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**Case Study**

In the era where Muslim dynasties ruled over the subcontinent, and had a rapid spread throughout the world, there was little to no forcible coversion to Islam rather they had promoted toleration. It was not until Akbar the Great (1556-1605) who imposed a divided framework of Ulema based upon their ranks. This, in turn caused the manipulation in the said region after the occupation of British. Such conditions caused the Muslims to shun the British rule and gain their freedom.

Muhammad Ali Jinnah, a wise and enlightened individual, was one of the biggest forces in the creation of independent state of Pakistan and being a born right, embracing liberalism, wanted to create a nation devoid of theocracy. He wanted the Constituent Assembly of Pakistan to be solelely responsible for framing the constitution. In his speech, he made it very clear that the minorities rights and freedom will not be trampled upon by stating, ***“No power can hold another nation and especially a nation of 400 million soles in subjection; nobody could have conquered you, and even if it had happened, nobody could have continued its hold on you for any length of time, but for this. Therefore, we must learn a lesson from this. You are free; you are free to go to your temples, you are free to go to your mosques or to any other place or 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.”*** Even with such clarity, different religious scholars and political figures interpreted this in their own way, which supported their cause. Liberals termed this speech as the core of foundation of a secular state whereas ulema coined it as aspiration of Jinah towards a modern Islamic state.

Following the independence of Pakistan, different political sectors started to show their true colors. Ulema that had opposed the creation of Pakistan began to demand the consitution to be made Islamic. As such, they had called for establishing Quran and the Sunnah as the **Supreme Law of Pakistan**. Besides the ulema, poltical parties also started to profess to the indulgence of Religion into the constituion, mainly in order to stimulate the general public and gain more politcial power. The then Prime Minister, Liaquat Ali Khan, stated that their government wanted to build a “truly liberal” policy; where each individual will be equal before the law. However, the Hindu members opposed this policy, arguing that Quaid had opposed the intermixing of religion and politics. Facing these challenges, LAK shunned such scholars and denounced them as “enemies of Islam” which led to many of the speakers in CAP supporting him.

Alongside this, the leftists such as Mian Iftikhar Uddin and Sardar Shaukat Hayat Khan directly attacked the supporters of a theocratic state and later termed the proposed constituion of 1953 as “*a victory of slogan over spirit”.* All the aforementioned aspects affecting the ‘long journey’ to the implementation of the first constitution was bound to produce a flawed and an unproductive constitutional document. Unpredictably, neither the Ulema nor the politicians won a definitive success in the constitution of 1956 as both opposed each other candidly and spurned any new proposition from each other.