save the Muslims from the domination of the Hindu majority was infructuous. The League had not acquired a general popularity and was being opposed, not only by the Congress, but also by various sections of the Muslims. In the Punjab, a major province, the Unionist Party, founded by Sir Fazl-i Hussain in 1924, was in power, had an alliance with non-Muslims and was opposed to the League. Bengal was secretly thinking of independence. In these circumstances he felt that he could neither change the Hindu mentality nor convert to the League's view the flunkeys of the British and the Muslim stooges of the Congress who called themselves nationalists. There were other Muslim groups who were against Mr Jinnah and the League. He was in this mood of despair when Khan and Begam Liaquat Ali Khan visited him in England and attempted to persuade him to return to India and organise the League. He thought over their request for long and, ultimately in 1935, decided to return to India to see if by further effort he could combine the Muslims in a single party. On his return he is stated to have remarked that it was the parting of the ways because if he fell in line with the proposals in the Nehru Report the Hindu-dominated centre could reduce

at the Congress Session of Calcutta in 1908 acted as Secretary to the veteran Congress leader, Gopal Krishan Gokhale. In 1910, he was elected by the Muslims of Bombay to the Imperial Legislative Council and in 1913 he joined the Muslim League and became its President in 1916 and its life President in 1934. Till 1930, he continued to be a prominent member of the moderate section of the Congress. Mrs Sarojini Naidu described him as the ambassador of Hindu-Muslim unity, but later on when he left the Congress, she likened him to lucifer having fallen from the Congress heaven. In a speech at Allahabad in October 1916, while he spoke of the importance of Hindu-Muslim unity, he also hinted that the Muslims needed awakening from their political torpor and as a step in that direction he supported separate electorates for Muslims with reserved seats, and appealed to the Congress leaders to win their confidence and enlist their support. Two months later he brought about a pact between the Congress and the Muslim League, called the Lucknow Pact, chief features of which were (1) one-third seats to be reserved for the Muslims in the Executive Council, (2) separate electorates and weightage to Muslim minorities and reservation of seats for them. On this basis, he thought, both communities could work together to win independence. As these proposals could in no way affect the domination of the Congress, they were gladly accepted by it.

In 1928 came out what is called the Nehru Report, prepared by Motilal Nehru, for the future constitutional set-up for India. This Report was considered at a meeting in which Mr Jinnah was present. This Report contained no sufficient safeguards for the Muslims. All amendments proposed in the interests of Muslims were rejected. Gandhi proved adamant and would listen to none of these amendments. Therefore Mr Jinnah formulated in 1929 his famous

reception in the Gulistan-i Fatimah after the Indian Independence Act had come into force and he had assumed the office of the Governor-General of Pakistan. I was sitting next to him when I whispered to him: "It is high time that the Nizam of Hyderabad should be persuaded to accede to Pakistan." In reply there was a deep sigh, and I understood. That Croesus of a ruler had either been approached and declined or I did not know the developments that had taken place between the Government of India or Lord Mountbatten on the one side and the Nizam on the other, or what steps the Nizam had been taking to retain his independence. Lord Mountbatten left India in June, and on 13 September 1948 Hyderabad was invaded by Indian forces and forced to an accession after the Razakars had put up a futile show of resistance.

This is all that I could say about the Quaid-i Azam from my personal knowledge, but the Quaid has now passed into history. He has to be judged by his struggle for the creation of Pakistan by contemporary or future historians, away from the events with which we are too familiar. There is no standard book dealing with world events or personalities in which he does not occupy a prominent place.

It is unnecessary for me to give the place and date of his birth, his early education and studies abroad, his family life and his status at the bar. Even Lord Mountbatten admits that in the course of his discussion with the Quaid-i Azam, when a legal or constitutional point arose he found himself helpless. But no student of his life can fail to notice the changes in his political views and these being the result of changes in the circumstances or of further experience of the Congress mentality require an explanation.

After completing his studies abroad Mr Jinnah returned to India in 1906 and soon made a name in his profession. He entered politics as a member of the Congress and

ists had been reduced to a rump and could carry on the administration of the province only by an alliance with the non-Muslims, but the League itself was nine seats short of absolute majority. On 3 March 1947, Khizr, the Chief Minister, resigned and the Governor Sir Evan Jenkins extended to the Nawab of Mamdot an invitation to form a ministry. But he did not have the necessary majority and the question to be considered at the gathering I have mentioned was whether the League, by taking a few non-Muslims with it, should form a coalition ministry. In its struggle with the Muslim League, the Congress had throughout sought to wrest power from the British and thereafter to deal with the League. But the Quaid-i Azam had consistently resisted this move, even with the threat of direct action. In this gathering too it was suggested to the Quaid-i Azam that the League should first form a coalition ministry and thereafter from its position of strength deal with the non-Muslim members. To this proposal the Quaid reacted sharply. Addressing the person who had made this proposal he said with his usual emphasis where emphasis was called for: "Mr so and so, I don't believe in any trickery or chicanery in my politics. The League has throughout stood by the principle that in the Muslim majority provinces, power is to go to the League and if we now coalesce with the non-League Muslims, or non-Muslims, we shall not only be departing from our major principle but destroying the two-nation theory which is the only basis for the Pakistan demand." Thereafter nobody spoke; Mamdot refused to form a ministry and the Governor had to go into S. 93. What an apt illustration this incident is of the Quaid-i Azam's adherence to his principles. A few months later Pakistan came into existence and Mamdot then formed his first League ministry in the partitioned Punjab.

One more incident with the Quaid-i Azam at the

My next meeting with the Quaid i Azam was in the spring of 1947 while disturbances were still going on in the Rawalpindi district. This time I spoke to him boldly, asking him whether these killings were consistent with his idea of Pakistan. I informed him that unless the killing masses were brought to their senses, a grave vengeance of which I had knowledge was in store for the Rawalpindi killings. He told me that a prominent Muslim Leaguer had already been sent to Rawalpindi to bring the killing maniacs under control, and then he emphatically remarked: "Let me get into the saddle, and you will not hear any nonsense of the kind." I shall show later that he was strongly against communal riots and killings and believed in mutual harmony between the various communities that were to be the future citizens of Pakistan.

I again met the Quaid-i Azam in the same summer when I was present at a gathering of Muslim Leaguers and others interested in the Pakistan movement. That gathering was essentially a political meeting and was held at the residence of one of my colleagues—a Muslim judge. Don't get shocked at judges' taking part in politics at that time. Up to the beginning of 1947, judges followed the British tradition of keeping aloof from politics and practically becoming social recluses. I myself had to take serious notice of the conduct of two judges, one of whom had written a political judgment and the other a judgment containing a popular appeal. But when a new State in which the judges and their succeeding generations have to live is in the throes of its birth, a judge can feel no qualm of conscience if, adhering to his basic duty of doing justice between man and man, he begins to take interest in the shaping of the new State.

In the Punjab elections of 1945 the League had swept the polls and at the time I am speaking of the League held seventy-nine of the eighty-nine Muslim seats. The Union-

some of the greatest lawyers of England and India – lawyers like Mr Pritt, Q.C., Mr Diplock, Q.C. (now the Rt. Hon'ble Lord Diplock, P.C.), soft-spoken Bhulabhai Desai, aggressive K.M. Munshi, another top lawyer of Bombay, Sir Tej Bahadur Sapru pronouncing Arabic *sighahs* in a Wakf case, Mr Hasan Imam. many bald and grey-headed veterans of the Lahore Bar. But in my long experience I have never noticed that mastery analysis, classification and presentation of facts and the lucidity and subtlety of argument which I heard in a few Bombay cases argued by Mr Jinnah.

The second time that I heard Mr Jinnah was in the Lahore High Court. A boy, Ilm-ud-Din by name, had murdered a Hindu Rajpal by name who had published a scurrilous and vulgar book on the life of the Holy Prophet. For the defence of the accused a defence committee had been formed and Mr Jinnah had been retained to argue the appeal against the death sentence. I was not on the defence committee, but I found an opportunity to talk to Mr Jinnah. I told him that there were only two points in the case, one relating to S. 27 of the Evidence Act and the other, a plea for the lesser sentence. Mr Jinnah said that the point about S. 27, though correct, would not be of much help, and he was right there. In this case Mr Jinnah spoke haltingly and against the hardness of facts not with a visible conviction. He said whatever he could for this unfortunate young man. but evidence was overwhelming and the case was hopeless from the very beginning. But when Mr Jinnah pleaded for the lesser sentence on the ground of youth and grave provocation, his voice assumed its usual eloquence and he made a passionate plea for alteration of the sentence, but Mr Justice Broadway, the British judge who was presiding, had the administrative aspect of the case in view and confirmed the death sentence. So this young boy was, to the best of my knowledge, the first seventeen-year youth to be hanged in the history of Indian law.

Mr Jinnah. When sometime in the 1920's the occupants of a red Maxwell car shot dead Bawla, a wealthy merchant of Bombay, and injured his mistress Mumtaz Begam in an attempt to kidnap her for Indore, the heroine of this tragedy came to Amritsar and married a friend of mine. After the murder trial, litigation started in Bombay and Lahore between this lady and her parents. I was the lady's counsel for the Lahore and adviser for the Bombay litigation. The solicitors of the lady, Messrs Mulla and Mulla of Kalbadevi Road, had engaged Mr Jinnah as counsel. In the Bombay case a difficult law point was involved and on the decision of that point depended the fate of that case, but, in order to establish that point, three more legal points had to be proved. In connection with that case I had to go to Bombay where I met the solicitor of Mulla and Mulla who was in charge of the case. I explained to him the law points involved in the case, but either he did not comprehend the points or did not agree with me. He suggested that I should have an interview with Mr Jinnah and discuss the matter with him. I welcomed this opportunity to meet the great lawyer who even in those days was the idol of Muslim students, young lawyers and Muslim Leaguers. I was, therefore, guided to Mr Jinnah's office. After some preliminary talk he asked me what the point I had come to explain was. I introduced myself and my connection with the case and thereafter I began to state the point I had in mind. He listened to me attentively but took down no notes and only kept nodding or occasionally saying yes. He then repeated what I had said and asked me whether that was what I meant. I replied in the affirmative. He then thanked me for the trouble I had taken to come to Bombay and I came out satisfied. I stayed in Bombay for several days and used to attend the hearings in which Mr Jinnah was the advocate.

I have appeared with or against or heard as a judge