5 *Postcolonial Religion*
The Entangled History of Israel and Pakistan

This chapter is about the global epistemological politics of religion illustrated through a study of the transnational and entangled histories of Pakistan and Israel. I argue that the interconnected nature of these state-building ventures contributed to the circulation of particular understandings of 'religion' and its relation to the state and that these understandings structured the minority politics and refugee administration of the British Indian Muslims and the Palestinian Jews. They both limited and enabled claims to the nations and states that came to replace British rule. In this chapter, I study the often-overlooked intra-imperial dynamics and the ways in which these intersected with the colonial and postcolonial sociology of knowledge, the politics of cultural diversity, and the changing international order. The case studies focus on two key individuals who were part of both processes of Indian and Palestine partition, as well as the Pakistani and Israeli independence that followed: Reginald Coupland and Muhammad Zafarullah Khan. Through this spotlight, we see how they, the institutions they represented, and the ideas they carried circulated and changed during the final decades before independence. I emphasize through this case study that claims for the recognition of religion in international relations are not separate from these forms of colonial epistemological politics but are intimately connected to them. Thus, by studying the global, entangled politics of religion we can begin to understand the challenges and costs of its recognition.

Addressing the colonial politics of religion in South Asia, the Middle East, and the late British Empire, this chapter builds on the scarce but wonderfully detailed work on the entangled histories and politics of South Asia and the Middle East, including Arie Dubnov and Laura Robson's *Partitions* and Faisal Devji's *Muslim Zion*.[1] Both publications

[1] Dubnov and Robson, *Partitions*; Devji, *Muslim Zion*; see also Kattan and Ranjan, *The Breakup of India and Palestine*.

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trace the relationship between India and Palestine and the emerging independent states of Pakistan and Israel through the first half of the twentieth century. This chapter develops this focus by illustrating how ideas about the role and place of religion circulated between Mandate Palestine and British India, structuring both the logics and technologies of imperial government and the anti-colonial struggles against it. I also extend the historiographical detail of the entanglement of South Asia and the Middle East by connecting the political and epistemic governance of religion to both international political theory and theories of nation- and state-building.

Pakistan and Israel emerged onto the international stage in the wake of the Second World War as a weakened British Empire entered into its first phase of decolonialization. While it is hard to overstate the difference between the two states – historically, politically, and in their relation to imperial power – both emerged from British administrative rule carrying the national claims of previously minority populations and building new nations around languages that were not the tongue of their prospective citizens – Urdu and Hebrew, respectively. They both also sought answers to concerns of nationality through the question of religion: who is a Jew, and who is a Muslim?

I argue that these similarities were not coincidental but rather part of a transnational history of South Asia and the Middle East. The 'legions of administrators' thinking and working across the British Empire – with its transfer of personnel and governmental techniques from one imperial corner to another – embodied the circulation of ideas, including the intellectual framework of partition and the notions of population transfer it implied.[2] After an overview of the broad set of interconnections between the cases, I focus on tracing the ways in which ideas about 'religion' moved within the entangled networks of the British Empire and emerged as a central conceptual framework for the young independent states. By piecing together the shifting understandings of the concept of religion through the final decades of the British Empire and the formation of the Pakistani and Israeli states, I illuminate the ways in which the colonial and postcolonial governmental logics that structured the minority politics of the British Indian Muslims and the Palestinian Jews endured. Moreover, I show how,

[2] Sinanoglou, *Partitioning Palestine*, p. 156; Dubnov and Robson, *Partitions*; Allen, *A History of False Hope*.

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despite high-level resistance, such logics continued to shape claims to nationhood and statehood.

The 'entanglements' addressed here are not restricted to the interconnected histories and politics of two states – Pakistan and Israel – that are rarely studied together, nor to the organizational and administrative connections they shared through British imperial institutions. The entangled nature of the story is also an example of how entangled thinking and the assumption of comparability by the practitioners and scholars of the time gathered a wide range of practices, ideas, languages, sensibilities, and aesthetics into a single conceptual framework of 'religion'.[3] I show how ideas about the role and place of 'religion' circulated between Mandate Palestine and British India, structuring the logics and technologies of imperial government as well as the anti-colonial struggle against it. I therefore examine the discourse of colonial administrative personnel as well as anti-colonial and postcolonial elites during the first half of the twentieth century through the early years of independence. Throughout, I show how 'religion', while characterized by shifting meanings, was used to describe, legitimate, and undermine claims for partition and independence. I also address the ways in which religion was used to identify minorities and support or oppose their recognition, either bolstering or challenging the status of those minorities as nations with the right to a state. Finally, I illuminate how the meaning of the category of religion changes through its varied uses and how such changes transform political and legal possibilities.

British India and the Palestine Mandate

People and Institutions

As the Second World War came to an end, Viceroy of India Archibald Wavell noted the following in reference to the future of Mandate Palestine: that as 'India contains some 90 million Muslims … any solution which is manifestly unacceptable to the arabs would cause great resentment in Muslim India. … Palestine is therefore an important

[3] For an argument about the fundamentally international and global nature of the Muslim and Zionist vision of the aspired polity, see Devji, *Muslim Zion*.

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factor in India's internal politics.'[4] Wavell was not the first, nor the last, to identify a link between the fates of Palestine and India. As at the outset of this book, Chaim Weizmann used the rhetoric of a 'Palestine Pakistan', while members from the World Jewish Congress met with Mahatma Gandhi to seek support for a Jewish state in Mandate Palestine. The German-Jewish philosopher Hannah Arendt suggested reading the 'Balfour Declaration in light of Indian Office politics … [F]or as long as British policy in the Near East is essentially determined by British interests over India – it can serve to implement only such interests and concerns.'[5] Indian Muslim policymakers, the Government of India, and the India Office were also all involved in a series of international diplomatic negotiations regarding the conflicts in, and future of, Mandate Palestine.[6] Their efforts were, however, met with considerable resistance from the Colonial Office, which more than once made use of alleged 'greater Imperial considerations' to trump the India Office's concerns.[7]

The details of government were left to each colonial administration. Yet, in the network of moving people, goods, and ideas that was the British Empire, the Colonial Office constituted a critical node that strengthened the web of empire by overseeing and lending coherence to the colonies.[8] For example, the Colonial Office controlled the recruitment and movement of personnel – what Roza El-Eini has called 'a large international labour exchange'[9] – and, throughout the 1930s, increasingly sought to develop overarching policies for an empire that 'gradually became to be seen more as a whole, and as a stage upon which more interventionist and generally

[4] Transfer of Power, vol 5: 381: L/PO/10/25, Note by Field Marshal Viscount Wavell, 9 April 1945; note also that Wavell was British commander in chief for the Middle East during the Second World War.
[5] Quoted in Devji, *Muslim Zion*, pp. 13, 21.
[6] O'Halloran, 'India, the Arabs, and Britain's Problem in Palestine, 1937–1939'.
[7] The relationship between the India Office and Colonial Office was mutually hostile. O'Halloran even makes this interdepartmental division as partially responsible for Britain's reversal on partition in 1937–1938, with J. E. Shuckburgh at the Colonial Office describing the India Office as 'no less of an enemy to government than Hitler or Mussolini' when it came to Middle Eastern affairs. (I wish to thank Erin O'Halloran for drawing my attention to this point.)
[8] Pedersen, *The Guardians*. [9] El-Eini, *Mandated Landscape*, p. 7.

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applicable policies might be evolved'.[10] This networked imagination was a double-edged sword. It generated anxieties for the British since disturbances and troubles in one part of the empire could spill over to a different area, as noted by Wavell earlier.[11] At the same time, it also meant that 'security practices' and 'cures' could be transmitted from one location to another.[12] Deployed military personnel moved throughout its territories, as well as transitioning into civil administration. As a result, techniques of counterinsurgency, surveillance, and defence that were developed in one area often found their way to another.[13] Techniques of administration, management, and development also travelled throughout the empire.[14]

While the Colonial Office facilitated some entanglements between different parts of the empire, it suppressed others. Fearing pan-Islamic alliances between South Asian and Middle Eastern resurgent powers, for example, representatives from the All-India Muslim League were kept out of conferences discussing the future of Palestine policy under the justification of keeping religious considerations out of the conversation. At the St. James' Round Table conference in 1939, Secretary of State for the Colonies and Head of the Colonial Office Malcolm MacDonald reasoned that allowing Muslim League representatives into the conversation on Palestine might 'have the effect of introducing the religious factor, and was open to serious objection on that ground'.[15] The leader of the Muslim League, Muhammad Ali Jinnah, voiced protest over the decision, and both Viceroy Lord Linlithgow and the Indian Secretary of State Lord Zetland warned that such policies could push Indian Muslims against the British and towards the Indian National Congress. Nevertheless, British Indian Muslims were considered too great a risk to be let into the conversation on Palestine.[16] For MacDonald and the Colonial Office, the conflict in

[10] Hyam, *Understanding the British Empire*, p. 214; see also Sinanoglou, *Partitioning Palestine*; Steinmetz, *The Devil's Handwriting*.
[11] For British fear for pan-Islamism, see Devji, *Muslim Zion*.
[12] Dubnov, 'The Architect of Two Partitions or a Federalist Daydreamer?'; see also Berda, 'Managing "Dangerous Populations"', and Barder, *Empire Within*.
[13] Sinanoglou, *Partitioning Palestine*.
[14] Sinanoglou, *Partitioning Palestine*, p. 161; Hussin, *The Politics of Islamic Law*.
[15] CO 733/372/15 'Meeting of MacDonald with Siddiqui and Khaliquzzaman', January 25, 1939. Quoted in O'Halloran, 'India, the Arabs, and Britain's Problem in Palestine, 1937–1939', p. 10.
[16] O'Halloran, 'India, the Arabs, and Britain's Problem in Palestine, 1937–1939'.

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Palestine was 'political' rather than 'religious' in nature and was to be kept that way.

Identifying and delegitimizing the Indian Muslim cause by describing it as 'religious' (and, therefore, quintessentially not political) was a reoccurring theme through British imperial writing. So was the characterization of Muslims as unable to separate religion from politics. Members of the Palestine Peel Commission, which outlined the grounds for partition, came to describe the claim to a 'Muslim Homeland' of Pakistan as outdated, comparing it with Europe prior to the seventeenth-century 'secularization' of international life.[17] While the 'religion' of the Indian Muslims was considered as incompatible with the political character of statehood, the Jewish 'religion', by contrast, was not considered problematic by the commission members. This dissonance did not go unnoticed, and the abovementioned members of the Muslim League wrote in a memorandum following their exclusion from the conference on Palestine that the 'deep rooted sentiments of the Muslim World' were considered parochial by the British while 'no such restrictions [were] likely to be applied to the representatives of the Zionists'.[18] Whether the British harboured an underlying teleological, secular vision of a Jewish state able to separate religion and politics in a way that was considered inapplicable to Muslims is a question that has been discussed elsewhere.[19] What can be said from the viewpoint of the actors and institutions I consider here is that the Palestinian Jews were considered 'of the West' – culturally, politically, and, indeed, racially – while the Muslims of Palestine were not.[20]

Ideas and Laws: The 'Transfer of Populations', Refugee Administration, and Abandoned Property

Pakistan and Israel were both products of partitions followed by what was called a 'transfer of populations'. The idea that the creation of a

[17] Coupland describing what he considers the outdated idea of 'inverting the dictum of *Cujus regio, ejus religio*', meaning letting the religion chose the ruler (Coupland, *The Future of India*, p. 106, see discussion in this chapter).

[18] O'Halloran 'India, the Arabs, and Britain's Problem in Palestine, 1937–1939', p. 10.

[19] Chatterjee, *The Making of Indian Secularism*; Dalsheim, *Israel Has a Jewish Problem*.

[20] Cmd. 5479 (1937): Palestine Royal Commission: Report, ('Peel' Report), London: H. M. Stationery Office, p. 117.

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culturally and ethnically homogeneous population was necessary for order and peace was a familiar one. After the First World War – and the attendant collapse of several vast, multinational empires – a new international system had emerged focused around a conception of discrete populations: groups of majorities and minorities within states that represented one particular nationality.[21] The following years increased the salience of the terminology of 'minority' and broadened its meaning. It came to describe the relations between ethnic, cultural, racial, and religious groups, rather than just the composition of parliament.[22] As such, the concept of 'minority' came to signify a problem to be solved, either through the emerging minority protection regimes or through the partition of land.

During the interwar years, the League of Nations attempted to institutionalize minority protections.[23] Although the minority protection regime of the post-First World War international system soon collapsed, the idea of the transfer and exchange of populations between states endured into the post-1945 world. By the time the Palestine and Indian partition plans were drafted, partition already included (alongside the idea of territorial division) the notion and vocabulary of population transfer. In light of the view that the intermingling of different ethno-national groups was a source of friction and potential future war, population transfer came to be seen 'not only as a legitimate "vaccine" but also as a "progressive" solution' for many of the crises taking place in Europe's post-dynastic backyard.[24]

A particularly illustrative example can be found in the Peel Commission's report for the partition of Palestine. It concerns the population exchange between Greece and Turkey in the 1920s: 'Before the operation [the population exchange] the Greek and Turkish minorities had been a constant irritant. Now the ulcer has been clean cut out, and Greco-Turkish relations, we understand, are friendlier than they have ever been before.'[25] The 'irritated' relationship between the 'Greek nationals of the Orthodox religion' and the 'Turkish nationals of the

[21] Pedersen, *The Guardians*; Dubnov, 'Human Rights in the Age of Nation-States'.
[22] Kattan, 'The Empire Departs'. [23] Pedersen, *The Guardians*.
[24] Dubnov, 'The Architect of Two Partitions or a Federalist Daydreamer?', p. 69.
[25] Cmd. 5479 (1937): Palestine Royal Commission: Report (hereafter 'Peel report 1937').

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Moslem religion' had been solved by a clean, simple, and accurate surgical operation.[26] The medical metaphor of extracting the 'ulcer' of alien minorities confirms the view of these 'nations', 'races', or 'religions' as intact entities that could be plucked away for the sake of the health of the larger organism. While not necessarily problematic as such, once the 'ulcer' became 'irritated', it needed to be removed. This irritation was, in itself, not inevitable, but when left to fester long enough, it had to be taken care of.

Following the Second World War, Britain withdrew from India and handed over the Palestine Mandate to the United Nations (UN). In August 1947, British India partitioned into independent India and Pakistan. A year later, the state of Israel emerged from an attempted partition of Palestine. Population transfer and exchange then continued to be part of the post-partition policies of independent Pakistan and Israel. The laws formulated by the Israeli state to legalize the appropriation of Palestinian refugee land were based on the Pakistani legislation of 1948,[27] which had 'created an integrated mechanism for the expropriation of Hindu and Sikh refugee property in Pakistan' as well as for the resettlement of Muslim refugees from India.[28] The new Israeli law would mirror the 'Pakistani regulations and [was] based on the principles they contain[ed]'.[29] Further, in 1949 the government of Israel commissioned a study of Asian population transfer. The Zionist demographer and historian Joseph Schechtman, who authored the piece, drew parallels between the necessity and finality of 'Hindu-Moslem' and 'Arab-Jewish exchange of population', with the remaining minority populations 'poison[ing] the relationship' between the respective states.[30] Schechtman also drew on the example of India and Pakistan for lessons on the problem of 'abandoned property' left behind by refugees. Regarding Arab objections, he advocated a South

[26] Peel report 1937.
[27] Forman and Kedar, 'From Arab Land to "Israel Lands"', p. 810.
[28] Forman and Kedar, 'From Arab Land to "Israel Lands"', p. 816.
[29] Forman and Kedar, 'From Arab Land to "Israel Lands"', p. 816. The new laws 'empowered a "Custodian of Evacuee Property" to appropriate refugee property and transfer it to a "Rehabilitation Authority". The Rehabilitation Authority, established the same day by another ordinance, was authorized to "pool and allot" property to others' (Forman and Kedar, 'From Arab Land to "Israel Lands"', p. 816).
[30] Schechtman, *Population Transfers in Asia*, p. 43.

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Asian-style approach that emphasized compensation rather than the return of refugees.[31]

Representation and Division by Religion

The partition of South Asia served as a resource for Middle Eastern state builders not only with respect to refugee administration and absentee property policy but also in terms of the terminology used to make sense of it. The partition of Bengal in 1905 sets the precedent. In that case, the colonial government had aimed to splinter and weaken political resistance to British power by dividing the province into an eastern part, where Muslims formed a majority, and a western part, where non-Bengali Hindus dominated numerically. As Penny Sinanoglou has argued, from the vantage point of later events in Palestine, the 'partition of Bengal is significant because it manifested the concept of dividing territory and political representation along religious lines'.[32]

Although the partition of Bengal was reversed in 1911 in response to large-scale protests, the principle of 'representation by religion' had already become an integral part of Indian politics and law. The efforts to govern Bengal laid the groundwork for twentieth-century British understandings of Muslim governance and the 'manner in which Islam might be handled by the British Empire' elsewhere.[33] The All-India Muslim League was founded a year after the Bengali partition, and in 1909, the Indian Councils Act (also known as the Morley–Minto reforms) created exclusively Muslim electorates in provincial and central legislative councils. The provisions, defined as protections for religious minorities, were developed and embedded in the Indian political system through both the Montagu–Chelmsford reforms of 1919 and the new constitutional framework developed by the 1935 Government of India Act.[34]

I discuss the compartmentalization of religion and its establishment as a separate category of imperial knowledge and rule in more detail throughout the chapter. For now, it suffices to note that the emergence

[31] Schechtman, *The Arab Refugee Problem*; see Masalha, 'From Propaganda to Scholarship' for background on Schechtman.
[32] Sinanoglou, *Partitioning Palestine*, p. 25.
[33] Hussin, *The Politics of Islamic Law*, pp. 47, 199.
[34] Sinanoglou, *Partitioning Palestine*, pp. 25–32.

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of bounded categories of 'religion' played a double role in this process. First, they set the stage for claims that could be made for or against state power. Any access to the rights and privileges provided by the state required a provisional acceptance of the terms of legibility set by the state, 'and this increasingly meant appealing to the state in terms of community identity'.[35] In our cases, this meant religious identity. In order to present alternatives or challenges to British power in India, actors would have to identify according to state categories to be recognized as challenging its policies.[36] As Iza Hussin has shown and I discussed in Chapter 1, to be recognizable to the state as opposing a certain policy on Islamic law or identity, it was necessary to identify as an 'Indian Muslim' – an act which 'brought [the category] into being as a political and public reality'.[37] That being the case, alternatives to the colonial state needed both the subjects and their cause to remain legible to it; those who resisted the state still had to align themselves along unified categories of religion in order to be recognizable to the state and recognized by its institutions. Even the act of resistance helped, therefore, to reinforce the idea of a unified 'Muslim' subject.[38] At the same time, however, a unified Muslim subject, its codification in law, and its representation in politics would become a node in the anti-colonial resistance and claims to independence that would follow. The imperial recognition of the Indian Muslim was, again, Janus-faced, working both as a condition for government and power and as a resource for the challenge against them.

Imperial ways of thinking about the role of religion vis-à-vis self-government and nationalism also formed the intellectual framework in which Palestine's administrators considered the issues they faced.[39] Palestine was part of an imperial sociology of knowledge in an even more direct way than was British India. Commissioners sent to Palestine over the decades to investigate the causes of violent unrest and the possibility of partition were largely men with a long track

[35] Hussin, *The Politics of Islamic Law*, pp. 203–04.
[36] Jalal, *The Sole Spokesman*.
[37] Hussin, *The Politics of Islamic Law*, p. 221. For a similar study of the role of jurisdiction and religion in Palestine and Israel, see Shindler, *A History of Modern Israel*, pp. 78–80; Berda, *Colonial Bureaucracy and Contemporary Citizenship*; Berda, 'Managing "Dangerous Populations"'.
[38] Hussin, *The Politics of Islamic Law*, pp. 30–31.
[39] Sinanoglou, *Partitioning Palestine*, p. 163.

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record of imperial and often even wider international experience. They 'implicitly, and frequently explicitly, placed Palestine in a broader context, suggesting parallels to other cases and drawing upon their experiences elsewhere to suggest solutions for Palestine'.[40] As we will see, Reginald Coupland was one of the most prominent examples of this.

The Transnational Political History of Religion

Reginald Coupland and Muhammad Zafarullah Khan

In what follows, I examine the work of Reginald Coupland next to that of Muhammad Zafarullah Khan. Rather than working as two sides of a comparison, they function as two individual spotlights on the entangled history of Mandate Palestine and British India in the decades leading up to their partitions and the attendant emergence of the independent states of Israel and Pakistan. I show how the two men describe, negotiate, and evaluate the conflicts they had been authorized to study and advise on. In them, we see how the struggle over partition and minority protection both conditioned and was conditioned by the scope of 'religion' and 'religious difference'. The analysis of religion in these cases thus opens two analytical doors: one to the study of the struggles for authority, knowledge, and power embedded in global political dynamics during a moment of changing international order; and a second to the history and politics of colonial and postcolonial knowledge. The study of these two cases in tandem illustrates not only how the terms of global political analysis change but also how their entanglement creates the condition for their use.

As Beit Professor of Imperial History at the University of Oxford, Reginald Coupland was sent to Palestine in 1936 with the Palestine Royal Commission – 'Peel Commission' – in order to investigate the underlying reasons for the recurring violence in the British Mandate.[41] He had previously served as a member of the 1924 Royal Commission

[40] Sinanoglou, *Partitioning Palestine*, p. 163.

[41] Lord Peel himself, Secretary of State for India from 1922 to 1924 and again from 1928 to 1929 as well as a member of the joint select committee on the Indian constitution in 1933–1934; Laurie Hammond, governor of Assam from 1927 to 1929 and member of the Joint Committee on Indian Constitutional reform that resulted in the 1935 Government of India Act. For further details, see Sinanoglou, 'British Plans for the Partition of Palestine'.

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on the civil service in India and, later, as a member of the India Office Committee that drafted the constitution of Burma.[42] In previous work, he had focused on the unification of nationalities within imperial Britain and on national conflicts within the empire (namely, in Canada and South Africa). Further, as an editor of the influential imperial journal *The Round Table*, he had been involved in the partitioning of Ireland. These experiences meant that he left for Palestine with a great deal of authority on the matters concerned, and he took the institution of empire and its international epistemology as a given.[43]

The Peel Commission's task was not to establish a basis for a territorial solution to the Palestinian conflict, nor was it the first to suggest one. However, it was the first official British document to conclusively argue for a full partition of Palestine. Ten years later, in 1947, the Peel report became the foundational document for the partition plan for Palestine adopted by the UN.[44] Then, in 1941, four years after the report's publication, Coupland was sent to British India, where he investigated the prospects for constitutional change. Notably, and despite distinct similarities in his analysis of the Palestine and Indian situations, he rejected the path of Indian partition. Still, although he did not advocate for the partition of India, Coupland remained in close contact with the proponents and architects of both the Indian and Palestinian partitions to come.[45]

His counterpart in the story presented here was the Pakistani representative to the UN, Muhammad Zafarullah Khan, who led the opposition to the Palestine partition plan in the United Nations Special Committee on Palestine (UNSCOP) and, later, in the General

[42] Dubnov, 'The Architect of Two Partitions or a Federalist Daydreamer?'; Sinanoglou, 'The Peel Commission and Partition, 1936–1938'.

[43] Coupland, 'The Last Phase'; Coupland, 'Freedom and Unity'.

[44] Klieman, 'The Resolution of Conflicts through Territorial Partition'; Fraser, 'Sir Reginald Coupland, The Round Table, and the Problem of Divided Societies'.

[45] During his stay in Palestine from November 1936 to January 1937, Coupland had a close dialogue with Chaim Weizmann and other representatives of the Jewish Agency (Dubnov, 'The Architect of Two Partitions or a Federalist Daydreamer?' p. 74). While it is unclear as to Weizmann's influence over the report's final form, the intimate contact between the two men and Weizmann's heavy lobbying in London would have helped reassure Coupland of the desirability of partition (Weizmann to W. Baer, Zurich, 27 June 1937, Letters and Papers, vol. XVIII, 124–25; Sinanoglou, 'The Peel Commission and Partition, 1936–1938', p. 126; Fraser, 'A Crisis of Leadership', p. 665).

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Assembly.[46] Shortly after Pakistani independence, Zafarullah Khan was appointed the first foreign minister of the new state. He already had a long track record of representative functions under the British Raj. From 1935 until 1941, he represented Indian Muslims at the Cabinet of the British Indian Viceroy and led the Indian delegation to the League of Nations in 1939. He presided over the Muslim League and represented it at the Radcliffe Punjabi Boundary Commission during the drawing of the India–Pakistani border in the spring of 1947. And just matter of weeks after Pakistani independence and three weeks after it was granted membership to the UN, Khan led the opposition to the Palestine partition plan as chair and secretary of a subcommittee of the UNSCOP investigating Israel's claims to independence.[47]

In what follows, I approach Coupland through his writing of the Peel report on Palestine in 1936–37 and his work on India in 1941 (published 1942–43), and I read Khan through his work on the Indian Boundary Commission in 1947 and in the UNSCOP Committee on Palestine later that year.[48] I allow myself a detailed reading of their accounts in order to identify the conceptual work done and the argumentative logics and strategies at play.

[46] See also here the UNSCOP minority report formulating an objection to Palestine partition, a delegation led by Sir Abdur Rahman, an Indian Muslim: UN doc.: A/AC.13/SR.34, UNSCOP Report on Palestine, 16 July 1947; UN doc.: A/364, UNSCOP, Report on Palestine, 3 September 1947; I wish to thank Arie Dubnov for this point.

[47] While Coupland came from elite circles of British colonial administration supporting the idea of more 'Indians' receiving better education and joining the colonial service apparatus in order to govern themselves, Zafarullah Khan – a British-educated lawyer – mirrored that reality. He graduated from King's College in London and became a member of the Punjabi Legislative Council in 1926 and a delegate to the Round Table Conferences on Indian reforms in 1930, 1931, and 1932.

[48] Coupland, *The Indian Problem 1833–1935*; Coupland, *Indian Politics: 1936–1942*; Coupland, *The Future of India*; Cmd. 5479 (1937): Palestine Royal Commission: Report, (Peel Report; UN doc.: 108(II): Resolution of membership of Pakistan to the United Nations, 30 September 1947; UN doc.: A/350, Recommendations of Admission of Pakistan to the United Nations, 21 August 1947; UN doc.: A/364, UNSCOP Report on Palestine, 3 September 1947; UN doc.: A/AC.14/32, Report of the Sub-Committee 2, 11 November 1947; UN doc.: A/AC.14/SR.7, Report of the Ad Hoc Committee, 7 October 1947; UN doc.: A/PV.126, p.12, 126th plenary meeting of the General Assembly; UN doc.: A/RES/273(III), Admission of Israel to membership in the United Nations, 11 May 1949.

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Coupland, Palestine, and the Peel Commission

The Peel Commission had been sent to analyse the escalating violence in Palestine and, as an extension of this, the broader conflict in the Mandate. The increasing violence followed the failure of the British to realize a dual obligation they had placed on themselves by, first, promising a 'Jewish National Home' in Palestine (both in the 1917 'Balfour Declaration'[49] and later in the Mandate through the League of Nations) and, second, by promising independence to Palestinian Arabs in return for their support in the First World War.[50] For Coupland, the conflict in Palestine was, at its core, 'political' rather than being 'in its essence an interracial conflict, arising from any old instinctive antipathy of Arabs towards Jews'.[51] It was, in Coupland's analysis, 'as elsewhere, the problem of insurgent nationalism'.[52]

While the conflict itself was political, according to Coupland, the groups propelling it were not. The 'Jews' and the 'Arabs' were fundamentally and essentially different: two different 'races', or 'nations', which had different religions and different cultures. As Coupland himself wrote, the 'culture of Arab Palestine … born as it is of Asia, it had little kinship with that of the National Home, which, though it is linked with ancient Jewish tradition, is predominantly a culture of the West. Nowhere, indeed, is the gulf between the races more obvious.'[53] While the roots of the Arab 'race' are not further defined, the particularity of the Jewish 'race' was, he asserted, a 'historical fact': as early

[49] Letter from Mr. Balfour, then Secretary of State for Foreign affairs, to Lord Rothschild, 2 November 1917, also known as the Balfour Declaration, Papers on the Balfour Declaration, Churchill Archives Centre, GBR/0014/AMEL 1/3/52; see also Cmd. 3686 (1930): Palestine: Report on Immigration, Land Settlement and Development, London: H. M. Stationery Office.

[50] H. McMahon's pledge to the Sheriff of Mecca, 1915/1916, reproduced in CAB 24/282, CP 19 (39).

[51] Peel report 1937, p. 131; Papers of Sir Reginald Coupland, MSS. Medit.s 11. It is important to note here that my focus is on Coupland's use of the terminology of 'Jews' and 'non-Jews'. His use of 'Arabs' as a catch-all phrase for Muslim, Christian, and Atheist Palestinians would be the topic for a different book.

[52] Peel report 1937, p. 131; Papers of Sir Reginald Coupland, MSS. Medit.s 11.

[53] Peel report 1937, p. 117. Here Coupland taps into an orientalist and racist discourse that categorizes Jews as 'White' while at the same time insisting on their difficulty to assimilate beyond their 'particularity'. For a discussion on the myth of the undifferentiated whole white body and 'not quite/not white', see Bhabha, 'Of Mimicry and Man', pp. 53–59; Wallach, 'The Racial Logic of Palestine's Partition'.

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as '1100 BC the Israelites … were already distinguishable from the peoples of the coast … by their peculiar religion'.[54] While Coupland drifted back and forth between ethnic and religious definitions of Judaism, it is important to note that he not only identifies the 'Israelis' as distinguishable; he territorially locates them as distinguishable from the peoples of the coast.

Although the difference between the 'Arabs' and the 'Jews' was fundamental, according to Coupland, it did not translate into incompatibility. There was no inherent conflict between these 'nations', 'races', or 'religions'. The British Commonwealth had been able to accommodate multiple national claims within a single political community in the past and, in theory, there was – to Coupland's cosmopolitan-federalist mindset – nothing that should prevent Palestine from going down that same path. Despite the impenetrable boundaries around the groups, Coupland saw no irreconcilability, per se, between them. While 'politics had begun to play their part in alliance with religion', this was not what Coupland saw in this instance. 'In Palestine, as elsewhere in the Moslem world', he wrote, 'nationalism had been more political than religious'.[55] The same was true for the 'Jews': 'Zionism, in fact, is Jewish nationalism, and like nationalism elsewhere … its driving force is political rather than religious'.[56] In Coupland's view, in other words, the conflict between the Jewish and Arab population did not arise out of an inherent enmity born of two incompatible 'races' but was rather due to the competing claims of Zionist and Arab nationalisms. These claims had concretized into a hardened line of division, spurred on by a fear of minority subjugation. A zero-sum game had been created as the claims of the respective nationalisms became understood as increasingly incompatible. By the time Coupland was writing, the antagonism had hardened to the point that 'nobody … [would] venture … reconciliation between the Arabs and the Jews'.[57]

Although partition seemed inevitable to Coupland in the case of Palestine, it was not unproblematic. The largest difficulty was the minorities that would be left on each side of the new border: 'The existence of these minorities clearly constitutes the most serious hindrance to the smooth and successful operation of Partition', he wrote. This 'Minority Problem' was one of the 'intractable products of

[54] Peel report 1937, p. 2. [55] Peel report 1937, pp. 66–67.
[56] Peel report 1937, p. 118. [57] Peel report 1937, p. 373.

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post-war nationalism'.[58] Thus, as products of their time, Coupland and the Peel report suggested that the conflict could be solved by population exchange. Ultimately, Coupland saw such problems as hurdles the British Commonwealth could overcome, and he justified partition as a form of what Arie Dubnov calls a 'federalist eschatology'.[59] Partition was a necessary step for the future reunification of 'Jews' and 'Arabs', who would 'outgrow their tribal idiosyncrasies' and join the Commonwealth of Nations.[60]

Not all saw it this way. The report received the official endorsement of the British government after being published in July 1937, but its partition proposal was undermined by the report of the Woodhead Commission a year later, which found that the Jewish state would contain an Arab minority amounting to 49 per cent of its total population.[61] The initial, limited impact of the report and its partition plan, however, did not undermine its authority, and it formed the blueprint for the UN's Palestine partition plan ten year later.

Coupland, British India, and the Claim to Pakistan

Four years after the publication of the Peel report in 1941, Coupland was sent to British India on behalf of Oxford's Nuffield College to analyse the region's conflicts and constitutional problem. Echoing his position on Palestine, he described the conflict in British India as one of competing nationalisms and presented it, therefore, as a political problem rather than a cultural or religious one. While in Palestine these competing nationalisms had plunged into an irreversible conflict, Pakistani nationalism was relatively new. It was, according to Coupland's analysis, open to influence. The 'doctrine of Partition has been preached for so short a time that Moslem convictions about it can hardly yet have been set in an unbreakable mould', he wrote.[62]

Coupland's work continued the logic of previous reports. As in Palestine, the nationalisms of the region were considered to be tied to groups that were essentially different. They were believed to be made

[58] Peel report 1937, p. 390.
[59] Dubnov, 'The Architect of Two Partitions or a Federalist Daydreamer?'.
[60] Dubnov, 'The Architect of Two Partitions or a Federalist Daydreamer?', p. 38.
[61] Cmd. 5854 (1938): Palestine Partition Commission: Report, ("Woodhead" Report), London: H. M. Stationery Office; See also UN doc.: A/364, UNSCOP, Report on Palestine, 3 September 1947, p. 39.
[62] Coupland, *The Future of India*, pp. 18, 75.

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up of 'two sharply contrasted … social systems, [as are] the ways of life and thought, they have inspired. Hinduism has its primeval roots in a land of rivers and forests, Islam in the desert.'[63] He went on to contrast the monotheism of Islam to the different manifestations of Hindu divinity, the simplicity of the mosque to the rich imagery of the temple, and the equality of Islam to the Hindu caste system. It was an analysis of Indian development that ran very closely to the 'two-nation theory' that had become the basis of the Muslim League's case for Pakistan just two years earlier.

However, while Coupland had been clear regarding the political nature of the Palestinian conflict and the essential nature of the groups behind the claims, he was more ambivalent in the case of India.[64] The political conflict between Hindu and Muslim nationalisms did not seem to him to have sedimented itself into an unbridgeable abyss. Nonetheless, the conflict was complicated by the way in which 'religion' had become part of it. While the 'Jews' and 'Arabs' in Palestine were fundamentally different in his view, he saw an accommodation of both 'races' as possible. In India, by contrast, Coupland identified 'religion' as being at the very core of the conflict and standing in the way of its solution. 'Not until this religious group-consciousness has been eclipsed', he wrote, 'as it has long been in most Western countries by a sense of allegiance to some other kind of group, will Indian politics cease to be dominated by religious differences'.[65]

What Coupland saw as, at core, a political conflict between competing nationalisms in Palestine had in India taken on a religio-cultural hue, and it needed to be overcome in order to recover the political nature of the dispute and make a solution possible. This kind of conflict had been overcome in Europe, he surmised, where it was now but a remnant of the past. Coupland also noted that in the newer versions of nationalism growing in the rest of the Muslim world, this reference to 'religion' no longer represented the prevailing practice. With regard to the Pakistani claim to independence through partition, he wrote:

> There is another point on which the ideology of Partition seems out of date. The nationalism it preaches is based on religion. It is because they are

[63] Coupland, *The Indian Problem 1833–1935*, p. 31; see also Coupland, *The Future of India*, p. 16.
[64] Coupland, *The Future of India*, pp. 100–10.
[65] Coupland, *The Future of India*, p. 16.

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Moslems that the Moslems of India are entitled to political independence … Yet in inverting the dictum of Cujus regio, ejus religio, in looking forward to creating a political nexus between Pakistan and the Moslem countries of the Middle East … are not the Partitionists inviting a repetition of what happened twenty years ago? If Panislamism was dead then, can it be resuscitated now?[66]

By Coupland's analysis, it was in this 'character of its nationalism that the doctrines of Partition seem reactionary'.[67] Coupland's evocation of the doctrine of *Cujus regio, ejus religio* – whose realm, their religion – is notable, as it shows him reading the situation in South Asia along the lines of sixteenth-century schisms between German-speaking Catholics and Protestants. As such, Coupland considered the conflict not only fundamental and prone to violence but also a conflict in which the solution depended on overcoming 'religious' sentiments and alignments.

Where a solution to the Palestinian conflict could be achieved by a surgical partition and cleaned up with a population exchange, Coupland argued, by contrast, the national aspirations of the British Indian Muslims – as well as their fears of being subjugated as a religiously defined minority – could be accommodated in a single Indian state. This was the preferred solution at least in part due to the difficulties of transferring a population the size of the Indian Muslim one. The likely outcome of an Indian partition, he pointed out, would be a partition line somewhere between Lahore and Amritsar that 'would be wholly artificial, geographically, ethnographically and economically'.[68] In short, in contrast to the political conflict in Palestine, which had come too far to leave room for an accommodation of the essentially different 'Jews' and 'Arabs', the religiously influenced political conflict in India still had, according to Coupland, the potential to be reversed. In the Jewish case, religion was one aspect of an amalgamation of various identity categories (such as race and culture) and was not in itself politically problematic. In the case of the Indian Muslims, however, religious identity was a problem and, unless that religious consciousness was overcome, it would continue to hinder a political solution to an essentially political problem.

[66] Coupland, *The Future of India*, p. 106.
[67] Coupland, *The Future of India*, p. 106.
[68] Coupland, *The Future of India*, p. 86; Fraser, 'A Crisis of Leadership', p. 416.

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Zafarullah Khan, the UN, and the Opposition to Israeli Independence

While Coupland was still expressing himself within a colonial context, Muhammad Zafarullah Khan was addressing a wider and more diverse audience. Khan had represented the Muslim League at the Radcliffe Boundary Commission in 1947, which negotiated the future border between India and Pakistan. The Muslim League had voiced its claim to Pakistan seven years earlier, in 1940, in what has come to be known as the Lahore Resolution.[69] In his address at the Lahore conference of the Muslim League, Muhammad Ali Jinnah, the head of the League, pointed to the incompatible differences between Muslims and Hindus. These groups, he said,

> have two different religious philosophies, social customs, literatures. They neither inter-marry, nor even inter-dine. Indeed, they belong to different civilisations. Their views of this life and the life hereafter are different. The Muslims are not a minority as the word is commonly understood … Muslims are a nation according to any definition of the term, and they must have their homelands, their territory and their state.[70]

This 'two-nation theory' expressed the claim that Muslims were fundamentally different from non-Muslims, that they constituted a nation of their own, and, as such, they had a right to an independent state.

While Khan's demands for Pakistan were unmistakable, he remained very cautious with respect to the language of two incompatible races, nations, or religions, as had been used by Jinnah. In the Radcliffe Boundary Commission, for example, he justified partition solely on the basis of 'Muslim majority' in some regions of the subcontinent.[71] The numerical basis for this argument was supported by the 1941 census, which, contested though it may have been, was the soundest available measurement of the population according to Zafarullah Khan. Furthermore, time and again, he stated that the 'real reason' for partition was not the incompatibility of nations or races, or civilizations for that matter, but rather the economic disparity and exploitation of Muslims by Hindus and Sikhs under British rule.[72] As protection from

[69] Sadullah, *The Partition of the Punjab 1947*.
[70] Reprinted in Gwyer and Appadorai, *Speeches and Documents of the Indian Constitution 1921–47*, pp. 441–43.
[71] Sadullah, *The Partition of the Punjab 1947*, pp. 254–56.
[72] Sadullah, *The Partition of the Punjab 1947*, p. 405.

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the double subjugation of the British and the Indian Hindus, a Muslim 'Homeland' was therefore needed for the Muslim nation.[73]

A few weeks after Pakistani independence, in August 1947, Khan was sent to the UN as the country's first representative, where he would lead the opposition to the partition of Palestine and the independence of Israel. From the beginning, he rejected the analogy drawn between the Muslim and Jewish state as was suggested at the General Assembly by the leader of the Jewish Agency, Chaim Weizmann. Indeed, he wound up downplaying any relationship between religion, nation, and state.[74] An argument for a specifically Muslim claim to statehood, he recognized, would weaken opposition to the Jewish state project. Prior to Pakistani independence, this position had been common among other parts of the British Indian Muslim elite as well, among whom care was taken not to show support for Palestine partition even as their own claim to an Indian partition grew louder.[75]

In the UN's Ad Hoc Committee, Khan clarified the difference between, on the one hand, the Pakistani right to independence and, on the other, the rejection of claims made for a Palestine partition and the creation of an independent 'Jewish state'. The difference, he asserted, was a temporal one. In contrast to the Indian Muslims, who had 'already been settled in India before the matter of partition came up for discussion',[76] the 'Jews' were immigrants to Palestine. The claim of these non-indigenous immigrants not only went against the Covenant of the League of Nations and the Mandate, Zafarullah Khan argued; it went counter to the Charter of the UN: 'The United Nations cannot subscribe to the principle that a racial or religious minority … can insist upon the breaking up of a homeland or shatter the political, geographical, and economic unity of a country without the consent, and against the wishes of the majority.' To accept such a claim would, he continued, 'constitute a dangerous precedent which might be adopted

[73] For a similar argument, see also the Indian Muslim delegate of the UNSCOP and author of the minority report, Sir Abdur Rahman; UN doc.: A/AC.13/SR.34, UNSCOP Report on Palestine, 16 July 1947.

[74] UN doc.: A/AC.14/SR.7, Report of the Ad Hoc Committee, 7 October 1947, p. 38.

[75] Chester, 'Leveraging Entanglement in India/Pakistan and Israel/Palestine', unpublished paper presented at *Millennium*, London, 2020; see also Chester, '"Close Parallels"?'.

[76] A/AC.14/SR.7, Ad Hoc Committee, 7 October 1947, p. 38.

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by dissident elements in many states and thus become a source both of internal conflict and international disorder'.[77]

Moreover, the basic number of Jews in Palestine, argued Khan, was not in itself sufficient to generate a political right to independence. The Arab majority of the whole of Palestine should possess the right to decide its own fate – the right to self-determination – and not a Jewish minority. Rather than acknowledging the right to self-rule in Jewish majority areas, as he had claimed for the Muslims of Pakistan, the 'National Home' of the 600,000 'Jews already in Palestine' could rather be accomplished by securing for them 'as a minority, complete religious, cultural, linguistic, educational and social freedom within the independent State of Palestine'.[78] In other words, instead of granting the Jewish population a state, he recommended they be protected in the same manner as the national minorities in any other country – that is, through the granting of a number of rights.

Similar to the negotiations on the Pakistani–Indian border earlier that same year, Khan scarcely used the language of 'race', 'civilization', 'nation', or 'religion' in referring to the Palestinian Jews. Much more frequent were his references to 'the Jewish people', 'the Jewish minority', or simply 'Jews'. The distinction between Jews and 'non-Jews' was not framed as fundamental in the way Coupland conceived of the situation, nor were the groups seen as incompatible. And Khan used his vocabulary carefully for a reason. Had he emphasized the difference or the 'racial', 'religious', or, by extension, 'national' specificity of the Jewish population, he would have prepared the ground for claims to independence on behalf of that very nation. Any statement similar to the articulation of the 'two-nation theory' that had constituted a foundation for the Pakistani claim to statehood needed to be avoided.

The two peoples in Palestine were, to Khan, not incompatible. There were 'no territorial frontiers between Jews and Arabs'; there was no natural border along which an international state border could be drawn.[79] Violence in the past had cleaved the groups apart from each other. Partition would only reify this separation and perpetuate the violence emerging from it. Partition 'in the case of Palestine would

[77] A/AC.14/32, Report of the Sub-Committee 2, 11 November 1947, p. 47.
[78] A/AC.14/SR.7, Ad Hoc Committee, 7 October 1947, p. 40.
[79] A/AC.14/32, Report of the Sub-Committee 2, 11 November 1947, p. 45.

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amount not to the setting up of two self-contained entities, but to the dismemberment and mutilation of a living body'.[80] Indeed, instead of working towards strengthening the trust, and deepening the relationship between two mutually dependent groups – politically, economically, and socially – the partition would 'forcibly driv[e] … a Western wedge into the heart of the Middle East'.[81] Rather than solving a problematic situation, partition would contribute to its perpetuation.

As we have seen, then, Zafarullah Khan argued the case for a minority protection for the Palestinian Jews along the same lines that Coupland had argued for the protection of the Indian Muslims. For Khan, time was the difference between the two cases. While the Muslims had been part of the land for centuries, the Jews were recent immigrants without the rights of a nation. Ultimately, Khan would lose the argument at the UN.[82] As the country's most notable Ahmadiyya Muslim, he would also lose his position as foreign minister a few years later.[83] The Pakistani state would, in time, even declare it illegal for the Ahmadiyya to call themselves Muslim at all.[84]

Colonial and Postcolonial Religion

The analysis in this chapter illustrates the point that religion is a moving target. Its meaning and scope are intimately tied to the author, context, and time but also the ways in which the concept is entangled in various forms of authority and power. This entanglement enables

[80] A/AC.14/32, Report of the Sub-Committee 2, 11 November 1947, p. 45.
[81] A/PV.126, 126th plenary meeting of the General Assembly, p.12.
[82] See also Robson, 'Partition and the Question of International Governance'.
[83] Khan, *Muslim Becoming*; Qasmi, 'The Ahmadis and the Politics of Religious Exclusion in Pakistan'; Kattan, 'Decolonizing the International Court of Justice'.
[84] The Ahmadiyya is a late nineteenth-century Punjab-based 'Muslim' revivalist and reformist movement. In 1973, the constitution of the Islamic Republic of Pakistan declared Islam to be the state religion. A year later, the Pakistani Constitution was amended to define 'Muslim' and 'non-Muslim', and again in 1985 to explicitly include mention of the 'Quadiani Group or the Lahori Group (who call themselves "Ahmadis")' as non-Muslims. Ahmadis were thereby prohibited from referring to themselves as Muslim or their faith as Islam. see: Art 260(3); Section 298 B of the Pakistan Penal Code. (Section 298-C) Ordinance XX of 1984 further specified Ahmadi practices as crimes under the Penal Code, the Code of Criminal Procedure, the West Pakistan Press and Publication Ordinance, and the Criminal Law (Amendment) Act.

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certain claims to legitimacy and rule while being simultaneously limited by the very political and epistemic conditions within which these claims rest. For Coupland, in the case of Palestine, the references to 'religion' were melted into a single pot with 'race', 'nation', and, to some extent, 'culture'. It did not seem to cause much trouble in and of itself. In the case of Pakistan, on the other hand, 'religion' had become more clearly differentiated from 'race' or 'nation' and was now seen by Coupland to threaten the political solution to a political conflict by pulling Pakistani nationalism back to old pan-Islamic ideals. In Coupland's analysis of British India, religion was an outdated framework that needed to be overcome, and the British Indian Muslims needed to be emancipated from their religious consciousness as had been done in the case of Europe and in most instances of Arab nationalism. The 'difference' between Muslims and non-Muslims in Coupland's analysis of British India referred to race, nation, and culture, but it did not necessarily appreciate a difference in religion. In the case of Pakistan, accordingly, he thought religion ought not to have been considered central to the British Indian Muslims' claims to political independence.

For Khan, the distinction between the cases of the Indian Muslims and the Palestinian Jews was one of indigeneity. The temporal argument of connection to the land became his main point of differentiation. According to this perspective, the Indian Muslims were part of the land before partition was considered, while the Jews were not. As Faisal Devji has argued, however, this point was weak, as the Pakistani movement started in the provinces outside of that which would become Pakistan, where Indian Muslims were a minority. Zafarullah Khan's attempt to distinguish a 'Jewish minority' from a 'Muslim nation' with reference to their status as peoples indigenous to the land was thus unsuccessful in convincing his audience at the UN.

As noted, Coupland's assumption that Muslim politics in India linked religion and politics in a way that Europe had long overcome was a common trope of the British imperial imaginary. The teleology that Coupland describes – with Arab Muslim nationalism overcoming the outdated ideology of pan-Islamism – is not an argument based on a progressive march to modernity. Rather, the type of argument Coupland was making follows what Tomoko Masuzawa has described as the myth that Islam will inevitably stagnate if it is left to itself. This myth was born out of the need to position Europe – and particularly the faltering British Empire – as superior vis-à-vis the

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recently dethroned Ottoman Empire, which had become the embodiment of a global political vision for Islam.[85]

Coupland and Khan disagreed on both the grounds for and the consequences of partition. While Coupland considered partition necessary for a future reunification of the fundamentally different Palestine Jews and non-Jewish Arabs, Khan, by contrast, argued that it would reify division in Palestinian society and set a dangerous precedent. Consequently, it would serve as a source of both internal and international disorder. The two men did, however, agree on two counts. Neither of them questioned the integrity of the minorities or nations on behalf of which they claimed partition or protection, respectively. Further, neither of them saw conflicts between these bounded groups as necessary and inevitable. I will end, therefore, by discussing the relationship between religion, the notion of the minority, and conflict that emerge out of these two perspectives.

Religion, Minority, and Conflict

Both Coupland and Zafarullah Khan suggested partition in one of the two cases while rejecting it in the other. When not advocating partition, both men proposed to protect the 'minority' as the alternative to division and independence – the Muslims in India for Coupland and the Jews in Palestine for Zafarullah Khan. Minority protection had become a recognized international practice following the First World War.[86] However, such practices helped to define and control a population as a 'minority' as much as they protected it.[87] Together with other institutions, such as the census, political representation, or law, they were part of a broader imperial politics and sociology of knowledge, along with the practices of categorization and codification that accompanied the rise of the governmental and administrative state.[88] Coupland and Khan both continued this legacy and argued for

[85] Masuzawa, *The Invention of World Religions*.
[86] But it was only the 'emergence of national majorities in nineteenth-century Europe and India that turned Jews and Muslims there into minorities, whose apparently irreducible particularities posed a "problem" or "question" for states newly founded on notions of shared blood and the ancestral ownership of a homeland' (Devji, *Muslim Zion*, p. 3).
[87] Mufti, *Enlightenment in the Colony*.
[88] Hussin, *The Politics of Islamic Law*, p. 30.

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a distinguished minority defined by 'religion' to be protected by rights instead of sovereign state borders.[89]

The minority, as Aamir Mufti points out, is 'always potentially exile, and exile is an actualization of the threat inherent to the condition of minority'.[90] As long as religious difference remained tied up with the minority, it would be tied up with the fear of subjugation to the politics of numbers inherent in a majority/minority governmental system.[91] For Coupland, the conflicts in both Palestine and India were perpetuated by the fear of the minority and the actors' 'crude' interpretation of democracy as the rule of the majority.[92] The genocide of the Second World War would further intensify Jewish fears of being a political minority. But the war would also leave Zionist leaders disillusioned with the British and prompt them to abandon the prospects of becoming a self-governing polity under the security of a federal empire (a future British Commonwealth) for the prospects of an independent Jewish state.[93]

As the forms of representative government within British India expanded and the prospects for parliamentary democracy began to materialize, the Muslim minority sought to escape the law of numbers and the looming threat of Hindu majority dominance inherent in the Westminster model of parliamentary rule.[94] Muhammad Ali Jinnah, the leader of the main Muslim party the All-India Muslim League, was instrumental in shifting the Muslim legal and political position from 'religious minority' to 'nation'. The 'two-nation theory' of separate but equal Hindu and Muslim nations would then gain unexpected traction. In the negotiation of the transfer of power, Jinnah continued to claim parity between the Indian National Congress – which had previously argued to represent all Indian subjects, regardless of religion – and the Muslim League, as well as parity between what he called 'Hindustan and Pakistan'. Declaring India's Muslims a nation

[89] As noted, dividing political representation and resources along religious lines had been part of a trans-imperial imaginary long before the partition of India and Palestine. One of the most influential examples was the census as detailed in Chapter 4.

[90] Mufti, *Enlightenment in the Colony*. [91] Kattan, 'The Empire Departs'.

[92] Coupland, *The Future of India*, pp. 16–17.

[93] Dubnov, 'The Architect of Two Partitions or a Federalist Daydreamer?'; Lin, 'The Arithmetic of Rights'.

[94] Devji, *Muslim Zion*, pp. 85–86; Jaffrelot, *The Pakistan Paradox*, p. 94.

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meant 'discarding a purely numeric logic: if a minority was denied by its demographic weight, a nation is equal to others, even if it is smaller'.[95] The 'problem in India was therefore, according to Jinnah, 'not of an intercommunal character, but manifestly of an international one, and it must be treated as such'.[96]

With the discursive shift from minority to nationhood, then, British Indian Muslims invoked a political subject that had been formed by the minority politics of British India. The new nation was no longer dependent on sheer numbers to legitimate its claim to political independence. While the idiom of minority numbers had been rejected or, rather, transcended by the British Indian Muslims' claim to the nation, the logic of enumerated and differentiated 'religious' groups that had been intrinsic to the colonial episteme continued to live on in the religiously defined nation. The religious minority had become a nation with the legitimacy to claim a state.[97] In the case of Palestine, by contrast, the demographic anxiety of smaller numbers that had driven the pre-partition focus on immigration would continue to feature in the post-partitioned Jewish state.[98]

In Palestine and India, the partitions and subsequent independence processes were both preceded and followed by large-scale violence – decades-long conflicts and loss of lives running into the millions. While both Zafarullah Khan and Coupland had been tasked with analysing the tensions underlying the conflicts and to suggest a way out of them, neither of them thought conflict was the inevitable consequence of religious difference. In Palestine, Coupland saw the growing conflict between the Jewish and the Arab populations not as emerging out of a zero-sum game between incompatible religious groups but rather as a product of the Zionist and Arab nationalisms that had taken hold of each group. The Jewish 'race' of Palestine was fundamentally different from its 'non-Jewish' Arab counterparts – the Jews being 'Western' and the Arabs being 'Asian'. While that difference was impossible to transcend through assimilation, it did not automatically lead to conflict. It was, in theory, more than possible to accommodate different religious groups within a single political community, as had been

[95] Jaffrelot, *The Pakistan Paradox*, pp. 78–79.
[96] Gwyer and Appadorai, *Speeches and Documents of the Indian Constitution 1921–47*.
[97] Birnbaum, 'Recognizing Diversity'. [98] Lin, 'The Arithmetic of Rights'.

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done before within the British Commonwealth. The idea of imperial federalism was comfortably able to include the practice of partition.[99] Rather, the separation of the fundamentally different 'Jews' and 'non-Jewish' Arabs was, in Coupland's mind, the first step towards a future reunification, and much more likely to lead to one than deepening resentment caused by ongoing religious violence.

For Khan, partition had been a necessary evil in India for the protection of its Muslim population. Nonetheless, it would be the root cause of future conflicts in Palestine. Neither of the men considered religious difference to propel violent conflict. Neither did they ever consider violence to be constitutive of the boundaries of the Muslim or Jewish subject.[100] The violence in 1946 and 1947, as well as the slaughter in the days following Indian partition and Pakistani independence, was, in this sense, also constitutive of the process of consolidating the 'Muslims' into an ever-more distinguished and distinguishable category.

Conclusion: The Costs of Recognition

In 1949, the Israeli government commissioned a study of Asian population transfers. The study's author suggested an Arab-Jewish exchange of population after concluding that aspects of the South Asian experience were similar to those of the Jewish State.[101] Israel and Pakistan had been independent for one and two years, respectively, and the connections between them would continue to be uneven and dynamic. The Second World War had accelerated the pace of the demise of the British Empire and paved the way for more fundamental changes to the international order. The scholar of religion Talal Asad, himself a child of entangled Jewish and Muslim history, shows how colonial power reshapes and reorganizes the conceptual and institutional conditions of

[99] Dubnov and Robson, *Partitions*.

[100] 'Violence happened – and can only happen – at the boundaries of community. It marks those boundaries. It is the denial of any violence "in our midst", the attribution of harmony *within* and the consignment of violence to the *outside*, that established "community"' (Pandey, *Remembering Partition*, p. 204).

[101] Schechtman, *Population Transfers in Asia*. See also Moses, 'Partitions, Hostages, Transfer'; Masalha, 'From Propaganda to Scholarship'. See also Chester, '"Close Parallels"?'.

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possibility in regard to social action.[102] In this chapter, I have studied several ways that the meaning, scope, and use of 'religion' both constituted and was constituted by colonial power and those in the position to channel it. I examined the transnational history of Pakistan and Israel, two cases whose interconnectedness should not come as any surprise given that they had a shared administration during the final decades before their independence.

I studied 'religion' as a particular regime of difference and asked how ideas about religion's use and meaning were articulated and changed within the entangled empire in ways that both conditioned and were conditioned by the emerging independent states. Tracing the concept of religion through the final decades of the British Empire and the formation of the Pakistani and Israeli states, I showed how the colonial governmental logics that structured the minority politics of the British Indian Muslims and the Palestinian Jews continued to live on and give shape to the claims made to the nations and the states that would come to replace British rule. In the census and the changing form of political representation, the terminology of religion had been abstracted from the practices and creed of the population that it had come to represent. For Coupland and Zafarullah Khan, the meaning of 'religion' therefore remained dependent on context. This took on an even more elusive character once it became attached to the nation. Religion was, as Faisal Devji puts it, 'deployed to name only the most general, disparate and shifting of qualities'. Nonetheless, 'this is what made it so radical as a founding idea for the nation, the informal social contract between widely different regional, sectarian and linguistic groups'.[103] The elusive nature of the concept of religion is in this way not simply instrumental to those struggling for the nation or crafting the social contract for a heterogeneous group; it is part and parcel of the epistemic and conceptual web within which global political dynamics are entangled.

[102] Asad's father, Muhammad Asad, was according to his son 'an intellectual Austrian Jew, a correspondence of the Frankfurter Zeitung and the Neue Zurcher Zeitung, who converted to Islam in the 1920s and participated prominently in the religious life and reformist movements of Arab and Indian Muslims' (Asad et al., 'Portrait', p. 1).

[103] Devji, *Muslim Zion*, p. 47. For an account of the relation between religion as a political identity, the modern middle class, nationalism, and the nation state, see Mufti, *Enlightenment in the Empire*, p. 29.

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In this study of the colonial and global politics of religion, I have illustrated how the census and enumeration, along with the subsequent claim to political representation and the transition from 'minority' to 'nation', shaped the terms of 'religion' and 'religious difference' as they related to questions of minority and conflict.[104] The work of making something, or someone, legible or recognizable as religious was, however, not simply a colonial venture. Such work involved translators, knowledge arbiters, and middlemen in the form of local elites invested in their new domain of influence.[105] Claims for the recognition of religion are not separate from colonial or anti-colonial epistemological politics but part and parcel of them. I have argued for the importance of detailed studies of how certain subjects – such as Jewish or Muslim states, nations, or minorities – became recognizable, that is to say, how they became legible and intelligible to a local, colonial, and global audience. By doing so, we can begin to understand what it costs to become recognized through religion as, for example, a Muslim minority, a Jewish nation, or Islamic law. Through an examination of religion in terms of the vulnerability and governability bound up with it, we gain insights not only into its conceptual history or epistemological politics but into the global political dynamics shaping and being shaped by it.

[104] Hussin, *The Politics of Islamic Law*, p. 20.
[105] Hussin, *The Politics of Islamic Law*, p. 66.

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