

Sardar Abdur Rab Nishtar

A Political Biography

SYED MUJAWAR HUSSAIN SHAH



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Sani H. Panhwar

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FORWARD

The present work is a revised version of an M.Phil dissertation submitted to the Department of History, Quaid-i-Azam University, Islamabad. The book is a political biography of Sardar Abdur Rab Nishtar, a very prominent name amongst the galaxy of the close associates of the Quaid-i-Azam, Mohammad Ali Jinnah in the latter's struggle for the achievement of Pakistan.

The author deserves our congratulations and thanks for bringing together a host of source-material scattered in various places. He has attempted to cover almost every detail regarding Sardar Abdur Rab Nishtar's personality. The book is not only a portrayal of Nishtar's political and literary activities but also an attempt in highlighting the various features of the Frontier politics of his times. Apart from enlightening the readers on Nishtar's role in the Pakistan Movement, the book will certainly of value for future researchers and writers interested in this field.

Dr. M.A. Syed
Department of History
Quaid-i-Azam University

Islamabad
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PREFACE

The early half of the present century is a water-shed in the history of the young nation that makes most of the present-day Third World. The nationalist movements from these ex-colonies were led by the elites who stood firm against the legacy of the European colonialism. These people either created the freedom movements in their respective areas or such movements created them.

In South Asian sub-continent, the quest for identity on the part of the Muslims is a historical phenomenon. The establishment of the All-India Muslim League in 1906 and the subsequent developments under the able guidance of Quaid-i-Azam make a unique phase in the history of the contemporary world of Islam. Along with the Quaid quite a few other Muslim leaders hailing from different backgrounds played their historic role for the achievement of Pakistan. Sardar Abdur Rab Nishtar has been one of the select few, whose active political career is spread over the most decisive years of the Pakistan Movement. It is ironical that such a great national leader was never studied by any scholar or Institute in Pakistan for so many years.

Lamentably there is a paucity of written materials on the subject which is the main hindrance in research work. However, the author has endeavored to fill that gap by collecting relevant factual information including speeches, statements and debates held in assemblies, Jinnah's papers and the critical account appeared simultaneously in the press. In addition, the author also managed to interview different important political personalities who had been directly or indirectly associated with Nishtar in their joint venture to get independent homeland for the Muslims. It is hoped that the readers will find this piece of work stimulating and informative which will also open the door for further study.

Syed M. H. Shah

Islamabad
25 April, 1985

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I had the privilege of interviewing the late Abdul Qayum Khan, Mr. Abdul Ghayur (youngest brother of Sardar Abdur Rab Nishtar), Mr. Abdur Raof Seemab, Syed Jawad Hussain Gilani, Mr. Sher Mohammad Khan and Haji Malik Shad Khan. I am highly thankful to all of them for providing me valuable information. I am also thankful to Mr. A. Jamil Nishtar and Dr. Tariq Nishtar for their kind assistance.

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INTRODUCTION

The Muslim Imperial State of India was at the apex of its glory in the sixteenth century. Akbar the great Mughal impelled by his imperial needs started a policy of appeasement with the Hindu feudal lords and compromised on the basic Islamic tenets of polity. This resulted in an erosion of the charter and concept of an Islamic state and the supremacy of Shariah. Sheikh Ahmad Sirhindi, a scholar saint and reformer spearheaded a movement for the revival of Islam as the ideology of the state and gave a clarion call for obedience to Quran and Sunnah in state-craft and individual life of believers. It electrified the mind of nobility, military leaders, statesmen, Ulema and the commoners alike who rolled round the Sheikh in alarmingly large numbers. Jehangir reacted sharply and the Sheikh was imprisoned in the fort of Gwalior forthwith. Iqbal has rightly said:

گردن نہ جھکی جس کی جہانگیر کے آگے
جس کے نفسِ مُرم سے ہے گرمیِ احراء

The tide of secularism was reversed and thus firm foundation of a movement for the establishment of an Islamic State based on the eternal principles of Quran and Sunnah was laid. It is this great revolutionary movement to which the genesis of Pakistan can be attributed: The policies of Shah Jehan and Aurangzeb underwent atangible change under the influence of this movement. The Mughal court was no longer a place for free thinkers and libertines to jeer at Islamic values or disregard the imperatives of Shariah in government or private life.

Interneine wars, rebellions and resurgence of the Hindu Marathas, Jats and Sikhs and the inroads of colonial powers of Europe hastened the disintegration of the empire. At this critical juncture Shah Wali Ullah, a spiritual successor of, Sheikh Ahmad of Sirhind, regrouped the elements of Islamic revolutionary movement and heroically tried on the intellectual front to stem the tide against Muslim supremacy in India. Ahmad Shah Abdali, at his request, marched against the Marhathas and shattered their dream of establishing a Hindu empire on the ruins of the Mughal state in India. On the battle field, the struggle was pushed forward by Mir Qasim in Bengal and Sultan Tipu in South India. However, the British Imperialists and their Hindu collaborators sounded the knell of the Mughal empire and in the - first phase Islamic revolutionary movement came to an end.

Shah Abdul Aziz, the illustrious son of Shah Wali Ullah did not lose heart and looked beyond the borders of India for international support of the Muslims in his struggle for the restoration of Muslim supremacy in India. The rise of Sikh empire in the north and of the East India Company in Bengal threatened the complete annihilation of Muslims in India after a thousand years rule. He evolved a new strategy for social reconstruction of Muslims and revival of Jihad. Preaching and training in the use of weapons were his main instruments. Syed Ahmed of Brailey, Shah Ismail and Maulana Abdul Hai joined him. It was agreed that the Mujahideen should avoid an immediate direct confrontation with the far superior weaponry of the East India Company and the Jihad should be started from the traditional Muslim homeland of Afghanistan and the cis-Indus region for the liberation of the Muslim majority areas of Kashmir and the Punjab from the shackles of the Sikh usurpation This ultimately resulted in the great trek of Mujahideen through Sindh and Baluchistan to Kabul and Peshawar It was in Peshawar that the great Syed Ahmad and his companions declared the establishment of an Islamic state in accordance with Quran and Sunnah for 'Tatheer-i-Hind' *i.e.*, purification of India in the words of Syed Ahmad a concept which gave us the name of Pakistan for the Muslim Homeland in the sub-continent Feudal reactionaries and selfish elements, however, joined the counter revolutionary camp of traitors propped up by Sikh bribes with further enticement of big reward for betrayal Syed Ahmad decided to march on to liberate Kashmir but met the tragedy of Balakot in 1831 at the hands of Sikhs Their mission was carried on in various parts of India by Ulema and ultimately the second stage ended with the upheaval of 1857.

The remnants of this movement established their centre at Deoband which became a fort of resistance against British Imperialism while Sir Syed Ahmad Khan and the Loyalists chose the path of social reconstruction through scientific education and constitutional struggle for the defence of Muslim interests Establishment of All India Muslim League in 1906 started the new phase of the struggle.

It was Moulana Muhammad Ali Jauhar who brought about a union of minds among the anti-imperialism Ulema and new western educated Muslim elite and popularized the Pan Islamic Movement of Syed Jamaluddin Afghani as part of international struggle of Muslims against European imperialists for the liberation of whole of the Muslim world from their clutches. Khilafat Movement attracted both the groups equally. It was in this perspective that Sardar Abdur Rab Nishtar started his career as a young graduate in Law from the Muslim University, Aligarh. Tone of Islam and fervor for resurgence of Muslim were the hallmarks of his character. Iqbal's vision of Pakistan attracted his heart and ultimately he allied himself with Quaid-i-Azam and his colleagues for a final round of combat for the freedom of Muslims from the British shackle and tyranny of Hindu exploiters and the establishment of Pakistan as an Independent Islamic state based on Quran and Sunnah.

Syed Mujawar Hussain Shah and the Department of History deserve credit for initiating the present introductory study of a great patriot known for his uncompromising honesty, and loyalty to Islam and Muslims. In this age when we care more for the fruits of freedom than for Islam, very few of us devote ourselves to promote scholarship and preservation of sources of historical information about our struggle for the glory of Islam for the posterity. Development of centers for collection of archives material and for promotion of research are yet in infancy and deep scholarship is yet a far cry. Any, effort in this direction is most welcome at whatever scale it may be possible. In the words of the author this study can prove to be a good incentive for further research when archive material is accessible on the contributions of Sardar Abdur Rab as the Federal Minister in India and Pakistan, as the Governor of the biggest province of Pakistan and as a great leader of public opinion.

I hope and pray that this effort receives encouragement from the learned public and Syed Mujawar Hussain Shah sustains his interest in historical research and distinguishes himself as a great scholar Amin!

وَالَّذِينَ جَاهَدُوا فِينَا لَنَهْدِيَنَّهُمْ سُبُلَنَا

سورہ روم پارہ ۲۱-۵
رکوع ۵۲

Prof. S. Hassan Shah
(Retd) Registrar
Quaid-i-Azam University,

Islamabad
25 April, 1985.

Chapter One

FAMILY, EARLY LIFE AND EDUCATION

The birth of Pakistan is the result of the sacrifices offered by the Indian Muslims and the evolution and propagation of the Two Nation Theory by the leading Muslim politicians. No doubt, it was a difficult task for the Muslims to project their point of view because of the opposition of non-Muslims who left no stone unturned to wash out Two Nation Theory from the minds of the people. The major political handicaps of the Muslims can be attributed to their sufferings at the hands, of the British imperialists and Hindu capitalists since the Uprising of 1857 which had rendered them weak, both politically and economically. The non-Muslim forces especially the Hindu community benefited from the British concessions and thus made themselves stronger economically as well as politically. In spite of all this, the Muslims succeeded in organizing their political party *i.e.*, All-India Muslim League¹ in 1906 to represent their community. In the beginning, the AIML faced many difficulties in its proper organization, but gradually it became a popular party all over South Asia. The dynamic leadership of the Quaid-i-Azam, Mohammad Ali Jinnah² infused a new life in the AIML. No party or group can achieve its objectives unless it has sincere leaders and workers. Fortunately, Mr. Jinnah chose his associates directly from those who were really sincere to the cause of their co-religionists and always stood firm to the ideology of Pakistan.

Sardar Abdur Rab Nishtar³ was one of those associates who proved themselves worthy of the Quaid's confidence. The position of the AIML in the NWFP was weaker as compared to All-India National Congress.⁴ This was due to the fact that the Muslims of the NWFP were divided into many factions based on mutual rivalries. The Khan Brothers⁵ were considered to be the political magistrates of the NWFP. They were staunch supporters of the AINC. Nishtar was well known among the masses because of his political, and religious activities. He was fully aware of the difficulties of the people of his province. After joining the AINL, he contributed a lot to the viable organization of the Muslim League in the NWFP. His contribution towards the birth of Pakistan is acknowledged with pride and gratitude by the nation. Nishtar not only worked for the Muslims by actively participating in politics, but also contributed to a great extent

¹ Hereafter AIML.

² Hereafter Mr. Jinnah.

³ Hereafter Nishtar.

⁴ Hereafter AINC.

⁵ Khan Abdul Ghaffar Khan 'The Frontier Gandhi' and his elder brother Dr. Khan Sahib who dominated Frontier politics for many years.

through his poetry by creating political consciousness and Islamic spirit amongst his compatriots.

At the turn of the century, the Muslims of South Asia may be divided into four groups in regard to their socio-political and cultural backgrounds and in terms of their family, and education:

- i) Those who had acquired the British traditions as their own and had resigned themselves to British servitude.
- ii) Those who had acquired a knowledge of the political and administrative patterns of the rulers and were attempting to improve the conditions of the Muslims by applying them.
- iii) Those who were trained in purely Islamic traditions and emerged as nationalist leaders.
- iv) Those who were purely orthodox in their attitude.

Nishtar belonged to the third category of such people.

Nishtar lived for a little less than three scores of years and his life can be conveniently divided into two periods. The first twenty-five years (1899-1924) of his life were not very important politically; they only represented his early education, youth and the environment in which he moved. In this period he formulated his own ideas about the British rule and the state of affairs of his co-religionists. The second period of thirty-four years (1925-1958) represents his political activities and achievements. This period of his life contributed tremendously to the creation of Pakistan. He fought for the Muslim cause first by joining the AINC and later on departed from it when he came to know that the attitude of the AINC was not positive towards the Muslims. He associated himself with the AIML and worked for it with complete devotion and sincerity.

Nishtar was born at Peshawar on June 13, 1899, in Mohalla Rampura, Kocha Kakaran.⁶ Some writers are of the opinion that Nishtar's birth place was Kohat⁷, which does not seem to be correct. Nishtar, in his Autobiography, records: "I was born at Peshawar on June 13, 1899, in Mohallah Rampura, Kocha Kakaran situated opposite Reeti Darwaza"⁸. However, Nishtar's father, a Railway contractor, was at Kohat, looking after his business at the time of Nishtar's birth,⁹ and thus some writers confused the place of

⁶ Sardar Abdur Rab Nishtar, *Azadi Ki Kahani Meeri Zabani*, "The Daily Jang, Karachi, February 14, 1963, p. 3.

⁷ Mohammad Haneef Shahid, ed., *Quaid-i-Azam Ke Dast-e-Rast*, Lahore, 1976.

⁸ Nishtar, *op.cit.*, p. 3.

⁹ Interview with Abdul Ghayur, youngest brother of Sardar Abdur Rab Nishtar, Railway Road, Peshawar, June 1, 1982.

his birth with that of his father's business. Nishtar's father, Abdul Hannan was a prominent figure of the Afghan tribe, Kakar¹⁰, who opposed the British Nishtar's ancestors who were settled in Zhob Valley, Quetta had migrated to Qandhar because of the British tyranny and Nishtar's grandfather, Abdur Rahman, established his business there¹¹. After the death of Abdur Rahman in Afghanistan, Nishtar's grandmother, keeping in view the security of her children, did not like to send Abdul Hannan and his elder brother Fazal Rahman to go there to take possession of their properties and business assets. Thus the family preferred to forego its total estate. Abdul Hannan settled himself at Peshawar and had three marriages having: seven sons from the first, one from the second and no issue from the third¹². The family was popular and enjoyed respect among other tribes. Haji Malik Shad Khan is of the opinion that Nishtar's father was not a Railway contractor but a clerk with a timber merchant at Peshawar¹³. But Syed Jawad Hussain Gilani is of the opinion that Abdul Hannan was a Railway contractor and had various contracts in Peshawar and Kohat¹⁴. Nishtar also records in

¹⁰ *Ibid.*, Also see Mohammad Haneef Shahid, *op.cit.*, p. 3.

KAKAR, a branch of the PANNI Afghans. KAKAR, one of the Pathan tribes which hold the Koh-i-Sial or 'black range', *i.e.*, the Sulaiman range. It occupies the elevated plateau of Bora, which is described as extensive, well-watered, fertile and carefully cultivated, and other tracts. The valleys between Bora and the mountains south of the Zhob Valley are held, by the Musa Khell a Kakar clan, and the Isor, a clan of the Panni Afghans who are akin to the Kakars. Kakar had 18 sons of his own and adopted 6 more, and these founded 24 clans. It is difficult to regard the Kakars as Scythic. KAKAR, a Pathan clan (agricultural) found in Amristsar.

KAKAR, an Arain clan (agricultural) found in Amristsar.

See, H. A. Rose, ed., A Glossary of the Tribes and Castes of the Punjab and the North West Frontier Province, v. ii, Lahore, 1978, pp. 437-438.

ISOT, SOT, an offshoot of the great Panni tribe of the Afghans which formerly held a great part of Siwi or Sihistan.

Their lands lie west of the Jafir Pathans on the Dera Ismail Khan border. See, H. A. Rose, *op.cit.*, p. 337.

PANNI, a sept of the Kakar Pathans, but settled among the Utmanzai in Peshawar. Raverty, however, says they are not Kakars, but only a collateral tribe, being descended from Parnai, one of the four sons of Danai, Kakar, Naghar and Dawai being the other three. Parnai had 18 sons who founded as many sub-tribes, viz., Musa, Langa or Sang, Sot, Marghozanai, Jadun, Safai, Shorn, Ali, Mandu, Marghastan, Dipla, Yusai, Qasim, Khajzak, Lawarn, Umar, Jantai and Khatanai, but the last named and two others, probably Umar and Jantai were adopted by him. Some of these e.g., the Yusai, have died out, but the GADUN, SAFI, MUSAKHEL, ALI KHEL, and the descendants of Shorn and Dilpal are still numerous. Shorn had two sons, Usthan and Shadai, progenitors of the Utman Khel and Shadi or Nashadi Khel respectively. Dilpal had five sons, founders of the Mamizai, Mardo Khel, Umarzai, Mulizai and BuBikrzi. Ali had four sons, three of whom founded the Haibat Khel, Baharzai and Ughzar Khel, the three sects being called the Dreplari, or 'sons of the three fathers'. The Musa Khel, Sots, Khajzaks or Kajzaks, and others hold the country about Sibi. See, H. A. Rose, ed., A Glossary of the Tribes and Castes of the Punjab and the North West Frontier Province, v. iii, Lahore, 1978, pp. 198-199.

¹¹ Interview with Abdul Ghayur.

¹² *Ibid.*, According to Abdul Ghayur, Abdul Hannan had three marriages having seven sons from the first wife, namely (1) Soofi Abdul Haneed, a pious and religious man (2) Sardar Abdur Rab Nishtar, (3) Abdul Ahad (4) Abdul Hague (5) Abdul Malik (6) Abdul Ghani (7) Abdul Ghayur. The second wife had only one son named Abdur Rahman, who died four years ago. Nishtar's real brothers, Abdul Ghani and Abdul Ghayur are alive and settled at Nowshera and Peshawar respectively.

¹³ Interview with Haji Malik Shad Khan, Zargarabad, Shad Colony, Peshawar, May 31, 1982.

¹⁴ Interview with Syed Jawad Gilani son of Hazrat Syed Tajammal Hussain, Peshawar, June 1, 1982.

his Autobiography: "My father was a Railway contractor looking after his business at Kohat when I was born"¹⁵.

Nishtar's grandmother named him Abdur Rab in pursuance of a dream she had had some time before his birth¹⁶. It is interesting to note that Nishtar was named as a result of his grandmother's dream. It can safely be inferred that Nishtar's family was orthodox and conventional in which dreams and the wishes of the family elders were given considerable importance. Why he was named by his grandmother instead of his father? Firstly, his father was away from home looking after his business when Nishtar was born. Secondly, it has been a convention among the family that sons/daughters are named by the elders in the families, The name given to a son by a grandmother instead of father indicates that matrilineal hierarchy system was prevalent in the family. According to one of the elders of family, it is a tradition of our family that children are named by the elders in the family"¹⁷.

Nishtar's father, on account of his business engagements, could not give enough attention towards the training of his children. From this, it can be concluded that Nishtar's mother contributed more and more in shaping the personality of the son than his father. Abdul Ghayur remarks: "Our mother was a religious lady belonging to a respectable family of the Pathans, who always taught us the principles, of Islam and as such she had a great influence upon Abdur Rab"¹⁸.

It may be mentioned here that Nishtar's whole family was deeply religious minded and the home education made Nishtar an enthusiastic votary of Islam.

Nishtar passed his fifth grade from the Chappel School, Peshawar and then joined Mission High School, Peshawar. He did not complete his high school education at Mission School and was shifted to Sanatan Dharram High School during his tenth grade. The change in schooling indicates that the standard of teaching in these schools did not suit Nishtar or maybe he was unable to follow the instructions. As Khan Abdul Qayyum Khan narrates: "The training of Nishtar was done purely on Islamic teachings and the teaching at School level was quite different than that at home"¹⁹. But Abdul Ghayur is of the opinion that the change in schooling was not due to the fact that Nishtar did not follow instructions hut the change was for the sake of convenience only²⁰. He could not appear in his matriculation examination in 1917 because of an illness, as he himself records: "I did not appear in the examination due to a shortage of

¹⁵Nishtar, *op.cit.* p. 3.

¹⁶Nishtar records in his Autobiography: "I was told by my grandmother that prior to my birth she had had a dream at a morning in which a relative Hajan lady told her that Abdul Hannan is going to have a son, who should be named Abdur Rab". Nishtar, *op.cit.*, p. 3.

¹⁷Interview with Abdul Ghayur.

¹⁸*Ibid.*

¹⁹ Interview with Khan Abdul Qayyum Khan, Peshawar, March 17, p 81.

²⁰ Interview with Abdul Ghayur.

attendance in the school as I had suffered from typhoid"²¹. He took his matriculation examination in 1918 and passed it by securing a second division. This shows that Nishtar was not above average in his studies. After passing his matriculation examination, he was admitted to Mission College from where he appeared for intermediate examination in 1920 but failed in History. This was due to the fact that Nishtar fell ill just a few days before the examination and hence could not get through.²²

Nishtar's father preferred a job for his son and did not want him to study further.²³ But Nishtar wanted to continue his education. Apparently there can be two reasons for the reluctance of his father to continue Nishtar's education. Firstly, he was a businessman and knew that one can earn more out of business than by being a mere academician. Secondly, he was not satisfied with his educational performance. But, surprisingly, Nishtar was allowed by his father to continue his studies. According to Abdul Ghayur: "Our father had various contracts in Peshawar and Kohat. He wished that Nishtar should also share his responsibilities and as such he showed his unwillingness for his further studies"²⁴. Nishtar had a kind and sincere friend, Hazarat Syed Tajjamal Hussain, who was a descendant of Hazrat Shah Mohammad Ghous Gilani, having a link with Qadria Chishtia²⁵. Nishtar acquired connections with this family through another friend Abdur Rashid Lala, whose family venerated these Syeds²⁶. There were always huge gatherings for audition (*qawwalis*) and discussions on Islamic education at the residence of these Syeds.²⁷ The religious atmosphere at home and Nishtar's association with the Syed family helped him a lot in formulating his ideas on Islamic injunctions. It proved so fruitful that he never deviated from Islamic principles throughout his practical life as a politician or as a governor. He was fond of *sufism* and other branches of religious knowledge. He also acquired fluency in Urdu and Persian through the offices of the same Syed family.²⁸ To mould Nishtar's personality into a pure Islamic shape, his parents and then associations with the Syed family contributed much to his achievement.

Nishtar prepared himself for *Munshi Fazil* examination on the advice of Syed Tajjamal Hussain and eventually passed it. He himself says: "I was intelligent enough with a sharp memory due to which I could learn by heart any poem or a part of any book easily"²⁹. As already stated, Nishtar was a man of average caliber. However, because of his sharp memory, he could learn things by heart. It indicates that he had a reasonable,

²¹ Nishtar, *op.cit.*, p. 3.

²² *Ibid.*, p. 3.

²³ Nishtar records: "I wished to continue my studies further, but my father was not satisfied with my performance in the intermediate examination and desired that I should join some service". Nishtar, *op.cit.*, p. 4.

²⁴ Interview with Abdul Ghayur.

²⁵ Agha Masood Hussain, ed., *Abdur Rab Nishtar, Azadi Ki Kahani, Meeri Zabani*, Lahore, 1976, p. 11.

²⁶ *Ibid.*, p. 11.

²⁷ *Ibid.*, p. 12.

²⁸ Mohammad Haneef Shahid, *op.cit.*, p. 3.

²⁹ Nishtar, *op.cit.*, p. 4.

though not extraordinary, grasp on the subject. According to Abdul Ghayur, Nishtar had a photographic memory.³⁰ He took his B.A. examination from the University of Punjab as an external candidate in 1923 and got through in it. "When I passed my B.A. examination", he continues, "My father was convinced that I was really fond of education, and, thus allowed me to seek admission in LL.B. at Aligarh Muslim University"³¹. During his studies at Aligarh Muslim University, his father used to write him encouraging letters. According to Abdul Ghayur: "Father wrote a letter to Nishtar when he was an LL.B. student at Aligarh Muslim University that: "Now I feel you will bring good name for the family"³². It indicates that Nishtar through his performance at Aligarh Muslim University had satisfied his father. Nishtar completed his LL.B. in 1925 with distinction, and obtained a practice license also. His father expired while Nishtar was still studying at Aligarh in 1923. After the completion of LL.B., Nishtar attached himself with Khan Bahadur Saadullah Khan who was then a lawyer of great repute, and got professional training from him. In 1926, when Khan Bahadur Saadullah Khan was appointed as an additional judicial commissioner, Nishtar started his own legal practice independently.³³

Nishtar, during his schooling, was very reserved and shy. When he was in the tenth grade at Sanatan Dharram School, he confronted a Hindu teacher, who in his presence did not allow students to express their views freely. Once the students planned to get rid of teacher's interference and Nishtar undertook the responsibility. The teacher used to agree with his students' remarks and would say: "Right" Next time when the teacher joined the students and discussions started on various topics, Nishtar said, "Hindu religion is the worst of its type". The Hindu teacher, out of sheer habit, said: "Right". But, at once, he realized what he had done. After this incident, he never bothered the students so vociferously³⁴. From this incident it appears that Nishtar carried an orthodox love for Islam even at the expense of other religions especially the Hinduism. His remarks indicate his inner feelings for the Hinduism.

Nishtar's father was a remarkable man and his mother was also a pious religious lady and they both exercised a tremendous influence on his life. Nishtar's father was known by the name of Maulvi Abdul Hannan because of his command over religious³⁵ education³⁶. Nishtar's parents were largely responsible for introducing him to Persian

³⁰ Interview with Abdul Ghayur.

³¹ Nishtar, *op.cit.*, P. 4.

³² Interview with Abdul Ghayur.

³³ Mohammad Hanif Shahid, *op.cit.*, p. 3.

³⁴ *Ibid.*, p. 13.

³⁵ Maulvi Abdul Hannan was a great religious scholar, and a literary person, would often held debates/discussions with eminent scholars. As narrated by Abdul Ghayur, Mohammad Azeem, a staunch anti-Qadyani had recorded an event wherein Abdul Hannan once held an open debate with Mirza Ghulam Ahmad with a challenge that, whosoever was a liar would die. Surprisingly Mirza Ghulam Ahmad died the next day as a token of wrath from the Almighty Allah.

³⁶ Interview with Haji Malik Shad Khan

and Urdu literature³⁷. The family was prominent in the tribe and they gave a particular attention to children education. Nishtar's father gave more importance to the fact that every child should be given complete independence to hold his own view point. He was of the view that children should be at liberty to think on independent lines and express themselves freely³⁸. This was the reason that Nishtar's father did not stop him from further studies when he desired so. Simultaneously, the religious atmosphere at home made Nishtar a true and deeply soaked Muslim.

Nishtar is also said to have been swayed by the Khilafat Movement. He had ample opportunity to observe the political developments then taking place in India. It was the outbreak of the Khilafat Movement that made Nishtar concentrate wholeheartedly on politics. One of his poems that he composed in 1919, reflects his ideas and one can easily assess his thoughts at the time when he was a student. The poem gives purely an Islamic color and thinking to a vital problem faced by the Muslims.

Nishtar occupies an eminent place in the history of freedom movement in South Asia. As a freedom fighter, he played a significant role and his achievements would be remembered for all the times to come. He has been a top-ranking politician, a sincere leader, an honest administrator and, above all, a man of amicable nature. But presently very few know him as a poet. According to Sharif-al-Mujahid, Nishtar was gifted by the muse with a poetic genius.³⁹

Because of his preoccupation as a lawyer, and, later as a politician, he did not get enough time for composing verses yet he never neglected this literary taste and whenever he got time, he expressed his ideas in an impressive style. Nishtar adored poetry from his childhood and became quite a celebrated poet both in Urdu and Persian.⁴⁰ It would be interesting to note that Nishtar's father was also a poet who used 'Sanjri' as his poetic name.⁴¹ It appears that Nishtar inherited literary taste from his father. He used to attend *Mushairas* and always inspired the audience with his fine poems.⁴² Nishtar was the disciple of the renowned Urdu poet, Hazrat Akbar Allahabadi. Highlighting the literary corrections of Akbar on his poems, he has written:

In the beginning of my literary career, I had shown my verses to Akbar Allahabadi for three years. Alas! All the papers on which he had made corrections were destroyed by a fire in 1920-21. Akbar Allahabadi died and our literary relations were discontinued.⁴³

³⁷ Mohammad Haneef Shahid, *op.cit.*, p. 13.

³⁸ *Ibid.*, p. 13.

³⁹ Sharif-al-Mujahid, 'An Appreciation', *The Daily Dawn*, Karachi, February 16, 1969, p. 4.

⁴⁰ *The Daily Morning News*, Karachi, March 12, 1969, p. 4.

⁴¹ Interview with Abdul Ghayur.

⁴² *Ibid.*

⁴³ Nishtar, *op.cit.*, p. 4.

In the beginning, Nishtar wrote odes and poems in a conventional style, but soon he diverted his attention towards the religious and national cause. Nishtar was a devoted soldier of Islam and had a deep compassion for the Muslims. He had an unbound love and affection for the whole Muslim world. Why Nishtar's poetry was colored with Islamic thoughts and ideas? Firstly, his training at home was based on quite religious lines and he learnt quite a lot from his parents about Islam and its past glories. Secondly, he had relations with certain Sufis, and the thirst for the religious knowledge had kindled in his heart on account of his contacts with them.⁴⁴ Whenever and wherever, the Muslims were subjected to tyranny and torture, Nishtar could not help feeling for their pains and sufferings and he always expressed his heart-felt sentiments in lyrics.

His poetry throws light on his high aims and supreme ideas of life. The first poem composed by him in 1919 depicts the significance of the Khilafat Movement. The Khilafat Movement was launched under the dynamic leadership of the Ali Brothers in support of the Turks. Its aim was to start a rigorous campaign against the British imperialism which was solely responsible for downfall of Ottoman Empire. One of Nishtar's poems written in 1919 indicates that he was very much impressed by the Khilafat Movement. The poem clearly explains the British attitude towards the Muslims and the poet does not believe in the promises of the rulers. Nishtar in this poem hoped that a time would come when the tyranny and despotism of the British rule would come to an end. He declared the British as dictators in a stirring way and expected that the sacrifices offered by the Muslims would not go in vain.

During these fateful days, Nishtar wrote an important poem which is of a high literary value. The poem entitled 'Oissa-i-Dard-e-Islam' signifies the compassion and true Islamic spirit of the poet. It also depicts his feelings for the dignity of Islam and reveals the concern of the poet regarding the growth and development of the Muslims the world over. In this long poem, Nishtar admits that the glory of Islam has vanished and the Muslim empire has been obliterated. There seems to be a state of despondency and despair among the Muslims. But the poet does not augment pessimism rather extols the view that gloom will eventually disappear. The state of pessimism will end and Islam will regain its lost glory, and the Muslims will once again achieve their sublimity. Through this poem, Nishtar has tried to sound the Muslims to prepare themselves to face the anti-Muslim movements in the world.

In one of his poems, Nishtar explains that the Muslims, once, were, the leading sovereigns of the time actually possessed high traits of character and were completely absorbed in love of Islam. Their deeds and actions were for the pleasure of Almighty God. The poet reminds the Muslims that they have forgotten the Islamic principles and

⁴⁴ The *Daily Morning News*, Karachi, April 27, 1971, P. 3.

patterns of life as laid down in the Holy Quran, and as such this was the case of their degradation. Nishtar is of the opinion that the secret of the Muslims development and success lies only in the adoption of Islamic principles and pattern of life.

Nishtar very sadly narrates the conditions of the Muslims who had adopted the, western way of life by forgetting past glory of Islam. The Muslims had gone far from the Islamic injunctions which eclipsed the signs of their pride and glory. The poet explains this catastrophic state of condition in a very painful manner which shows that the contemporary Muslims have become aimless masses. He was not satisfied with this cliché and stressed that they should not adopt any other pattern of life except that which Islam prescribes.

At one stage in the course of the poem, Nishtar seems very much contented with the state of affairs in spite of the fact that the conditions of the Muslims were very deplorable. He knows that the gloom of this temporary darkness will disappear soon and expects that clouds of the infidelity will Vanish. The poet, in this poem, predicts a bright future for the Muslims provided they followed Islamic principles. It may be added that Nishtar's prediction that "the Muslims of South Asia would attain the fruit of their sacrifices", came true after 28 years and the Muslims achieved an independent state of Pakistan.⁴⁵

Nishtar was a politician but his contribution as a national poet is equally venerable. He strove hard to awake the slumbering Muslims and always constrained to unchain his co-religionists from the tyranny and grip of colonialism. He was not alone in this campaign, but he propelled entire nation to face the non-Muslims as well as other anti-Islamic forces. He vigorously championed the cause of freedom for the Muslims through his oration and poetry. His poetry is really a portrayal of his sincere aims. From the poetry of Nishtar, his message is clearly discernible which guides the nation unto a right path.

His stay at Aligarh was rewarding. Being a bright student of politics and poetry, he had occasions to establish connections with the political and literary elites of South Asia. He took a keen interest in the national affairs during his earlier career. He used to wear European clothes at that time like other educated Muslims. But, once, during a discussion, a student caught hold of his tie and taunted: "On the one side you talk of national problems but on the other, you wear European clothes".⁴⁶ This event left a lasting impact on Nishtar, and in future he never put on western clothes.

Those clannish characteristics that Nishtar's father considered harmful for his family, became the cause of distinction for the family. The family had inherited political

⁴⁵ Mohammad Haneef Shahid, *op.cit.*, p. 26.

⁴⁶ *Ibid.*, p. 14.

rivalries and other disputes which had badly affected its stability and prosperity. He desired that his family, by avoiding such futile activities, should place itself on sound footings. Time and again, he advised his sons not to take any active part in fissiparous politics.⁴⁷ But it is very strange that Nishtar, who is said to have been an obedient son, did not act upon this advice of his father. What was the cause which forced Nishtar to plunge into politics despite his father's advice? Nishtar himself explains the cause of not complying with the advice of his father: One night I saw my grandfather in my dream, who was reading this verse:-

بکارِ خویش مرد کارِ آشتانگ است

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From this I inferred that he was persuading me to enter into politics for the cause of my co-religionists. So I stepped into it as major part of my grandfather's life had been spent in political struggle.⁴⁹ This indicates that Nishtar had, inherited a political heritage which was deeply rooted in his family tradition and in spite of his father's advice, he could not get rid of it.

Nishtar's political views were developed as a result of the upbringing he received from his mother and grandmother. His chequered educational career enabled him to understand the British policy. During his early life of twenty-five years, he gained much by associating himself with politicians like Maulana Mohammad Ali Jauhar and Maulana Abu-ul Kalam Azad. He started as a keen student of politics and tried to enter deeper into it. He had all the qualities of a veteran politician in him. He always moved in such a way that his contribution merited the Muslims at large. In his career as a politician, all such qualities remained visible in him. The association with the Khilafat Movement also made him aware of the problems being faced by the Muslims of the world and attitude of the non-Muslims towards his co-religionists.

⁴⁷ *Ibid.*, p 14.

⁴⁸ The Punjab Gazette, Pant III-A Lahore, October 5, 1923, p. 459.

According to Abdul Ghayur, when Nishtar was still young, he saw his grandfather in dream who gave him a lecture in poetic form. As Nishtar woke up, he remembered only one couplet which meant "forget your own self and help others", from this day Nishtar dedicated himself to the wellbeing of the nation.

⁴⁹ *Ibid.*, p. 459.

Nishtar does not make it manifest against whom this political struggle was directed? According to Abdul Ghayur: "Nishtar's grandfather, Abdur Rahman was a religious man and he disliked the British rule in the sub-continent. He opposed their policies because of the fact that they were against the Muslims. The other tribes supported the British cause and Abdur Rahman migrated to Qandhar where he established his own business to bring the family on sound footings. Most of his property and assets were left in Zhob Valley and he could not get any of them because of the British opposition.

Chapter Two

THE NORTH WEST FRONTIER PROVINCE A RETROSPECT

The North-West Frontier Province in Pakistan is situated in the north-west of South Asia. To the west and north it shares an international border with Afghanistan, while in the East it borders with Kashmir and the Punjab, and in the south lies the province of Baluchistan. The area covered by this province is of an immense strategic importance as it happens to be the gateway to the Indian Sub-continent. From Central Asia empires have striven to control it but never has it been completely subdued or fully integrated with any settled government.⁵⁰

The North-West Frontier or 'the Frontier' was regarded by the British as the most vulnerable part of their Indian empire, The first time they came into direct contact with these tracts was in 1808, when fearing a French invasion of India through Persia and Afghanistan they sent a mission to the Afghan Amir⁵¹. Throughout the British rule the foremost concern of the government regarding the Frontier was security, internally and externally. The Frontier under the British rule faced external threat; first, of course, from Afghanistan, second, from the Czarist Russia which was steadily expanding in Central Asia.

Until the end of the British rule, the question as where to stop the expansion to the north-west and how to control the Frontier was the subject of much discussion and controversy in British as well as in India. There were mainly two schools of thought. The first advocated 'the Close Border System'. This school was of the view that the Government of India should not assume responsibility for any area which could not be well-administered. The extremists of this school considered the Indus as the natural border of India and were prepared to withdraw behind that line. Most of the advocates of the 'Close Border System' held that they inherited this border from the Sikhs. The problem was only that this left a broad belt between India and Afghanistan, when the areas in this belt were inhabited by powerful and volatile tribes. There was an apprehension of letting these tribes fall into the lap of Afghanistan which could be prevented only by diplomatic means.⁵²

The other school was that of 'the Forward Policy' which wished to contain the Russians by extending the British rule to the west and north-west. The advocates of this school

⁵⁰ M. Elphinstone, *An Account of the Kingdom of Caubal*, Karachi, 1974, p. 421.

⁵¹ *Ibid*, p. 248.

⁵² J. W. Spain, *The Pathan's Borderland*, The Hague, 1963; p. 163.

regarded the vacuum left by the Sikh border between India and Afghanistan undesirable and wished that this area should be brought under a closer control.⁵³

In 1893, an international border was defined in a treaty between the British and Afghanistan to be known as the Durand. Line after the name of a British negotiator, Sir Mortimer Durand. As a result of this move, a broad hilly belt in the west was left under the British suzerainty, although they could exercise very little control over it. This area was never ruled by the British directly, but the tribes of this area were given an officially recognized semi-independent status. In this way, there existed a double boundary in the North-West Frontier, the inner one making the end of the British administration, and the other indicating the end of British suzerainty.⁵⁴ The Frontier tracts belonged to the province of Punjab up to 1901. In that year un-administered areas and the districts adjoining it were separated from the Punjab and constituted into the North-West Frontier Province. This new venture was launched because of a new approach to the border problem schemed by the new then approach viceroy, Lord Curzon. It was accomplished to bring the Frontier under a closer control of the central government. Under the new arrangements, the Frontier was to operate directly under the control of the, Governor of India through his agents and there was no need to make communications through the government of the Punjab in Lahore.⁵⁵

TRIBAL AREAS

The British extended their control over the tribal areas gradually in the last quarter of the 19th century. A scheme was propounded by Lytton in 1877 with a view to give the central government a more direct control over the Frontier administration and policy. The loose arrangements which had been made for the tribal areas were overhauled and given a firmer shape when the NWFP was set up. The tribal areas were divided into five agencies, namely, Malakand, Khayber, Kurram, North Waziristan and South Waziristan during the time when Lytton was the viceroy. The Government in each agency was represented by a Political Agent whose main duty was to see that there was no large scale unrest among the tribes in his charge. Portions of the tribal territory, which were considered less important, were not given the status of separate agencies. In these areas, the Deputy Commissioner of the adjoining districts acted on behalf of the Political Agent.⁵⁶

Lord Curzon initiated a new policy for the tribal areas at the time the NWFP was created. The military presence in the tribal areas were reduced to a minimum by

⁵³ Erland Jansson, *India, Pakistan or Pakhtunistan? The National Movement in the North West Frontier Province*, Uppsala, Sweden, 1981, p. 25.

⁵⁴ *Ibid.*, p. 25.

⁵⁵ Sir Olaf Caroe, *The Pathans*, 550 B.C. - A.VD 1957, Karachi, 1976, PP. 413-420. Also see, J. W. Spain, *op.cit.*, pp. 143-144.

⁵⁶ J. W. Spain, *The Way of Pathans*, Karachi, 1975, p. 25.

improving the communication system so that the military could take more effective action if necessary. This system prevailed until after World War I, but when in 1919 Afghanistan attacked India, it broke down. Large sections of the tribes were carried away by a mixture of enthusiasm for the Afghan cause. Militia forces in tribal territory mutinied, large parts of Waziristan had to be given to the Afghans and the Khyber Pass was closed by the belligerent tribes. In the end, however, the Afghans were defeated and before long the British managed to reassert their authority over the tribal areas.⁵⁷ The British had to devise a new system after this war to control the border. Large military forces were stationed at Razmak and Wana in Waziristan and military roads were built linking Wana, Razmak and Miranshah. The militia force was completely reorganized with a firmer shape. This was called 'the policy of peaceful penetration' by the British, while the nationalists considered it was a new version of the old imperialist forward polity.⁵⁸

The provincial government had no control over the tribal areas, which were under the jurisdiction of Government of India, that controlled the tribal areas through the agent responsible to the Governor-General.⁵⁹ This office was always held by the Chief Commissioner prior to 1932 and then by the Governor of the NWFP. After the Montagu Chelmsford Reforms were extended in the NWFP in 1932, the ministers, were made responsible for the settled districts but the tribal areas still remained under the control of the Central Government. In the settled districts, the Governor had to act on the advice of the provincial ministry, but as regards the tribal areas, he was responsible to the Government of India.

The settled districts of the NWFP were administered on the patterns similar to those in the other provinces of the British India. The Governor was head of the provincial government, whereas the Deputy Commissioners were responsible for the districts. At the time the NWFP was created in 1901, it comprised of five districts namely, Peshawar, Bannu, Kohat, Dera Ismail Khan and Hazara. The Peshawar District was further divided into two in 1937, Peshawar and Mardan.⁶⁰

Through the Frontier Crimes Regulation,⁶¹ the executive was given extraordinary manifold powers at the expense of judiciary. This regulation had a number of strong provisions, which were considered suitable to the ethos of the Frontier people and capable of meeting the inadequacies of the British legal concepts in this turbulent society. By virtue of this regulation the Deputy Commissioner was empowered to refer civil as well as criminal cases to the councils of elders or '*Jirgas*'. The members of these *Jirgas* were nominated by the Deputy Commissioner under whose jurisdiction the case

⁵⁷ J. W. Spain, *op. cit.*, p 154.

⁵⁸ Erland Jansson, *op.cit.*, p. 28.

⁵⁹ *Ibid.*, p. 29.

⁶⁰ *Ibid.*, p. 29.

⁶¹ J. W. Spain, 1963, p. 354.

in question fell. The members of Jirgas were usually men of repute in the indigenous societies, but mostly did not have any sound legal training. Such members were expected to be well-acquainted with the case and could also sound the people about the decisions. The Jirga was to make recommendations only and final decision was to be taken by the Deputy Commissioner. He could also refer the case to a new *Jirga*, if he was not satisfied with the recommendations of the first one. The maximum punishment was fourteen years imprisonment or transportation of life.⁶² The British considered the Frontier Crimes Regulation as an essential tool for maintaining law and order in these districts and an effective control over tribal area. It was strongly criticized by the ruled because of jealousy through which innocent people could be punished for the crimes of others. However, the system of trials by *Jirga* was suspended except for certain cases after constitutional reforms were promulgated in 1932.⁶³ The British were not prepared to introduce reforms for security considerations as it could disturb the stability of the Frontier. They concentrated on preserving the existing social order. This made the NWFP one of the most underdeveloped parts of India. The achievements in education were humble and there was hardly any industrial development through the length and breadth of this young province.⁶⁴

Despite the fact that the constitutional reforms were introduced in other provinces, the NWFP continued to be ruled in the same fashion till 1932. The British kept the whole administrative authority under their own control instead of entrusting responsibilities to the elected representatives.

RELIGIOUS COMMUNITIES

The majority of the population of the settled districts were Muslims. The other communities, apart from the Europeans, were Hindus and Sikhs, who constituted 5.9 and 1.8 percent of the total population respectively in 1930.⁶⁵

The Muslims were mostly agriculturists⁶⁶ and were strongly under-represented in the commercial life of the province. Similarly, they were far behind the other communities in education. The rate of literacy among the Muslims was much less as compared to that of the Hindus and the Sikhs.⁶⁷ This resulted in their under-representation in occupations requiring western education, notably the high ranks in bureaucracy. The Hindus were mostly shopkeepers, money-lenders, traders and sixty percent of them lived in urban centers.⁶⁸ The Sikhs also followed the same trades as the Hindus. Many

⁶² Erland Jansson, *op.cit.*, P. 31.

⁶³ *Ibid.*, p. 31.

⁶⁴ *Ibid.*, p. 31.

⁶⁵ *Census of India, 1932*, v. xv. Peshawar, 1931, p. 196.

⁶⁶ *Ibid.*, p. 188.

⁶⁷ *Ibid.*, p. 158.

⁶⁸ *Ibid.*, p. 192.

Sikhs were in different departments of the Government.⁶⁹ The urban Hindus and the Sikhs were mostly very influential in the socio-political life of the province because of their wealth, education and occupations.

PUSHTUNS AND NON-PUSHTUNS

The Pushtuns are intensely ethnic-conscious people and take a great pride in their Pushtoonhood. Khushal Khan rightly opined, "The very name Pakhtun spells honor and glory".⁷⁰ The term 'Pushtun' or 'Pakhtun' as a definition of an ethnic group is, however, not unambiguous.⁷¹ The generally accepted criterion among scholars and all those who claim to be Pushtuns, is genuine. A Pushtun is supposed to be a Muslim Qais to whom Pushtuns trace their descent, is believed to have lived at the time of the Holy Prophet and to have been converted to Islam by him. Therefore, the Pushtuns are proud of having been Muslims right from the beginning. Secondly, there is Pushto which is the language of Pushtuns but in this context the term also includes an entire code of behavior usually known as 'Pushtun wali' or 'Pakhtun wali'. The most striking features of the Pakhtun wali, are 'badal' and 'melmastia'. To take revenge for every hurt or insult by a Pushtun and to avenge a kinsman who has been killed is called 'badal'. Melmastia is the obligation to offer protection and hospitality to every guest. Because of these rules the Pushtuns have on the one hand won wide fame for their overwhelming hospitality, but on the other hand, they have become notorious for their endless blood feuds.⁷²

The groups of people like village artisans and cultivators also exist in the Pushtuns groups who are not given the status like that of the Pushtuns. However, they are deeply imbued with Pushtun culture and values. As clients of one Pushtun group or the other, they have a due place in the Pushtun society.⁷³ These people came from menial groups and the British named them as the scheduled castes. The division between Pushtuns and non-Pushtuns has been of crucial importance in the provincial politics. The Pushtuns are usually agriculturists and live in rural areas. Another common source of their livelihood is service in the armed forces.⁷⁴ The Pushtun society is based on tribal principles and its essential features are:

- i) Its composition is segmentary and based on tribes, clans, sections etc. This segmentation coincides with the real or putative genealogy of the tribes.
- ii) There is no strong central authority.

⁶⁹ *Ibid.*, p. 194.

⁷⁰ Sir Olaf Caroe *op.cit.*, p. 236.

⁷¹ Akbar S. Ahmed, *Pakhtun Economy and Society Traditional Structure and Economic Development in a Tribal Society*, London, 1980, p. 85.

⁷² *Ibid.*, p. 56.

⁷³ F. Barth, *Political Leadership Among Swat Pathans*, London, 1975, p. 31.

⁷⁴ *Census of India*.

iii) It is comparatively egalitarian and there is no distinct stratification as regards wealth, status and power.⁷⁵

The Pushtans are divided into a large number of tribes, which are further sub-divided on the basis of descent into a bewildering multiplicity of clans, sub-clans, sections etc. Descent is counted strictly on the male side. The various tribal branches are often named after the ancestor. There existed three categories of full members of Pushtuns in the old tribal society: khans who were the senior chiefs of tribes and clans; maliks, leading men of the families, and daftris, the ordinary full members of the tribe. In spite of the existence of these three groups, there was an inherent social and political equality in the tribal society. The khans and maliks were no more than leaders of the tribesmen in war and their agents in dealing with others; they possessed influence rather than power.⁷⁶ The *Jirga*, a tribal council was authorized to take decisions with regard to the tribe's collective actions. The general idea of this system was that every Pushtun should have a say in the tribe's affairs. The duties of daftris were confined to military operations decided by the *Jirga*.⁷⁷

The khans, maliks and daftris were the full members of the tribe but Pushtun society also comprised of other categories, A rich variety of people with a special religious status also existed in the Pushtun society. Some of them were of Pushtun origin, while others were not, but nevertheless, they occupied a respected place in Pushtun society,⁷⁸ and thus were not aliens to the locals.

There are several factors which contributed to the transformation of Pushtun society into a feudal one. Many tribal leaders strengthened their position by extending their powers beyond that what they traditionally enjoyed. The most important factor was bringing the Frontier under their control by the Mughals, Durranis and the Sikhs. This placed the Pushtuns under the direct control of the central government, which tried to regulate Pushtun society in accordance with its own needs. The interests of the government were confined to the collection of revenues etc. The rulers did not set up any administrative system of their own but dealt with the people through the tribal leaders. The ordinary maliks. were held responsible for collection of revenues by the most influential khans and maliks. In this way, the khans and maliks represented the state rather than the tribes.⁷⁹

The tribal leaders were given various favors by the government in return of their services. This was done normally in the form of land grants on which they were

⁷⁵ Akbar S. Ahmed, *Social and Economic Change in the Tribal Areas, 1972-76*, Karachi, 1977, pp. 14-16.

⁷⁶ Lal Baha, *North West Frontier Province Administration Under British Rule 1901- 1919*, Islamabad, 1978, p. 135.

⁷⁷ *Ibid.* pp. 134-135.

⁷⁸ *Ibid.* p. 135.

⁷⁹ Akbar S. Ahmed, *Millennium and Charisma Among Pathans*, London, 1976, pp. 21-22.

supposed to pay little or no revenue. There were ample opportunities for the tribal leaders to extend their holdings. The tribal Pushtun society constitutes the basis of political mobilization, whereas the feudatories are the key units in politics.

BRITISH IMPACT

The British rules over the Frontier with a close cooperation of the leading khans and maliks; Therefore, they avoided to change the existing social structure of the Pushtun Society. They made the position of big khans stronger so that they would remain loyal to them. This was done in a number of ways. The policy of assigning large shares of the revenues to the leading khans was continued and extended. They were offered a large variety of government grants, which were called political pensions.⁸⁰ Granting administrative posts to the khans and their relatives was another way to attract them towards the government. The position of the khans in the NWFP depended on two factors: their economic power as landlords and their functions in the state administration. The khans retained wide administrative and judicial powers, but gradually these powers were decreased by the ordinary civil administration, courts of law, and a police force etc. In this way the khans lost their day to day contact with the people and their influence over them as well. This way the British made the big khans dependent on the government. As a result of this, the small khans, who were not favored by the government, benefitted from this and exerted themselves to maintain their position, and emerged as the leading groups at the local level.

The British had committed themselves to the big khans and as a result there existed no political institutions through which there could be a close contact between the ruler and the ruled. This resulted in tension between the big khans and the small khans, as well as between the government and the loyalist khans on the one hand and all the rest on the other.⁸¹ This division between big khans and small khans was of great socioeconomic importance. In each locality the British would base their rule on the support they received from the most influential local khan. He was supported by the British in return for his services/support given to the government. Every locality was divided into two factions, one led by the big khan allied with the government while the other faction was led by a small khan, who was often a close relative of the big one. In this way the small khans tried to gain at the expense of the big khans and thus created a base for mutual factionalism.

The province of the North West Frontier remained untouched by the constitutional reforms and political developments in India until the World War I was over. In 1919, the situation, changed and the Frontier was brought within the orbit of Indian nationalist politics, The Government of India passed Rowlatt Act, which in order to

⁸⁰ Lal Baha, *op.cit.*, p. 142.

⁸¹ Sir Olaf Caroe, *op.cit.*, p. 429.

combat revolutionary activities severely restricted political freedom. There was great agitation against it. The first phase of the Civil Disobedience Movement initiated by the AINC in protest against the Rowlett Act also had considerable impact in the NWFP. The situation was further complicated by the outbreak of the third Afghan War. Many Pushtuns sympathized with Amanullah Khan's Afghanistan and extended an active support to their kinsmen on the other side of the border. Finally, the Khilafat Movement, launched by the Indian Muslims in support of the Ottoman Caliph evoked wide-spread response. About 18,000 Pushtuns took part in the 'Hijrat', which formed part of the Khilafat agitation, and they migrated to Afghanistan. Several Khilafat committees were formed in the province. The government suppressed the Movement by arresting the leaders like Khan Abdul Ghaffar Khan, Allah Bakhsh Yusufi and others. In 1922, the British appointed a committee to inquire into the causes of unrest and to suggest ways and means to deal with the situation. The Committee reported that aspirations of the Frontier people for constitutional reforms have been awakened into full consciousness, and recommended that the representative reforms be extended to the NWFP but for some time nothing substantial came out of it.⁸²

A Provincial Congress Committee was formed in 1928 at Peshawar. The members of the Committee were either Hindus or urban Muslims. The organization enjoyed little support in the countryside.⁸³ It was not until 1931, that Khan Abdul Ghaffar Khan brought his Khuda-i-Khidmatgars into the party, and it gained a wider support. The story of the NWFP remains incomplete if mention is not made of Khan Abdul Ghaffar Khan, his Khuda-i-Khidmatgars and his elder brother, Dr. Khan Sahib.

In the late 1920s, a Mohammadzai Khan emerged as one of the leading personalities in the Frontier politics. His name was Abdul Ghaffar Khan.⁸⁴ Ghaffar Khan, the founder of Khuda-i-Khidmatgars Movement or 'Red Shirts Movement', was born in the village of Utamzai in the Charsadda Tehsil, in Peshawar District, in 1890.⁸⁵ His father, Behram Khan, was a big landowner. He wished to give his sons a modern education. His eldest son, Dr. Khan Sahib, became a medical doctor, while the younger son, Ghaffar Khan who was a more restless person, never completed any formal education. When he was studying at the Edwards Memorial Mission High School in Peshawar, he applied for a commission in the British Army. As a son of an important Khan, he was enrolled for direct commission. But he gave up the idea of army career, allegedly because once he witnessed how a British subaltern had insulted an Indian officer.⁸⁶ He spent brief spells at different schools, including one year at the famous Anglo Muhammadan College at Aligarh, but obtained no formal degree.⁸⁷

⁸² J. W. Spain, 1975, p. 62.

⁸³ Erland Jansson, *op.cit.*, p. 47.

⁸⁴ Hereafter Ghaffar Khan.

⁸⁵ D. G. Tendulkar, *Abdul Ghaffar Khan*, New Delhi 1967.

⁸⁶ *Ibid.*, p. 19.

⁸⁷ *Ibid.*, pp. 20-21.

Ghaffar Khan devoted himself to various educational experiments among the Pushtuns in the years preceding World War I. He closely associated himself with the Haji of Tarangzai, a Pushtun proto-nationalist,⁸⁸ for the purpose. He also established contacts with the Muslim seminary at Deoband in India which was more orthodox and rather less loyalist than Aligarh. His activities began to take more political color after the World War I. He was arrested for the first time in 1919, but was released. He involved himself in the Khilafat Movement and in 1920 he led a party of Muhajrin to Afghanistan. But he was convinced of the futility of the Hijrat and returned to the NWFP, where he resumed his educational activities. He formed a society for the reforms of the Afghans called, *Anjuman Islah-ul Afaghina*, which aimed at reforming the Pushtun society,⁸⁹ but its programme had also strong political, anti-British overtones. Abdul Ghaffar Khan had, by this time, been elected President of the Provincial Khilafat Committee and in connection with the suppression of the Khilafat in the Frontier he was again arrested in December, 1921, and remained in jail till 1940.⁹⁰ He started a journal, *Pukhtun*, in 1928 which became the mouthpiece of his movement. It became popular not only in local Pushtuns but all over the world wherever a Pushtun lived. The Pushtuns living in the U.S.A. not only gave the biggest help in its circulation, but also extended financial help to the journal.⁹¹

There was no political journal or newspaper in the Pushtun language till 1928. The Urdu and English newspaper published in the Punjab were circulated in the NWFP. The *Civil and Military Gazette* in English and the *Zamindar* in Urdu were popular among the Frontier people. Abdul Ghaffar Khan, feeling need for a Pushtu journal started the *Pukhtun*, a monthly journal in Pushtu, under his own editorship.⁹² His own articles appeared under the signature: "Abdul Ghaffar". The patronage and prosperity of the *Pukhtun* was considered a matter of prestige by the Pushtuns. The Pushtuns held that the journal was issued for them, therefore, they decided that the profits from the publications should be utilized for national activities. The *Pukhtuns* were appealed to make the *Pukhtun* a successful publications.⁹³

The *Pukhtun* contained well-written articles on politics, such as the threat to tribal society the boycott of the Simon Commission, the importance of the visit of King Amannullah to the Europeans countries and the Soviet Union.⁹⁴ The *Pukhtun* continued to be a monthly journal until it was banned in April, 1930, when Abdul Ghaffar Khan was jailed. It appeared again after one year when he was released from the jail, but it

⁸⁸ *Ibid.*, p. 22.

⁸⁹ *Ibid.*, p. 36.

⁹⁰ *Ibid.*, pp. 36-44.

⁹¹ *Ibid.*, 51.

⁹² *Ibid.*, p. 51.

⁹³ *Ibid.*, p. 52.

⁹⁴ *Ibid.*, p. 53.

was again banned in 1931 when Ghaffar Khan was again arrested in 1931. The *Pukhtun* appeared thrice in a month when Ghaffar Khan was allowed to enter the Frontier Province in 1937. Its publication continued until October, 1942, except for one year in 1940. The journal continued from 1945 to August 1947.⁹⁵ This journal played an important role in creating political consciousness among the Pushtuns and a deep love for their language. It portrayed the tribal society, its traditions and its customary laws in a prudential way.

Ghaffar Khan, or Badshah Khan, as he is usually called by his followers, in the opinion of his son, Abdul Ghani Khan was 'an instinctive man'.⁹⁶ According to Erland Jansson, his political writings and speeches have shown remarkable consistency over the years and his perspicacity has often been striking. Four main tenets namely, intense Pushtun nationalism, moral and social reform, non-violence and Islam were conspicuous in his writings and speeches.⁹⁷

Ghaffar Khan used the term 'Pushtun' or 'Pukhtun' in a very wide sense. When he addressed Pushtuns, he meant all those loving in Pushtun society or even in the NWFP. In this way he tried to bring together the Pushtuns and non-Pushtuns in the Frontier. Ghaffar Khan considered himself as moral and social reformer. He described his movement as a 'moral and spiritual'⁹⁸ one and claimed that he did not desire any political power. According to him, "His only aim was to eradicate the ills from within the Pushtun society".⁹⁹ He believed that it could be achieved only by a moral uplift and by getting rid of the British. He stressed that the Pushtuns must give up their factional quarrels which were exploited by the British.

The strongest ideological influence on Ghaffar Khan was that of Gandhi. Like Gandhi, he believed in non-violence not only as a means but as a principle. Outside the Frontier, he was also known as the 'Frontier Gandhi'.¹⁰⁰ One of the strongest source of his inspiration was Islam. He frequently used Islamic symbols and referred to the Muslims traditions in all through his political career. It appears that he believed in Islam primarily as a political creed with little regard for orthodoxy. Ghaffar Khan spoke in a traditional religious idiom, but he was essentially a 'modernist'. In politics, he sided with the Congress, a secular organization, not with the Muslim League or any other communal organization. Like Gandhi, Ghaffar Khan was not only the philosopher of his movement but also its recognized leader. As Erland Jansson remarks, "Ghaffar Khan has been one of the outstanding nationalist leaders in the sub-continent".¹⁰¹

⁹⁵ *Ibid.*, p. 55.

⁹⁶ Erland Jansson, *op.cit.*, p. 49.

⁹⁷ *Ibid.*, p. 49.

⁹⁸ *The Pakistan*, Peshawar, August 1, 1939; also see *The Pakhtun*, Peshawar October 17, 1945.

⁹⁹ *The Pakhtun*, Peshawar, April 24, 1947.

¹⁰⁰ Erland Jansson, *op.cit.*, p. 50.

¹⁰¹ *Ibid.*, p. 50.

In September, 1929, Ghaffar Khan formed an organization called the Afghan Jirga, which aimed at a complete independence of India, Hindu-Muslim unity and reformation of the Pushtun society. The organization soon gained popularity and large number of people from rural areas joined it. The Jirgas were set up in all the villages of Peshawar district. He also set up another organization 'Khuda-i-Khidmatgars' in 1929.¹⁰² The Khuda-i-Khidmatgars (or servants of God) were organized on military lines. They were supposed to be subordinated to Afghan Jirga but soon the Khuda-i-Khidmatgars overshadowed the Afghan Jirga. They wore uniforms dyed with red brick dust and were therefore called 'the Red Shirts' by the British.¹⁰³

The establishment of these organizations was engineered with some specific purposes. It was decided in a meeting of the AINC held in Calcutta in December, 1928, that if by the end of 1929 the British had not accepted Dominion status for India, the AINC would demand complete independence. So the AINC, in its next meeting held in December, 1929, in Lahore, adopted the demand for complete independence. The All-India Congress Committee was authorized to launch a civil disobedience campaign.¹⁰⁴ Ghaffar Khan also attended both the meetings, first in his capacity as a member of the Frontier Province Congress Committee (FPCC) and, the second, as the Vice-President. He started making preparations for civil disobedience movement after his return from Lahore. Civil disobedience in the NWFP was to start on April 23, 1930, in connection with the opening of a Congress Enquiry into the functioning of the Frontier Crimes Regulation. The entry of the members of the Enquiry Committee was banned in the province and a number of politicians were arrested. This led to serious rioting in Peshawar city and in other parts of the districts. The Khuda-i-Khidmatgars became restive Ghaffar Khan was arrested with some of his associates, but the agitation continued. The unrest also spread in other districts and into the tribal areas. The government lost control over Peshawar city for about a week.¹⁰⁵ The martial law was imposed over the whole Frontier to control the situation. Nishtar was also arrested for the first time during this agitation. The Afghan Jirga and Khuda-i-Khidmatgars became formally affiliated with the AINC in August, 1931. Abdul Ghaffar Khan had been released from the jail in March, 1931. He resumed his agitation and by the arid of the year the situation had become so grave that the British banned the entire Frontier Congress and the Khan Brothers were imprisoned. Several Khuda-i-Khidmatgars were also arrested and the movement remained suppressed for the next few years.

Ghaffar Khan did not take much interest in the parliamentary activities and left politics for his elder brother, Dr. Khan Sahib, who had obtained a medical degree and had done medical practice in England before World War I. During the War he took a commission

¹⁰² D. G. Tendulkar, *op.cit.*, p. 60.

¹⁰³ J. W. Spain, 1975, p. 168.

¹⁰⁴ V. P. Menon, *The Transfer of Power in India*, 1968, p. 36.

¹⁰⁵ Erland Jansson, *op.cit.*, p. 52.

in the Indian Medical Service and served in France, He married an English lady and came back to India after the War. He was practicing in Peshawar when in 1931-32 he got himself involved in his brother's political activities. He served for many years as the chief executive of his brother's movement.

He was politically more moderate and cautious than his brother, Whenever the Frontier Congress got an opportunity for forming a ministry in the province, Dr. Khan Sahib was found the most suitable leader for the Congress and thus he came to the forefront. The Khan Brothers together dominated Frontier Politics for many years to come.

CONSTITUTIONAL REFORMS AND MODES OF POLITICAL MOBILIZATION

Due to their deep concern for security, the British were reluctant to introduce constitutional reforms in the NWFP. The Montague-Chelmsford Reforms, which were implemented in other provinces of India, were not introduced in the NWFP as the British did not wish to lose their close grip over the province. However, an advisory council was set up in the province which did not bring any change in the NWFP. The Simon Commission, which was appointed in 1927 and completed its work in 1929 was also not in favor of constitutional changes in the NWFP. The only recommendation made by the Commission for the NWFP was an indirectly elected council with powers of taxation and voting expenditure.

The Hindus and the Sikhs also supported the government for not granting constitutional reforms to the NWFP. From the upheaval in the Frontier in 1930-32, it became clear to the British that some constitutional reforms were necessary for the province. In 1932, the Montagu-Chelmsford Reforms were introduced in the NWFP. The province now came under the control of a governor instead of a chief commissioner. A legislative council of forty members was also set up. The transferred subjects, such as education, public health and local self government were given in the control of a minister responsible to the legislative council. The other subjects such as law and order, finance and land revenue were administered by the governor through an official responsible to him.

Another major constitutional change took place when Government of India Act, 1935, was introduced and the NWFP, for the first time was treated like other provinces. This constitutional development became operative in 1937 in the NWFP, which entirely changed the political situation in the province. Under this scheme, the government of the province was placed under the control of the ministers who were responsible only to the provincial legislature. The legislature was elected on franchise basis and thus was representative of public opinion. However, the governors were given extraordinary powers and they could override the decisions of the ministers. The governor of each province was given powers to protect the interests of ethnic and religious groups. He had also powers to dissolve the legislature in, a situation where it was impossible to run

government smoothly. The legislature, which was set up in the NWFP after the introduction of Government of India Act 1935, had fifty seats. There were nine general seats *i.e.*, for all practical purposes Hindu seats and three Sikh seats: In this way the minorities were strongly over-represented. Two special seats for landlords were also provided for the big feudals. The franchise qualifications were based on taxation, rights in property, education and service in the armed forces.¹⁰⁶

RURAL POLITICS

Due to introduction of the Government of India Act, 1935, the political situation in the NWFP underwent a dramatic change. Because of a wider franchise all the politicians now required the mass support. The politicians knew that if they were elected to the legislative assembly, they would be appointed in the ministry with complete authority over the province. It was, therefore, necessary to know how mass support could be mobilized and what implications were there for modes of political mobilization for the control of politics.

According to Alavi, the basic units in rural politics in this part of the world still remain the village factions.

Political parties, which might identify with particular groups in the rural society, articulating their interests in opposition to those of other groups, do not operate at the village level. The pervasive mode of politics at the village level is a factional one, rather than one based on interest groups.¹⁰⁷

Where the political mobilization takes place on the basis of factions, political cleavages run across class lines and not along them. All factions are represented by similar configurations of people and interests. As a result, the politics in such societies is highly conservative. The existing conditions do not change due to factions and alliances of factions. More concentration is given to control over the resources, power and status within the existing framework of society. In such societies, the political parties are alliances of factions and they have the same characteristics as the factions themselves. They do not aim at the transformation of society, but attention is paid to acquire as much as possible for themselves of what is available in the existing society.¹⁰⁸ It appears that politics in such society is very often corrupt. There is patronage which keeps together the parties and not the common goals. Efforts are made by them to acquire political power in order to place the resources: of the state at the disposal of the groups, which support the party.¹⁰⁹

¹⁰⁶ *Ibid.*, p. 55.

¹⁰⁷ H. Alavi, *The Politics of Dependence: A Village in West Punjab*, South Asian Review, v.iv., No. 2., January, 1971, p. 11.

¹⁰⁸ Erland Jansson, *op.cit.*, p. 56.

¹⁰⁹ *Ibid.*, p. 56.

It is essential to mention the vital aspect of Pushtuns social organization and political behavior known as '*tarburwali*'. The term signifies rivalry between close relatives from father or grandfather's side. In Pushtu, a cousin is called *tarbur*. But the term '*tarburwali*' also means traditional rival and traditional rivalry. Such rivalries take place over inherited land or due to a competition for the leadership of a prominent family. *Tarburwali* plays an important role in the Pushtun politics. It is a part of the Pushtun tribal society as well as of the feudal section of the settled districts. The *tarburwali* also becomes an integrated part of the party politics. A khan would join a particular party with his supporters just to strengthen his position in the area. It is interesting to note that such khans do not join any party for its programmes but because of their rivalry amongst themselves. If one joined the Congress, his local rival would join the Muslim League whether he liked its programme or not. Therefore, a khan's political affiliations and that of his followers had very little to do with the cause he supported.

RELIGIOUS LEADERS

In the Frontier society there are three main groups of religious leaders. Firstly, there are Mullahs who lead the prayers in the village mosques and are in charge of the other religious functions of the villagers. They are quite influential in their villages. Second groups is of *Maulanas* or *Maulois* who have undergone some formal religious training in a recognized religious institution. Because of this training they have a wider political outlook and also have more contacts than ordinary Mullahs. The third group is known as the group of religious leaders who are usually called '*Sufis*' or '*Saints*'. This group has been playing the most important political role in the tribal society of the NWFP.

The spiritual leader (Pir) has his influence in the much wider areas than that of a khan. Many of the Pirs in the Frontier society were considerable landowners. The land was given to them by their followers. Such gifts of land were sometime given in politically sensitive areas, so that the Pir could influence the inhabitants, of that area and in this way the khan who followed the Pir could obtain some political support. Obviously the religious influence would often be strengthened by landownership.¹¹⁰

In an overwhelmingly Muslim society, religion plays a decisive political role and carries great importance for the masses. In case of threat to Pushtuns on the basis of religion, the religious leaders have emerged the leaders of wide Pushtun alliance. They have been able to eradicate the factional divisions amongst the tribes for the time being. For example, Mullah Mustun and Mullah Hadda had led the tribal uprisings against the British in 1857, the former in the Malakand agency while the latter among the Mohmands. These uprising were so large and powerful that it took the form of a *Jehad*

¹¹⁰ F. Barth, *op.cit.*, pp. 96-103.

against the British.¹¹¹ Another notable religious leader was Mullah Powindan in Waziristan who continued to resist the British from 1893 to his death in 1913.¹¹² These religious leaders were revolutionary as they fought for their religion and rejected the modern form of civilization imposed by the foreigners. Another prominent religious leader was Haji of Turangzai. He responded to the challenge of western civilization quite differently. He also fought British with all the means available, but his main aim was to reform the Pushtun society. His real name was Fazli Wahid and he belonged to a family of hereditary religious leaders in the Charsadda tehsil in Peshawar district. He was a pious man and therefore was held in a great respect and influence in Peshawar district, and the tribal territory. He was a disciple of Hadda Mullah and had also participated in the 1857 rising. He always had a confrontation with the British authorities and for this he was jailed many times. He established many independent schools and advised the people to boycott the government schools. In the schools established by him, more attention was paid to Islamic teachings and Pushtun culture. Some of the eminent persons involved in such educational activities were Khan Abdul Ghaffar Khan and another prominent nationalist Mian Jaffar Shah.

Haji of Turangzai settled with the Mohmands in tribal areas in 1915. He preached *Jehad* against the British among the people inhabiting tribal society and he was involved in minor and major rioting. He played a prominent role when Mohmand rose against the British during the Third Afghan War. He was able to maintain his influence throughout the period in the tribal society and the villages of Peshawar districts.

It appears that religious leaders were politically active but they had no separate entity as a political group. By and large their political activities supported the khans and the other groups in the Frontier. After World War II, there was a great change in political situation when question of Pakistan came to the forefront. This, to most of them, was a religious matter and as a result the religious leaders became the most strongly motivated group in the province. The contribution of the religious leaders towards the establishment of Pakistan and in making the Muslims conscious of the Hindu intrigues is always worth mentioning.

URBAN POLITICS

In the towns of the Frontier, the politics was on different lines than that of the rural areas. The groups which dominated political activities, were of the commercial and professional types. The definition of the term 'town' was very broad and many places which were classified as towns consisted of a considerable number of people who were actually agriculturalists by profession. Most of the NWFP towns were mainly trading centers, important market places, administrative centers and military cantonments. The

¹¹¹ Akbar S. Ahmed, 1976, p. 106.

¹¹² Lal Baha, *op.cit.*, p. 35; J. W. Spain 1963, pp. 176-179.

expansion in the towns was chiefly due to the official initiatives. The new-comers to the towns were mostly immigrants from across the Indus tracts and, were often Hindus and Sikhs, on the other the main communities, were more matched in the towns than in the rural areas with the result that the communal feelings tended to run higher in the towns than in the rural areas. There were fewer chances of inter-communal rivalries when there prevailed the system of separate electorates. However, in the system of joint electorates, there was a danger of inter-communal rivalry escalating on higher scale. The Hindus and Sikhs were given over-representation, that became a genuine grievance of the Muslims.

BUSINESS MEN

There was a large number of prosperous Muslim businessmen of various kinds in the province, but in politics their role was not so prominent. They were entirely overshadowed by the rural khans and their share in the total Muslim population was very small. The situation was quite different among the Hindus and Sikhs. They belonged to a commercial community and to a large extent the Hindus dominated the politics among them. Since the commercial community depended on the government's support, there was a tendency of loyalty towards the British among the businessman in politics.

Professional men were very few. The most important group represented the lawyers. They were independent of the government's pressure than other urban groups. As a result they were radical and opposed to the government. The urban lawyers had been prominent in the Frontier Congress prior to 1930-31, but most of them left the Congress when the Muslim League was re-organized in the NWFP in 1936-37. They opposed the government within the constitutional limits. In the Legislative Council, which was elected in 1932, the party of lawyers known as Azad Party, became the official opposition party.¹¹³

GOVERNMENT SERVANTS

In the Frontier, the senior Indian government servants enjoyed a very important position. Persons serving the government were barred by law to participate in active politics but retired, senior officers were not prevented from going into politics. In spite of the fact that they were very small in number, they exercised a great influence. Equipped with higher education and wider experience in the administration and public affairs, their importance steadily increased. Their close relations with the British added further to their influence. Thus, the retired government servants formed an important and an influential political group in the NWFP.

¹¹³ Erland Jansson, *op.cit.*, p.

So long as the British had a strong hold over the country, the political interests of the senior retired Indian government servants were closely linked with the government. In spite of the British preparations for withdrawal after World War II, the Indian officials continued to play their part in the provincial politics. Because of their position in the tribal society and their knowledge of public affairs, all these groups consisting of the landlords, religious leaders, businessmen, professionals and the government servants were able to function as mediators between the ordinary people and the government. This gave them an important role in the provincial politics. Moreover; the politicians depended on these groups for support and the changing political positions of these groups were the decisive factor in the provincial politics.

Chapter Three

NISHTAR'S CAREER AS A POLITICIAN

The Indian Muslims had great sympathies Turkey when it was occupied by the British in 1919 after the World War I. It was because the ruler of Turkey was venerated as a Khalifa by all the Muslims of the world. At the time when Mustafa Kamal Pasha and his comrades were struggling for the freedom of their country, the Indian Muslims started Khilafat Movement in India as a token of sympathy for Turkey. A bill called Rowlett Act was also passed by the British Government in those days which meant to restrict the individual freedom of the people. A movement was launched in India under the leadership of Gandhi to get this bill repealed. Agitation started with the result that both the movements spread all over India including NWFP very soon. The British wanted to crush the movement with a heavy hand but in vain. Martial Law was imposed in Peshawar and many active people were arrested, but this could not slow down the tempo of the Movement. The tyranny of the rulers was unrestricted and thousands of people from the NWFP migrated to Afghanistan.¹¹⁴ In fact, Amanullah Khan, the King of Afghanistan, had issued a statement that he would welcome the people migrating to his country, but he did not expect that such a large number would pour in.¹¹⁵

Nishtar was a student during the formative days of Khilafat Movement in 1919-20. He used to attend Khilafat meetings and participated in all such activities which he thought would lead to a deliverance from colonialism. He established 'Muslim Literary Society' in 1922 with the cooperation of some of his friends at Peshawar.¹¹⁶ The main objective of the society was the propagation of Islam. It was also to be responsible for the management of Islamia Club Library and Hall. Nishtar was elected the Secretary of the Society in 1922.

The British acted upon the policy of 'divide and rule'. They were conscious of the fact that if Hindu-Muslim cooperation similar to Khilafat Movement continued, it would be impossible for them to rule over India any more. By dint of hatching some intrigues by the British, Hindu-Muslim riots took place in India and Hindus left Muslims alone for Khilafat Movement and separated themselves. A Hindu leader, Shardhanand began to convert illiterate Muslims by organizing the Shudhi Movement.¹¹⁷ It was felt by the Muslims that Hindu leader was trying to convert Muslims to Hinduism, which necessitated to counter Shudhi Movement. So Nishtar approached the leader of

¹¹⁴ Allah Bakhsh Yusufi, *Sarhad Aur Jaddo-Jihadd-e-Azadi*, Lahore, 1968, pp.213-220.

¹¹⁵ Agha Masood Hussain, *op.cit.*, p. 16.

¹¹⁶ Mohammad Haneef Shahid, *op.cit.*, p. 3.

¹¹⁷ Agha Masood Hussain, *op.cit.*, p. 16.

Jamiatul-ulma-i-Hind and some other Khilafat leaders and convinced them to oppose the Shudhi Movement. This resulted in the establishment of Tableegh-i-Islam at Peshawar having links with Jamiatul-ulma-i-Hind. Maulana Abdul Hakeem and Nishtar were elected as President and the Secretary of the party respectively.¹¹⁸ Such activities of Nishtar reveal his deep affiliations to Islam.

Nishtar proceeded to Aligarh for his LL.B. in 1923.¹¹⁹ He developed close association with Maulana Mohammad Ali Jauhar during his stay there. When in 1924, Mustafa Kemal Pasha announced the abolition of the caliphate in Turkey, Nishtar went to Maulana Jauhar and found him 'worried and sad'.¹²⁰

Apparently it was due to the fact that Jauhar had pioneered the Khilafat Movement, but despite great sacrifices offered by the Muslims, the caliphate was ultimately abolished, by the ruler of Turkey himself and the Movement met catastrophic end at that juncture. It appears that the Indian Muslims could not judge appropriate time and launched the Khilafat Movement, premature regardless its consequences in case of its failure. According to Haji Malik Shad Khan, the step of the Muslim leaders for plunging into the Khilafat Movement was emotional as the Hindus participated in the non-cooperation movement just to awe the British Government to get some political concessions.¹²¹ It is true that Khilafat Movement had brought no result according to the wishes of the Muslims, but Jauhar helped creating some political leaders like Maulana Zafar Ali Khan, Syed Attaullah Shah Bukhari, Sardar Abdur Rab Nishtar, Maulana Abdul Hameed Bhashani and some others.¹²² Secondly, it had also created political consciousness amongst the Muslims of South Asia in particular and among others in general, which later on paved the way for the creation of Pakistan.¹²³

Nishtar possessed political acumen from his college days. Once in 1924, he met Maulana Mohammad Ali Jauhar who had come back from Delhi after meeting Mr. Jinnah. He told Nishtar that he opposed Mr. Jinnah for re-organization of the AIML. But Nishtar after knowing the details of Jinnah-Jauhar discussion supported the proposal of Jinnah for re-organization of the AIML. In fact Jauhar was a witty and intelligent man, but Nishtar pleaded the case of the AIML in such a way that Jauhar was convinced.¹²⁴ The political capabilities of Nishtar at that stage when he was a student are quite evident and laudable as he could easily convince a politician of repute like Maulana Mohammad Ali Jauhar.

¹¹⁸ *Ibid*, pp. 16-17.

¹¹⁹ Mohammad Haneef Shahid, *op.cit.*, p. 10.

¹²⁰ Agha Masood Hussain, *op.cit.*, p. 17.

¹²¹ Interview with Haji Malik Shad Khan.

¹²² *Ibid*.

¹²³ Interview with Abdur Raof Seemab, Peshawar, May 1, 1982.

¹²⁴ Nishtar told Jauhar that Hindus in spite of their majority in India, were stressing for a separate Hindustan and Pandit Madan Mohan Malviya is preaching for it, when you are opposing the idea of a separate party for the Muslims of India. This argument convinced Jauhar that Jinnah was right. Agha Masood Hussain, *op.cit.*, p. 18.

A book, entitled, *Rangeela Rasool*, was published by a fanatic Hindu, Rajpaal, in 1924, in which indecent language was used against the Holy Prophet unscrupulously. He was acquitted by a Christian judge, Kanwar Deep, in 1924. This hurt Muslims tremendously and a movement started in the Punjab and the NWFP against the book, which resulted into Hindu-Muslim tension in its extreme.¹²⁵ Although Khilafat leaders of the NWFP always supported Jauhar but this time they extended their cooperation to Maulana Zafar Ali Khan and Syed Attaullah Shah Bukhari, the two noted Khilafat leaders from the Punjab. Nishtar took an active part in this movement.¹²⁶ His participation in such movements in fact helped Nishtar a lot in understanding the problems of the Indian Muslims as well as the Hindu mentality against the Muslims. This was an initial stage of his political career and through such observations and participations his political ideas acquired more maturity and polishing.

After doing his LL.B., Nishtar returned to Peshawar and endeavored for constitutional reforms in the province. The province of the NWFP was not enjoying reforms like other provinces. There was no election system even in the Municipality. Nishtar records: "I along with Khan Bahadur Saaduddin Khan, made efforts that constitutional reforms should be given to the NWFP like other provinces".¹²⁷ It indicates that Nishtar was fully aware of the sufferings of the people of the NWFP, and he wished that people of the NWFP should also stand on equal footings like the people of other provinces.

Nishtar was very keenly engaged in political activities when he was attending. Edwards College, Peshawar in 1920-21. During his education at Aligarh, he is said to be an associate of Maulana Mohammad Ali Jauhar, from whom he learnt much. It is also said that he had borrowed the style of speech and thoughts from Jauhar.¹²⁸ Nishtar was a good debator from his college days. According to Abdul Ghayur: "There was also a debating society at home in which juniors and seniors participated separately. Nishtar acquired considerable training at home by competing his seniors and juniors through his logical arguments".¹²⁹ He was also fond of arranging stage shows during his college days. A prominent artist, Prithvi Raj, was also his college fellow and both used to participate in dramas. Abdul Ghayur says: "Once Prithvi Raj met Nishtar at Delhi and said, 'you have become politician while nature made us artists'".¹³⁰ There are certain factors which helped Nishtar become mature politician, and an honest, sincere and dedicated soul. The seat of learning from where he obtained his LL.B., was also the place which produced many politicians. The atmosphere and environment at Aligarh also had a great impact upon his personality. Also the circumstances prevailing at that

¹²⁵ Agha Masood Hussain, *op.cit.*, p. 18.

¹²⁶ *Ibid.*, p. 18.

¹²⁷ *Ibid.*, p. 18.

¹²⁸ Altaf Hussain Qureshi, *The Urdu Digest* (Salnama-Annual), No. 8, June 1966, pp. 306-310.

¹²⁹ Interview with Abdul Ghayur.

¹³⁰ *Ibid.*

time must have stimulated a politically conscious man like him to lead his people. He had also inherited politics from his family, but mainly Nishtar was influenced by the Khilafat Movement and his association with Maulana Mohammad Ali Jauhar.¹³¹

Maulana Mohammad Ali Jauhar advised people through an essay 'Close Door' not to cooperate with the Simon Commission. Besides the AINC and Khilafat groups, moderate politicians were also in favor of boycotting the Simon Commission as it did not include any Indian. Nishtar took an active part in opposition to the Simon Commission as he himself narrates: "We also opposed the Commission when it reached Peshawar and agitated with black banners".¹³²

An annual meeting of Jamiatul-ulma-i-Hind was held at Peshawar in 1927 and the proposal under consideration was to support or boycott the Simon Commission. Jauhar was in favor of boycott whereas Maulana Hasrat Mohani insisted on cooperation with the Commission. When the compromise was not in sight, Nishtar and Maulvi Kifayatullah evolved a compromising formula which was acceptable to both the groups.¹³³ This also indicates Nishtar's political insight when he had just completed LL.B. and started participating in political activities.

At the time the Simon Commission was touring India, the AINC constituted a Committee consisting of Sir Tej Bahadur Sapru, Sir Ali Imam, and Shoaib Qureshi under the leadership of Moti Lal Nehru to prepare a draft constitution, later known as the Nehru Report.¹³⁴ The Muslims opposed this report because of its recommendations for joint electorates, as it could affect their status as a separate community. The year 1928 passed in tension. The meetings of the AINC, AIML and the Khilafat Committee were held at Calcutta in December, 1928, separately.¹³⁵ Jauhar's proposal for complete independence was rejected. Mr. Jinnah had already announced his Fourteen Points, which were considered as the demands of the Muslims for separate homeland in South Asia. In spite of many amendments proposed by Mr. Jinnah on the Nehru Report, none was accepted by the AINC. This resulted in creating resentment amongst the Muslims.

Nishtar was married to Auliya Begum in 1927, but this new responsibility did not affect his interest in political activities. Auliya Begum was the daughter of Syed Gul Badshah, a respectable religious figure of Peshawar. Her grandfather was a great Mufti of his time.¹³⁶

¹³¹ Mohammad Haneef Shahid, *op.cit.*, p. 33.

¹³² Agha Masood Hussain, *op.cit.*, p. 20.

¹³³ Mohammad Haneef Shahid, *op.cit.*, P. 3.

¹³⁴ Allah Bakhsh Yusufi, *op.cit.*, p. 485.

¹³⁵ Agha Masood Hussain, *op.cit.*, p. 21.

¹³⁶ Interview with Haji Malik Shad Khan.

Elections were announced by the Indian Government for the first time in the NWFP in 1929, but were restricted to the Peshawar Municipal Committee areas only.¹³⁷ The Khilafat Committee decided to take part in the elections. Prior to this there was a system of nomination. It was announced in 1929, that out of 16 members of the Peshawar Municipal Committee, eight members would be elected and remaining nominated.¹³⁸ The election of the Municipal Committee was held in November, 1929 in which five seats were captured by the Muslims, two by the Hindus and one by a Sikh.¹³⁹ Nishtar was also one of these elected members.

It appears that Nishtar was popular among the masses during the early phase of politics and he was an elected member of Peshawar Municipal Committee with a thumping majority. He records: "During those days I was very influential in Peshawar. It was therefore decided that there was no need of any campaign by the Khilafat Committee in my constituency".¹⁴⁰ It was due to the fact that he had been very much active in religious, social and political activities since his participation in the Khilafat and other similar movements. He had close friendly relations with Hazrat Syed Tajjammal Hussaies family which had many followers. They might have extended their support to Nishtar during his election. Nishtar was re-elected as the member of the Municipal Committee in December, 1932. The same year he was elected as Senior Vice-President of the Municipality.¹⁴¹ The President of the Municipal Committee in those days used to be the Deputy Commissioner but Nishtar did not allow him to interfere in the Committee's work because of his intelligence and administrative capabilities.¹⁴² He was elected unopposed as a member of the Municipality on account of his dedication to the cause of his co-religionists. He remained the member of the Municipal Committee till 1938, and during this long period he enjoyed the support of the masses as he worked for their betterment and welfare.

Nishtar joined the AINC in 1929 and became the member of the NWFP Provincial Congress Committee.¹⁴³ The question arises why did Nishtar join the AINC instead of joining the AIML? There could be two reasons for his associating himself with the AINC. Firstly, that in late twenties and early thirties the freedom movement was in full swing and to many young sophisticated Muslims, the AINC seemed to be the organization symbolizing the urge of the people. Naturally, Nishtar, was attracted towards it. Secondly, he had been greatly influenced by Maulana Mohammad Ali Jauhar who was an active member of the AINC at that time. Abdul Ghayur says: "There was only Khilafat Committee, which was more popular in the NWFP. Both the

¹³⁷ Allah Bakhsh Yusufi, *op.cit.*, p. 462.

¹³⁸ Agha Masood Hussain, *op.cit.*, p. 25.

¹³⁹ *Ibid.*, p. 25.

¹⁴⁰ *Ibid.*, p. 25.

¹⁴¹ Interview with Haji Malik Shad Khan.

¹⁴² Interview with Sher Mohammad Khan.

¹⁴³ Mohammad Haneef Shahid, *op.cit.*, p. 3.

organizations *i.e.*, the AINC and the Khilafat Committee were considered by the people as one and the same. The AIML was not yet organized in the NWFP And there existed factions among the Muslim politicians of the province. In these circumstances, there was no alternative for Nishtar but to join the AINC".¹⁴⁴ Haji Malik Shad Khan comments: "There were only the AINC and the Khilafat Committee which were attracting the masses".¹⁴⁵

Due to a confused political situation in India, Mr. Jinnah had left for London. At this stage there was no other Muslim politician having foresight like that of Mr. Jinnah who could lead the Muslims in their struggle. The AIML was the weakest organization as compared to the AINC. So the Muslims felt genuinely that only Mr. Jinnah could re-organize the Muslims under the banner of the AIML. Accordingly, a delegation led by Liaquat Ali Khan proceeded to London and convinced him for return.¹⁴⁶ Mr. Jinnah always tried for the Hindu-Muslim, unity. He was of the view that Hindus should cooperate with the Muslims on the basis of equality and not majority. He had all the regard for Gandhi, but differed with his political maneuver. He was of the opinion that political problems should be tackled with a political viewpoint. Therefore, he did not support Gandhi's non-cooperation Movement which stood for boycotting Government schools, colleges, or stood for resigning from Government service, and membership of the Councils, to boycott Government meetings, to give back the awards to the Government, to refuse the grant for educational institutions etc. After his return, Mr. Jinnah re-invigorated the Indian Muslims but his return was not welcomed by the AINC as it knew that he would make the AIML stronger than before.

The absence of Mr. Jinnah gave a set-back to the AIML as many Muslims had joined the AINC due to lack of sound leadership in the AIML. The organization of the AIML had become so weak that even Moti Lal Nehru, in his report (Nehru Report) did not care to mention the rights of the Muslims.¹⁴⁷ The AINC tried to show that it was the only organization representing the people of India. But Mr. Jinnah tried to convince the British and the AINC that AIML was the only Party representing the Muslims of India. He also made Muslims aware of the fact that they had a separate entity and in case they failed to maintain it, they would suffer like the Israilites.¹⁴⁸ This argument convinced the Muslims and thousands of them joined the Muslim League and thus it became a party stronger than even before.

The AIML was not well organized in the NWFP due to the local political rivalries and factions. On the other hand, the AINC was well-organized having a staunch representative in the person of Khan Abdul Ghaffar Khan. "The people of the NWFP" as

¹⁴⁴ Interview with Abdul Ghayur.

¹⁴⁵ Interview with Haji Malik Shad Khan.

¹⁴⁶ Agha Masood, *op.cit.*, p. 29.

¹⁴⁷ *Ibid.*, p 32

¹⁴⁸ *Ibid.*, p. 33.

Nishtar says, "are true Muslims and have all the sympathies for the AIML as it was struggling for their rights and freedom".¹⁴⁹ But it was the fault of the Muslim League leaders who did not unite themselves, and thus Ghaffar Khan benefitting from this, rivalry made the AINC stronger in the NWFP.¹⁵⁰ In fact all the Muslims except a few had all the sympathies for the AIML but increase in the membership of the AINC in fact was a great blow to the AIML. This was due to these sympathies, Nishtar says, that during the referendum in 1947 even the Muslims having their association with the AINC voted in favor of Pakistan.¹⁵¹ The British Government in 1930 announced constitutional reforms for the NWFP like other provinces, but this act of the British Government was not appreciated by the people of the NWFP as it was too late.

The AINC move for Civil Disobedience started in the NWFP on April 23, 1930.¹⁵² There was picketing on wine clubs which resulted in arrests of many citizens. Mr. Arthur, the Deputy Commissioner, was injured by a brick thrown on him by someone, which resulted in a quarrel. The firing took place in Qissa Khawni Bazar which martyred and injured many citizens. Nishtar in those days was a member of the Municipality, so he named the place of firing "*Bazar-e-Shaheedan*", which was not liked by the British official.¹⁵³ Nishtar records: "I met the Chief Commissioner on the night of April 23, 1930 who was much worried about the firing. He told me that the firing did not take place with his permission".¹⁵⁴ Sir Norman Bolton, the Chief Commissioner convened a conference on April 25, 1930, in which Nishtar presented various demands. He records in his Autobiography: "I demanded that:

- i) All the prisoners should be released immediately;
- ii) An independent Inquiry Commission be set up to investigate the whole issue and the involved officers should be punished;
- iii) The injured/martyred should be compensated;
- iv) Police and army should be removed from the city".¹⁵⁵

Sir Norman Bolton agreed to all the demands except for the release of the prisoners. According to Haji Malik Shad Khan: "Police and army were removed on April 25, 1930, and Razakars were deputed to perform their duties and thus we had something like our own government, which continued till May 4, 1930".¹⁵⁶ The acceptance of demands by

¹⁴⁹ *Ibid.*, pp. 35-36.

¹⁵⁰ Interview with Haji Malik Shad Khan.

¹⁵¹ Agha Masood Hussain, p. 36

¹⁵² Allah Bukhsh Yusufi, *op.cit.*, p. 496.

¹⁵³ Mohammad Haneef Shahid, *op.cit.*, p. 4.

¹⁵⁴ Agha Masood Hussain, *op.cit.*, p. 46.

¹⁵⁵ *Ibid.*, p. 46.

¹⁵⁶ Interview with Haji Malik Shad Khan.

the Chief Commissioner was taken as his personal weakness by the British Government and he was replaced on April 27, 1930.¹⁵⁷

The British adopted the path of tyranny when they felt that things were going out of their control. Nishtar was arrested on May 4, 1930, but released after two hours. But, again he was arrested on May 5, 1930 along with others and sent to Bala Hassar Fort.¹⁵⁸ This was the first political arrest of Nishtar. Why was he arrested? The firing by British in Qissa Khawni Bazar had also annoyed the tribesmen who were protesting against the British. Haji of Tarangzai also marched towards Peshawar against the British Nishtar records: "The Government was of the view that all this was happening on my instructions."¹⁵⁹ Haji Malik Shad Khan states: "Nishtar never instigated tribesman or Haji of Tarangzai to revolt against the British. But this was the extortion of the British Government which indignated Haji Tarangzai and the tribesmen".¹⁶⁰ These were the political activities of Nishtar who was rescuing his co-religionists, which forced the British for ordering Nishtar's arrest. He was arrested so that he could not launch any wide spread movement against the Government. In the beginning of 1930, a nine-month imprisonment was awarded to Nishtar and to others and, they were sent to Peshawar jail.¹⁶¹ The conditions in jail were not favorable Nishtar records: "We were kept in darkrooms all the day having no light and fan etc., and about 13-14 prisoners were to live in a small cell. No visitor was allowed to meet us".¹⁶²

Some Afridi tribesmen attacked godowns in Peshawar city and violence spread in the whole city. This was done just to get the prisoners released but the Government was not prepared to release the prisoners at any cost. Later, it was alleged that attack by the tribesmen was the result of conspiracy between Nishtar and Haji of Tarangzai.¹⁶³ The tribesmen had attacked on their own initiative and Nishtar and Haji of Tarangzai were not responsible as was held by the British officers.¹⁶⁴ In spite of severe allegations leveled against Nishtar, he did not lose heart. He says: "Except few political workers who had already separated from us, none bent down before the wishes of the British".¹⁶⁵ Many of the political workers who had been arrested got themselves released by giving an undertaking to the government, but Nishtar was so firm that he did not agree to give

¹⁵⁷ Agha Masood Hussain, *op.cit.*, p. 46.

¹⁵⁸ The people who were arrested included Allah Bakhsh Yusufi, Dr. MohamniadAfzal Gilani, Dr. Ghosh, Sardar Kahan Singh, Amir Chand Rangeen, Abdul Hayee, Syed Qasim Khan, Dr. Jawahar Singh, Ghazi Mohammad Usman, Haji Karim Elahi, Master Sher Ali Khan, Wazir Mohammad Sarasiya, Bukshs Faqir Chand, Ichraj Ram and Sardar Abdur Rab Nishtar. They were sent to Bala Hassar Fort. Allah Bukhsh Yusufi, *op.cit.*, p. 506.

¹⁵⁹ Agha Masood Hussain, *op.cit.*, pp. 46-47.

¹⁶⁰ Interview with Haji Malik Shad Khan.

¹⁶¹ Agha Masood Hussain, *op.cit.*, p. 48.

¹⁶² *Ibid.*, p. 47.

¹⁶³ *Ibid.*, p. 47.

¹⁶⁴ Interview with Sher Mohammad Khan.

¹⁶⁵ Agha Masood Hussain, *op.cit.*, p. 49.

any undertaking for his release. He was released on January 7, 1931, on the analogy of a decision, given by the Lahore High Court.¹⁶⁶

The NWFP was not awarded constitutional reforms till 1930 and there was a system of nomination to the legislature. Sir Abdul Qayum, who was a minister for transferred subjects at that time, offered Nishtar the membership of the Council of State, but it was not accepted by him.¹⁶⁷ This indicates Chat Nishtar was not the man of bargaining type and he always stood on principles. He never compromised for his own sake and always kept in view the interest of his co-religionists.¹⁶⁸ Haji Malik Shad Khan remarks: "Nishtar during his membership of the Municipality worked honestly and always opposed the British Government whenever it went against the interests of the Muslims of the province. Most of the members of the Municipality were corrupt and were habitual of accepting bribes. Nishtar disliked such members and never supported them".¹⁶⁹

Nishtar separated, himself from the AINC by the end of 1931. This was due to the fact that Ghaffar Khan had adopted very adamant attitude and wanted the congressmen to work solely under his commands and directions. This attitude was detested by the congressmen which very soon created a gulf of differences between the congressmen and Ghaffar Khan. This unpleasant situation of Indian Congress at this juncture forced many congressmen including Nishtar to resign. Due to these resignations, the AINC in the NWFP turned weak and the position of Ghaffar Khan was also affected badly. This incident also jerked the AINC and Nehru insisted upon these leaders to rejoin the AINC, which affirms that in the NWFP, the position of the AINC had become very weak. Haji Malik Shad Khan is of the opinion that Nishtar had appealed to the Government for his release when he was arrested in 1930. This act of Nishtar was not liked by the high command of the AINC as well as Ghaffar Khan which resulted in differences and Nishtar separated himself from the AINC.¹⁷⁰ According to Abdul Ghayur: "Nishtar did not appeal against his imprisonment but was released from the jail on the decision of the court. He left the AINC only because he knew that this was an anti-Muslim organization".¹⁷¹ Had Nishtar appealed for his release he would have been freed by the government long before the decision of the court. Nishtar regarding his separation from the AINC records in his Autobiography: "Separation from the AINC was because of the fact that I had known that Hindus were prejudiced against the Muslims and would never be sincere to them. The success of the AINC in the freedom movement would mean that the Muslims getting themselves unchained from the British

¹⁶⁶ *Ibid.*, p. 48.

¹⁶⁷ Interview with Haji Malik Shad Khan.

¹⁶⁸ Interview with Syed Jawad Hussain Gilani.

¹⁶⁹ Interview with Haji Malik Shad Khan.

¹⁷⁰ *Ibid.*

¹⁷¹ Interview with Abdul Ghayur.

should enslave themselves to the Hindus".¹⁷² It was his political foresight which made him aware of the AINC attitude towards the Muslims within a short period of about two years. He had plunged into politics for the sake of his co-religionists, but when he found that the AINC was an extremist Hindu organization working for the Hindus only, he separated himself from it. It also indicates that his main aim was the welfare of the Muslims and he wanted to see them unchained.

The NWFP was given the right to elect one member for the Central Assembly. Sir Sahibzada Abdul Qayum who had been in the centre conveyed Syed Lal Shah, a staunch supporter of Peer Bakhsh that an intelligent man should be elected for the Assembly. Nishtar records: "Sir Sahibzada Abdul Qayum had also proposed my name and Syed Lal Shah asked me to contest, but I refused".¹⁷³ Why did Nishtar refuse? Abdul Ghayur says: "He had promised to support Dr. Khan Sahib in the elections, therefore he did not agree to the proposal of Sir Sahibzada Abdul Qayum conveyed through Syed Lal Shah".¹⁷⁴ The government did not like Dr. Khan Sahib to be elected as Member of the Central Assembly, therefore Sir Qayum persuaded Raja Haider Zaman of Khanpur, District Hazara to contest in the elections, who agreed. Even at this stage, Sir Qayum was of the opinion that both Dr. Khan and Raja Haider, Zaman should withdraw provided Nishtar agreed to contest. But Nishtar did not agree at any cost because of his commitment to Dr. Khan Sahib".¹⁷⁵ The nomination paper of Dr. Khan Sahib was late which could give an opportunity to Raja Haider Zaman of returning unopposed But Nishtar advocated for Dr. Khan Sahib although he had political differences with him. He never opposed even his opponents provided they stood on principles. Secondly, he was the man of his words. He did not break his promise in spite of Sir Qayum's efforts.

The support given to Dr. Khan Sahib by Nishtar annoyed Sir Qayum. Nishtar says: "Sir Qayum thought that if I and Ali Gul Khan had not proposed Dr. Khan as our candidate, Raja Haider Zaman would have won the elections".¹⁷⁶ This was, in fact, Nishtar and Ali Gul Khan's support which made Dr. Khan Sahib successful, Haji Malik Shad Khan opines.¹⁷⁷ Particularly, in Peshawar city Dr. Khan Sahib got more votes than Raja Haider Zaman on the basis of support of Nishtar and his friends. Thus, the victory of Dr. Khan Sahib created two groups *i.e.*, one of Syed Mahal Badshah in the support of Sir Qayum and other of Ali Gul Khan and Nishtar.

¹⁷² Nishtar, *op.cit.*, February 21, 1963, p. 4.

¹⁷³ *Ibid.*, p. 4.

¹⁷⁴ Interview with Haji Malik Shad Khan.

¹⁷⁵ Interview with Abdul Chayur.

¹⁷⁶ Nishtar, *op.cit.*, February 28, 1963, p. 3.

¹⁷⁷ Interview with Hall Malik Shad Khan.

In spite of Nishtar's differences with the AINC, he was always approached to join it. Maulana Abul Kalam Azad many times asked him to rejoin the AINC, but he did not.¹⁷⁸ It appears that he had strong hold on the masses as compared to the Khan Brothers and the AINC wanted to get the Muslim majority in the NWFP through him. As already stated, Nishtar had complete support of the followers of Syeds in Peshawar area because of his close relations with Hazrat Syed Tajammal Hussain Gilani and Syed Ali Gul Badshah. This also strengthened his position as compared to other local politicians of the province at that time. In spite of many offers by the AINC leaders, he never agreed to rejoin the AINC which proves that he was not prepared to bow down before the force against the Muslims.¹⁷⁹

Ghaffar Khan, after his release from the jail, began to make all possible efforts to popularize Red Shirts Movement. Since the people were released by the Government honorably in March 1931, they were mentally prepared for anti-government activities and as such this smoothed the way for the establishment of the Red Shirts Movement. Ghaffar Khan benefitted from the Congressite propaganda and kept his own party established separately. The Congressmen of Peshawar (Muslims) were of the view that either Ghaffar Khan should become a Congressman or a supporter of a separate Pathan Party. But Ghaffar Khan wanted to sail in both the boats and through this way he was strengthening his own party. Since the separation of the Ali Brothers from the AINC, Hindus wanted to give this position to the Khan Brothers in order to win the sympathies and support of the Muslims of the NWFP.

Mian Abdullah Khan and Mian Jaffar Shah, two comrades of Ghaffar Khan, who later on joined the AIML also propagated that the Red Shirts Movement was successful due to the leadership of Ghaffar Khan, but the NWFP urban Muslims opposed the Khan Brothers. The Red Shirts Movement, according to the Muslims of the NWFP was not a part of the AINC but was a separate organization having its own objectives. The cruelties in the NWFP by the British Government made the people more sympathetic to the AINC as it had pleaded for their release. The gradual increase of the force of the Red Shirts Movement was taken as a danger by the AINC. The AINC wanted that the Red Shirts Movement should become a part of the AINC instead of remaining an independent entity. Therefore, it was decided in the meeting of the Working Committee of the AINC Peshawar in June 1931, that Afghan Jirga should be renamed as *Qaumi Jirga* which meant 'National Congress'.¹⁸⁰ The proposal of the AINC working Committee for renaming Afghan Jirga was accepted by Ghaffar Khan, but Mian Ahmed Shah and Akbar Khan opposed this idea and did not allow anyone to change the name of Afghan Jirga.¹⁸¹ Why did Mian Ahmed Shah and Maulana Akbar Khan oppose the proposal of the AINC Working Committee? The Muslims of the NWFP knew that the AINC by

¹⁷⁸ Interview with Abdul Ghayur.

¹⁷⁹ Interview with Syed Jawad Hussain Gilani.

¹⁸⁰ Nishtar, *op.cit.*, February 21, 1963, p. 4.

¹⁸¹ *Ibid.*, p. 4.

renaming Afghan Jirga to Qaumi Jirga would show the British Government that there was a strong support from the Muslims of the NWFP to the AINC. Secondly, the AINC did not wish that there should be a separate organization or a party which could counter it at any juncture.¹⁸²

Again a Civil Disobedience Movement was started in the NWFP in December 1931. Although Nishtar was not associated with the AINC and the Khan Brothers, he had his sympathies with the AINC for its being an extremist party of the time. He records: "In spite of my differences with the AINC, I had all the sympathies with it and I also helped and advised red-shirt leaders whenever they came to me".¹⁸³ This indicates that Nishtar did not oppose his opponents for the sake of opposition only. He held the view that any step taken for the amelioration of the Muslims must be supported by all which made Nishtar a beloved democratic leader of the NWFP.

When the Council of State was established in the NWFP in 1932, there was a great protest against the Frontier Crimes Regulations. A committee was therefore constituted under the presidentship of Justice Niamatullah to give proposals in the matter. Nishtar helped a lot by providing sufficient information to the committee to enable it for preparing a positive report.¹⁸⁴ The report of Justice Niamatullah resulted in suspension of the Frontier Crimes Regulations although they were not abolished permanently. It appears that Nishtar always tried that his coreligionists should get more concessions, and suspension of the Frontier Crimes Regulations was the result of the efforts made by Nishtar in this regard.¹⁸⁵

The AINC Civil Disobedience Movement was weakened by the British Government and many of its workers were arrested. But as a result of the efforts made by the members of the AINC and its Working Committee, they were released by the British Government. The people who were released by the Government in 1934, held a meeting in Bihar and decided to withdraw the movement launched by the AINC.¹⁸⁶ The AINC was not in favor of separate electorates and therefore insisted upon Mr. R. Mac-Donald, the Prime Minister of U.K. to revise this system by introducing joint electorates. The AINC was pressing it because of the fact that through joint electorates, the Muslims would not be able to get more representation in the elections. But Mr. Mac-Donald did not act upon the advice of the AINC and decided to follow the system of separate electorates. This system also gave 'untouchables' the right of electing their own representatives, which was not liked by the AINC. The AINC thought that this could weaken the position of the AINC. The AINC felt that the 'untouchables' could become a separate nation through separate electorates. So the leaders of the AINC persuaded Dr. Ambedaker, the

¹⁸² *Ibid.*, p. 4.

¹⁸³ *Ibid.*, p. 4.

¹⁸⁴ Nishtar, *op.cit.*, p. 4.

¹⁸⁵ Interview with Abdul Ghayur.

¹⁸⁶ Nishtar, *op.cit.*, p. 4.

leader of 'untouchables', to oppose the system of separate electorates. Dr. Ambedakar was assured by the AINC that untouchables would be given more representation in Bengal and other provinces. From this it can easily be concluded that the AINC always watched the interest' of the Hindus Community and gave no importance to other communities.

Nishtar entered into the field of politics when he was a student. He participated in the Khilafat Movement and got an opportunity to become closer to Maulana Mohammad Ali Jauhar. He tried to understand the political methodology of Maulana Mohammad Ali Jauhar. He established his relations with Mr. Jinnah and got his view point about the Muslims of the South Asia. After doing his LL.B., he actively participated in all the activities meant for the introduction of the constitutional reforms in the NWFP. He joined the AINC at the time when the AINC was not fully organized. He remained in the AINC for about two years and experienced that it was not sincere to the Muslim cause. He had also good relations with the Khan Brothers, but had differences with, their policies, and methods.¹⁸⁷ He had gained considerable experience to understand political problems of the Muslims and could easily analyze the circumstances prevailing at that time. To him, as a man of principle, betrayal was a sin. This was his political insight and experience which brought him closer to Mr. Jinnah and in his later career, he came up to the expectations of his great leader the Quaid-i-Azam Mohammad Ali Jinnah. This made Nishtar an eminent leader of the nation.

¹⁸⁷ Interview with Abdul Chayur.

Chapter Four

NISHTAR AND THE FREEDOM MOVEMENT PART-I

The North West Frontier Province of pre-partition sub-continent had been a comparatively less developed area though no fault of its own. It suffered from lack of opportunities for educational and economic progress on account of hostile British policy and until 1932 it was even denied the constitutional reforms which other provinces had enjoyed since 1909. Despite these handicaps, dating from 1930s, the NWFP had played a significant part in the freedom movement of the sub-continent and produced a number of devoted and dauntless freedom fighters. From amongst these dedicated and undaunted leaders Sardar Abdur Rab Nishtar was one.¹⁸⁸

The political condition of the NWFP was quite different from that of other provinces of the British India. The people of this province, for want of dynamic leadership, were not politically active.¹⁸⁹ The AINC was deeply rooted because of Red Shirts alliance. Two groups of the people had dominated the province: one represented by the landlords and big khans, and the other consisted of the middle class and poor people.¹⁹⁰ The group of the big khans supported the British cause just to maintain their position whereas the other group had its sympathies with the AINC for they considered it the main opponent of the British Government. Why did the middle class support the AINC? Firstly they could not understand the Hindu mentality and hypocritical tactics of the Hindu leaders. Secondly, the AINC propagated for an independent India which attracted this class towards it.¹⁹¹

Sir Sahibzada Abdul Qayum¹⁹² was an active Muslim leader of the province and had also close ties with the British.¹⁹³ He always tried for the uplift of the Muslims in the province and continued his efforts to make the Congressite plans unsuccessful.¹⁹⁴ The award of the constitutional reforms to the NWFP in 1932 was the result of efforts made by Sir Qayum and Mr. Jinnah besides others during the Round Table Conference.¹⁹⁵ His political methodology was quite different than that of other Muslims politicians. The people of the NWFP were given to understand that Gandhi and the AINC were the well-wishers of the Muslims. It was unfortunate that some of the leading khans, who

¹⁸⁸ Jamil-ud-Din Ahmad, "Sandar Abdur Rab Nistar", *The Daily Morning News*, Karachi, February 14, 1968, p. 3.

¹⁸⁹ Interview with Haji Malik Shad Khan.

¹⁹⁰ Aziz Javed, *Quaid-i-Azam Aur Sarhad*, Lahore 1976, p. 53.

¹⁹¹ Interview with Haji Malik Shad Khan.

¹⁹² Hereafter Sir Qayum.

¹⁹³ *The Daily Kohistan*, Rawalpindi, February 1961, p. 3.

¹⁹⁴ Aziz Javed; *op.cit.*, p. 53.

¹⁹⁵ *Ibid.*, p. 53.

had political importance in the province, had become puppets in the hands of the AINC leaders. They played a significant part in attracting the people towards the AINC.¹⁹⁶ The Muslim League was not yet established in the province. There was only the Muslim Association organized by Sir Qayum which represented the Muslims viewpoint. In the Constituent Assembly, Sir Qayum had also established Azad Muslim Party with the support of some Muslims members which always pleaded for the Muslim cause.¹⁹⁷

Mr. Jinnah was a firm believer in the Hindu-Muslim unity and he did not give up this idea even after his return from London and continued his efforts to unite both the communities to get rid of the British rule. His efforts were not fructified as the Hindus were not willing to cooperate with the Muslims. They rather wanted to dominate the Indian fate.¹⁹⁸ The AINC aimed at freeing India from the British in order to establish Hindu raj solely in the sub-continent. Like Mr. Jinnah, Nishtar also believed in Hindu-Muslim unity, but his association with the AINC made him manifestly clear that it was an anti-Muslim body whose aims was to enslave the Muslims after seizing power from the British rulers.¹⁹⁹

Unlike the AINC, the AIML had not gained ground in NWFP. In September 1936, Khuda Bakhsh wrote to Mr. Jinnah that there had been little or no scope for organizing a Muslim League Parliamentary Board in the NWFP. He stressed that his party had always 'been working on those lines which are to all intents and purposes identical with those laid down by the Muslim League'. Mr. Jinnah at this time was planning to visit the NWFP, but Khuda Bakhsh did not believe that the visit 'would result in the formation of a new party to be known as the Muslim League'.²⁰⁰ It appears that Khuda Bakhsh was unwilling to see his party subordinated to outsiders and anxious that no rival should appear for the progressive Muslim votes *i.e.*, he represented the view of provincial thinking which Mr. Jinnah wanted to put an end to.²⁰¹ Mr. Jinnah decided to tour the NWFP in October, 1936 in connection with re-organization of the AIML. It is interesting to note that Sir Qayum and Khuda Bakhsh were thinking on the same lines and did not wish that Mr. Jinnah should visit the NWFP. Nishtar records: "Sir Qayum did not want that Mr. Jinnah should come for the reorganization of the AIML". He further says: "I was conveyed through one of my friends that Sir Qayum opposed the tour of Mr. Jinnah and wished that I should stop him from the NWFP visit".²⁰² Why Sir Qayum opposed the visit of Mr. Jinnah? According to Nishtar, Sir Qayum opposed the visit of Mr. Jinnah because he had promised Sir Fazal-i-Husain of the Punjab that he would not allow the re-organization/establishment of the Muslim League in the

¹⁹⁶ Aziz Javed, *op.cit.*, p. 53.

¹⁹⁷ *Ibid.*, p. 54.

¹⁹⁸ Agha Masood Hussain, *op.cit.*, p. 38.

¹⁹⁹ Syed Tahir Ali Rizvi, "Tehrik-e-Azadi Ke Sarfrosht Sipahi" *The Dailiy Kohistan*, Rawalpindi, February 15, 1968, p. 4.

²⁰⁰ Erland Jansson, *op.cit.*, p. 4

²⁰¹ *Ibid.*

²⁰² Sardar Abdur Rab Nishtar, "Azadi Ki Kahani Mai Zabani", *The Daily Jang*, Karachi, February 28, 1963, p. 4.

NWFP.²⁰³ This statement does not seem to be logical for the reasons that Sir Qayum always tried for the well being of the Muslims and always opposed the Congressite policies which he thought were harmful to the Muslims. In the opinion of Khan Abdul Qayyum Khan, Sir Qayum was fully aware that at the time when there was disunity among the Muslim leaders of the province, it would be difficult for Mr. Jinnah to reorganize the Muslim League on sound footings. He did not like to hurt the feelings of Mr. Jinnah which he had for the people of the NWFP. He held the opinion that re-organization of the Muslim League should be started at a time when there was complete unity and understanding among the local Muslim leaders. He wished to maintain the confidence Mr. Jinnah had in the people of his province".²⁰⁴ It appears that Sir Qayum was not against the re-organization of the Muslim League, but the time selected by Mr. Jinnah for touring the NWFP was not considered appropriate by him. There were political rivalries among the Muslim leaders of the province. Some of them were supporting the AINC and other had an independent view.

Mr. Jinnah visited Peshawar on October 18, 1936, in order to organize the Muslim League in the NWFP.²⁰⁵ He was warmly received at the Peshawar railway station by Sir Qayum, Peer Bakhsh and many other Muslim leaders.²⁰⁶ It is said that Nishtar had sent Allah Bakhsh Yusufi and Rahman Bakhsh Ghazanavi to Lahore to inform Mr. Jinnah that Peer Bakhsh had invited him for the elections stunt. But they were told by Mr. Jinnah that he was not visiting the NWFP on the invitation of anyone but his visit was aimed at the organization of the Muslim League in the NWFP. When this scheme could not be materialized, Nishtar was persuaded by his colleagues to meet Mr. Jinnah at Campbellpur to give an impression of his supporters so that Peer Bakhsh could not become the political hero of Peshawar.²⁰⁷ But it does not seem logical that a person like Nishtar would have acted in such a way. According to him, "I was fully aware that Mr. Jinnah would not, be able to unite the Muslim leaders of the province at this time because of their vested interests and mutual rivalries. In such conditions, it would be difficult to organize the Muslim League in the NWFP on sound footings. So I felt it my duty to inform Mr. Jinnah about the factual position of the province. I met him at Nowshera and made him aware of the developments which were taking place in the province at that time".²⁰⁸ It appears that Nishtar did not like those Muslim leaders who were siding with the AINC for their own interests and were posing themselves sincere towards the Muslim cause. Some of the Muslim leaders were supporting the Provincial Congress just for their own sake for the reasons that it was an influential organization of the province as compared to the Provincial Muslim League.²⁰⁹

²⁰³ *Ibid.*, p. 4.

²⁰⁴ Interview with Khan Abdul Qayyum Khan.

²⁰⁵ Aziz Javed, *op.cit.*, p. 57.

²⁰⁶ *Ibid.*, p. 57.

²⁰⁷ *Ibid.*, p. 57.

²⁰⁸ Sardar Abdur Rab Nishtar, *op.cit.*, p. 4.

²⁰⁹ Interview with Abdul Ghayur.

Mr. Jinnah addressed public meetings at Shahi Bagh, Islamia College and Edward College, Peshawar on October 19, 20 and 22, 1936 and advised the Muslims to unite themselves under the banner of the AIM by forgetting their mutual rivalries and differences.²¹⁰ A special meeting was convened by Peer Bakhsh on October 24; 1936, in which Mr. Jinnah appealed that the Muslims should unite themselves for their national cause and make the Muslim League a strong party, so that the Muslims could participate in the ensuing elections on party basis.²¹¹ But Sir Qayum held the view that there were no signs of success to contest elections on party basis in such a short period because of the fact that the Congress was more influential than any other party in the province. He proposed that for the time being, task of re-organization of the Provincial Muslim League should be started and the Muslims should participate in the elections as independent candidates. He also proposed that the Muslims who succeeded in the elections would establish a Parliamentary Board in the Assembly to make the Muslim League a dynamic and strong party.²¹² As a result of Mr. Jinnah's visit, a consultative board was set up to prepare the ground for the formation of the Provincial Muslim League. Peer Bakhsh was elected convener.²¹³

When Mr. Jinnah was returning from Peshawar, Nishtar met him at the Peshawar railway station and he was informed of the discussions Mr. Jinnah had with various Muslim leaders of the province. Nishtar records: "I told Mr. Jinnah that the promises of these leaders were not based on sincerity and they would not do anything for the re-organization of the Provincial Muslim League".²¹⁴ Nishtar knew that everybody wished to grind his own axe and in such conditions how could it be possible that task for the re-organization of the Provincial Muslim League be started. In fact, the prediction of Nishtar came true, and no Muslim Member initiated any effort for the re-organization of the Provincial Muslim League once the elections were held and, the session of the assembly started.²¹⁵ Several of the members appointed on the consultative board set up by Mr. Jinnah, joined the AINC.²¹⁶

The Government of India Act, 1935, was given a hostile reception by both the AINC and the AIML, the only two parties with an All-India standing. The AIML denounced the safeguards retained by the British but nevertheless decided to utilize the Act for what it was worth. At this time, the AIML, however, was not well-organized and it was really the AINC that mattered. The AINC also condemned the Act but had difficulties in agreeing on a practical policy towards it. Some Congressites would have nothing to do

²¹⁰ Aziz Javed, *op.cit.*, p. 62.

²¹¹ *Ibid.*, pp. 66-67.

²¹² *Ibid.*, p. 68.

²¹³ *Khyber Mail*, Peshawar, October 25, 1936, p. 1.

²¹⁴ Nishtar, *op.cit.*, p. 4.

²¹⁵ *The Daily Hurriyat*, Karachi, February 14, 1963, p. 3.

²¹⁶ Erland Jansson, *op.cit.*, p. 108.

with it at all, but the majority were for fighting the elections. However, the question was raised what to do in case the party should win. Whether it should take over the assemblies or not. The Congressites at the Centre were opposed to the acceptance of offices in the provinces whereas the provincial leaders were of the view that this question should be taken up after the elections.²¹⁷

In December 1936, the nomination of the candidates for the Frontier Assembly took place. In all, 135 candidates were nominated.²¹⁸ They represented a good number of more or less firmly established different parties and groupings. The largest and the best organized party was the AINC. It was still banned in the NWFP, but the ban was no longer strictly affected. In order to avoid any difficulties, which might arise as a result of the ban, in the NWFP, the party fought the elections under the name of Provincial Parliamentary Board.²¹⁹ The Red Shirts Movement also decided to take part in the Provincial Elections as, a part of the AINC. When the Congress nominated candidates for the NWFP elections, Nishtar was approached to contest the elections on a Congress ticket, but he rejected the offer. According to Nishtar, "I refused the Congressite offer for taking part in the election on its ticket by giving them assurance that I would support every move of the Congress against the British Government, I totally disagree with the Congress policies".²²⁰ Why did not Nishtar accept the offer of the Congress? He had had experience of the Congress policies during his associations with it. He was fully aware of the fact that the AINC was an anti-Muslim organization and had no sympathies for the Muslim cause. It aimed at establishing a Hindu rule in the country. Nishtar had a political erudition through which he judged the AINC viewpoint about the Muslims of the sub-continent and had gathered that it was an anti-Muslim organization.²²¹

The Congress election platform was contained in a manifesto issued by the AINC high command. Its most striking feature was perhaps the interest displayed in agrarian reform. The AINC promised to sponsor measures to relieve the plight of the peasantry in general, to reduce rents and land taxes, impose a moratorium on debts and to exempt uneconomic holdings from all rents and land taxes. The AINC also promised to take measures to scale down rural indebtedness and to provide facilities for cheap credit.²²²

In the NWFP, the Congress candidates conducted their campaign on a somewhat vague programme. They followed the outlines of the high command's manifesto. It was promised by the Congress candidates that they would raise the standard of living by improving communications and building schools and hospitals. They claimed that they

²¹⁷ B. K. Tomlinson, *The Indian National Congress and the Raj, 1929-42, The Penultimate Phase*, London, 1976, p. 63.

²¹⁸ Erland Jansson, *op.cit.*, p. 66.

²¹⁹ *Ibid.*, p. 66.

²²⁰ Nishtar, *op.cit.*, p. 4.

²²¹ Interview with Abdul Ghayur.

²²² Erland Jansson, *op.cit.*, p. 68.

represented the poor, whereas their opponents represented the rich. They also criticized the administration of justice and promised to appeal the laws which restricted political freedom and to see that the justice was administered in a fair manner, if they came to power.²²³ It appears that the Congress propaganda was very strong as compared to that of the other candidates contesting elections independently or on a party ticket. A large number of khans stood as independents. One of these leading khans was the Nawab of Hoti, Sir Akbar Khan, who also decided to contest in the elections as an independent candidate. He was widely read and had the best library in the province. According to Sir Olaf Caroe: "He was no 'statesman' and 'unbalanced' in many ways. Nevertheless, he carried 'a good deal of respect all round and is admitted on all hands to be the one real khan left in the Frontier with respect for his traditions and an independent point of view."²²⁴ The other prominent khan, campaigning for elections, were the Nawab of Teri, Khan Bahadur Arbab Sher Ali Khan, Nawabzada Nasrullah Khan, Nawabzada Allah Nawaz and Nawabzada Mohammad Said Khan.²²⁵

Most khans, outside the Congress, represented on the whole the same landed interests and the same ideology of loyalty to the British but they were unable to form any party of their own or to find some other form of cooperation during the election campaign. This benefitted the Provincial Congress because the khans had mutual rivalries and their power was split. According to Sir Olaf Caroe, in several constituencies, the Congress was able to benefit from the fact that the anti-Congress vote was split by rival khans.²²⁶

Another important group consisted of the retired senior government servants. In this group Sir Qayum towered high above others. He belonged to a priestly family and had made a distinguished career in the political service ending up as Political Agent for Khyber. For many years he was the closest Pakhtun Adviser to the British. Together with the Nawab of Hoti, Sir Akbar Khan, he had in the years 1919-31 represented the NWFP in the Central Legislature as a nominated member. Unlike the Nawab of Hoti, he had a distinctly modern outlook. Among other things he, together with the Chief Commissioner Sir George Roos Keppel, had been responsible for founding the Islamia College in 1911, the leading educational institution of the province, on the lines of the Aligarh Muslim University. Sir Qayum had at an early date pressed for constitutional reforms in the NWFP and was, in spite of his official position, opposed to the government's restrictive policy in this regard. He represented the NWFP at the Round Table Conference on the constitutional reforms in London in the early thirties, at which he spoke strongly in favor of reforms in his province. When the Montague-Chelmsford reforms were introduced in the Frontier, Sir Qayum became minister in charge of

²²³ *Ibid.* p. 68.

²²⁴ Quoted by Erland Jansson, *op.cit.*, p. 68.

²²⁵ *Ibid.*, p. 68.

²²⁶ *Ibid.*, p. 68.

transferred subjects.²²⁷ Sir Qayum was hated not only by the Nawab of Hoti but also by most other leading khans who saw in him an un placable enemy of their class. He in his turn, made no secret of his contempt for the big khans.²²⁸

The circle around Sir Qayum consisted mostly of the officials or other persons with close ties to the government. Among these standing for elections one could mention Khan Bahadur Saadullah Khan, a retired Deputy Commissioner, who was also a leading landlord in the Charsadda Tehsil in Peshawar District. Sir-Qayum also enjoyed a strong support from a number of khans in Hazara District. In one constituency, Raja Haider Zaman Khan, who was the leading landowner in Hazara District, withdrew in his favor.²²⁹ The followers of Sir Qayum did not conduct any coordinated campaign, nor did they receive any support from their leader. Instead, all of them hid to fight for themselves.²³⁰ In spite of the fact that the Congress had succeeded in Peshawar District Board Elections, the anti-Congress forces were not knit together. However, a rapprochement came about between Sir Qayum and Khan of Hoti. Sir Qayum also saw some of the leading khans of Peshawar District and admitted to them that he had in the past underestimated their importance and promised to look after their interests if they would cooperate with him.²³¹ But nothing came out of this and the election campaign continued in the same manner as before.

The Muslim politics in the Frontier towns was dominated by the lawyers. The best known of them at this stage were Malik Khuda Bakhsh and Peer Bakhsh. They represented the Independent Party, which had been the only real opposition party in the old Legislative Council. Two other lawyers, who were later to rise to fame in Pakistan politics were Khan Abdul Qayum Khan and Sardar Abdur Rab Nishtar. At this time the former represented the Congress while the later stood as an Independent.²³²

The Congress put up candidates in all general constituencies most of whom were doctors and lawyers. Their main opponents belonged to the Hindu-Sikh Nationalist Party, which was created during the election campaign by the members of the provincial Hindu-Sabha and Sikh-Sabha. The leaders of the party were mostly prosperous businessmen, who were loyal to the British.²³³ The chief demand in the party propaganda was a demand for the cancellation of the so-called *Hindi Gurmukhi* circular which had been issued by Sir Qayum two years earlier. The circular prescribed Urdu and Pushto as the media of instructions in girls schools subsidized by the government. It was thus of very little importance but had nevertheless aroused

²²⁷ *Ibid.*, p. 69.

²²⁸ Interview with Khan Abdul Qayum Khan.

²²⁹ Interview with Haji Malik Shad Khan.

²³⁰ *Ibid.*

²³¹ Erland Jansson, *op.cit.*, p. 70.

²³² Interview with Abdul Ghayur.

²³³ Erland Jansson, *op.cit.*, p. 71.

intensive communal feelings.²³⁴ This indicates narrow-mindedness of the Hindus and the Sikhs who did not tolerate even the language of the Muslims to be used as a medium of instructions in schools. In spite of the fact that Mr. Jinnah had visited the NWFP for re-organization of the provincial Muslim League, there were no candidates from it in the NWFP provincial assembly's elections.²³⁵

In Peshawar and Mardan Districts party sympathies seem to have played a much more important part. But elsewhere programmes and policies of the parties were of no importance and instead traditional following and factional considerations were usually decisive. The elections took place in the beginning of February, 1937, and passed off peacefully. The Congress became the largest party with 19 seats in an assembly of fifty but it was still far from an absolute majority.²³⁶ It was mainly due to the Pukhtun rural areas under the influence of the Khan Brothers that the Congress did well. The Congress position among urban Muslims was very weak and no Congressite was returned from the Muslim urban constituencies. These were, instead, won by Malik Khuda Bakhsh and Peer Bakhsh of the Independent Party and Nishtar as an independent candidate.²³⁷

The general seats were evenly divided by the Congress and the Hindu-Sikh Nationalist Party. All Sikh seats went to the Hindu-Sikh nationalists. The two leading anti-Congressites, Sir Qayum and the Nawab of Hoti both suffered defeats, but Sir Qayum, however, had won on another seat in the Haripur Southern Muslim rural constituency, which he had kept in reserve.²³⁸

After the elections, there was a confused situation. The Congress was the biggest party, but did not command an absolute majority. Secondly, the AINC high command position in regard to office acceptance was still ambiguous. The AINC propagated that it had participated in the elections only in order "to combat the Government of India Act 1935 inside and outside the legislatures so as to end it".²³⁹ The other groups and parties were deeply divided and "jealousies and feuds between individuals and families, mistrust between the khanate and the professional classes prevented them from coming together."²⁴⁰

Sir Qayum convened a meeting of those elected members who opposed the Congress. Nishtar was also invited to attend this meeting. Sir Qayum proposed that a party should be established Consisting of the members opposing the Congress under his

²³⁴ *Ibid.*, p. 71.

²³⁵ Interview with Haji Malik Shad Khan.

²³⁶ *Ibid.*

²³⁷ *Ibid.*

²³⁸ *Ibid.*

²³⁹ V. P. Menon, *op.cit.*, p. 53.

²⁴⁰ Erland Jansson, *op.cit.*, p. 73.

leadership Nishtar records: "I did not support the proposal and suggested that before creating a party its programme should be prepared so that anyone who joins it must be aware of its programme."²⁴¹ But Sir Qayum did not agree to this suggestion. He thought that Nishtar favored the Congress and did not like that another party should be created. Nishtar very clearly told Sir Qayum, "Had I favored the Congress, there would have been no need of my contesting elections as I would have been elected unopposed he Congress time and again insisted upon me to contest the elections on its ticket".²⁴² Nishtar also made it clear to Sir Qayum that he would support the Congress for its every move against the British, but never supported those Congressite policies which opposed the Muslim cause.²⁴³ Why did Nishtar oppose the proposal of Sir Qayum for establishing a party in the assembly consisting of the members who opposed the Congress? According to Haji Malik Shad Khan: "Although Nishtar had left the Congress and had contested in the elections as an independent candidate, his attitude was pro-Congress".²⁴⁴ But Abdul Ghayur is of the opinion that Nishtar opposed the proposal of Sir Qayum not for the reasons that he supported the Congress, but because of the fact that he knew that Sir Qayum would not be able to achieve his goals by creating a party consisting of those members who were loyal to the British Government. He further opines that without the cooperation of Hindu-Sikh Nationalist Party it was difficult for Sir Qayum to form a ministry even though he succeeded in establishing a party. The Hindu-Sikh Nationalist Party was dominated by Mehr Chand Khanna whom Nishtar disliked because of his anti-Muslim attitude. Under these circumstances Nishtar thought it better to remain independent and support the Congress on its positive policies".²⁴⁵ Sir Qayum soon formed a party in the assembly which was called the United Nationalist Party. Its proclaimed goal was to gain "complete independence by all constitutional means", but in reality it was a patch-work of people with no common programme, who joined Sir Qayum for the sake of office and power.²⁴⁶ As the party was far from having a majority, it had to find a partner for coalition. The Hindu-Sikh Nationalist Party had a key position in the assembly with eight seats as Haji Malik Shad Khan states.²⁴⁷ As long as the Congress refused to accept the office, a coalition with that party was out of question. The idea of cooperating with Sir Qayum was not liked by the party members because of the anti-Hindu inclinations he had.²⁴⁸

Soon after the elections six MLAs from Hazara *i.e.*, all Muslims returned from that district except the Congressites and Sir Qayum, formed a party of their own, called the Democratic Party. They declared that they would support the ministry in which their

²⁴¹ Nishtar, *op.cit.*, p. 4.

²⁴² *Ibid.*, p. 4.

²⁴³ *Ibid.*, p. 4.

²⁴⁴ Interview with Haji Malik Shad Khan.

²⁴⁵ Interview with Abdul Ghayur.

²⁴⁶ Erland Jansson, *op.cit.*, p. 73.

²⁴⁷ *Ibid.*, p. 73.

²⁴⁸ *Ibid.*, p. 73.

own leader was included.²⁴⁹ It was widely believed that Dr. Khan Sahib would in the end form a ministry, and the Governor also thought that the Congress leaders wanted to lead a Congress dominated coalition.²⁵⁰ The Hindu-Sabha leader R. B. Mehr Chand Khanna approached Dr. Khan Sahib and offered his support which was accepted.²⁵¹ On March 18, 1937, the All India Congress Committee announced that it was prepared to allow the formation of ministries in case the Governors guaranteed they would not use their powers to overrule the ministries. The Governors in the Congress dominated provinces, however, were not willing to give such an assurance.²⁵² To avoid a deadlock the British invited leading non-Congress politicians to form ministries.²⁵³

In the NWFP this task was entrusted to Sir Qayum. Sir Qayum asked Nishtar whether he would accept the responsibility of forming a ministry or not. Nishtar records in his Autobiography: "I told Sir Qayum that the ministry formed by him would not exist without the cooperation of eight members who were non-Congressites. I held the view that the ministry consisting of these members including Mehr Chand Khanna, a staunch enemy of the Muslims, would not follow any principle. I also made it clear to Sir Qayum that by inclusion of these members in the ministry, the Muslims would also join opponent group.²⁵⁴ This indicates that Nishtar fully understood the political situation at that time and did not wish that Sir Qayum should form the ministry with the cooperation of Mehr Chand Khanna, leader of the Hindu-Sikh Nationalist Party. Why Sir Qayum was interested to form the ministry in spite of the fact that there was not Muslim majority in the assembly? Sir Qayum wished that while remaining in the ministry, he would be in a better position to safeguard the interests of the Muslims. Therefore, he preferred a coalition with the Hindu-Sikh Sabha and some Muslim MLA's than pure Congressite ministry which was totally against the Muslim cause.²⁵⁵ The question is that if Sir Qayum was thinking on these lines why did Nishtar oppose the idea of forming a coalition ministry by him? He opposed the idea for the reasons that such a ministry would be dominated by the Hindu-Sikh Nationalist Party who would always be an obstacle in the way of any positive proposal meant for the betterment of the Muslims.²⁵⁶

Sir George Cunningham, who had been an executive councilor in the NWFP was appointed Governor of the province in March 1937. According to Nishtar, he had good relations with Sir Qayum and wished that Sir Qayum would succeed in forming a ministry in the province. He, therefore, persuaded Malik Khuda Bakhsh to become a

²⁴⁹ *Ibid.*, p. 73. Haji Malik Shad Khan is also of the same opinion.

²⁵⁰ *Ibid.*, p. 73.

²⁵¹ *Ibid.*, p. 73. Also see Menon, *op.cit.*, p. 54. *Ibid.*, p.74.

²⁵² *Ibid.*, p. 74.

²⁵³ *Ibid.*, p. 74.

²⁵⁴ Nishtar, *op.cit.*, p. 4.

²⁵⁵ Interview with Haji Malik Shad Khan.

²⁵⁶ Interview with Abdul Ghayur.

minister in Sir Qayum's ministry, but he did not agree.²⁵⁷ At last Sir Qayum succeeded in forming a ministry because of the strong active support he received from the new Governor of the province.²⁵⁸ Sir Qayum told Cunningham that he would be able to form a ministry but unless government helped to keep it together in the future, it would probably, split before long.²⁵⁹ Sir George Cunningham persuaded Attai Khan to bring his Democratic Party to heel. He also managed to make Mehr Chand Khanna, leader of the Hindu-Sikh Nationalist Party, to join a coalition under Sir Qayum on certain terms which were highly advantageous to the Hindu-Sikh communities. The main terms were:

- i) The Hindi-Gurmukhi circular should be withdrawn;
- ii) One Hindu-Sikh nationalist should be included in the ministry and one would be appointed as a Parliamentary Secretary;
- iii) Grants to educational institutions should be maintained in their existing form and no discrimination should be made against the Hindu institutions;
- iv) No legislation affecting any special community should be introduced without the support of three quarters of the MLAs representing that community.²⁶⁰

A ministry was formed on April 1, 1937, which consisted of Sir Qayum (Chief Minister), Mehr Chand Khanna (Finance Minister) and Khan Bahadur Saddullah Khan (Minister for Agriculture). The Finance Minister had been elected by the Hindu-Sikh Nationalist Party as their representative, but Khan Bahadur Saddullah Khan was chosen by the Chief Minister himself. It is said that there were differences between Mehr Chand Khanna and Sir Qayum, then why did Sir Qayum take him in the ministry? Mehr Chand Khanna had the support of eight members from the Hindu-Sikh Nationalist Party and as such to get a majority in the assembly, it was necessary to take him in the ministry by Sir Qayum. Had Sir Qayum not taken Mehr Chand Khanna in his ministry, he would have not been able to form a ministry.²⁶¹

Nishtar was also asked by Mr. Jinnah to support Sir Qayum, but he showed his inability to do so. He says: "I told Mr. Jinnah that I would prefer to support the Sarhaddi Congress instead of Sir Qayum's ministry for the Congress aimed at the welfare of

²⁵⁷ Nishtar, *op.cit.*, p. 5.

²⁵⁸ Erland Jansson, *op.cit.*, p. 74.

²⁵⁹ *Ibid.*, p. 74.

²⁶⁰ *Ibid.*, p. 75.

²⁶¹ Interview with Haji Malik Shad Khan.

agriculturists which could give concessions to the Muslims of the province".²⁶² Abdul Ghayur opines: "He opposed Sir Qayum's ministry because of the reason that it included Mehr Chand Khanna, a staunch enemy of the Muslims. Moreover, most of the MLAs had joined Sir Qayum's ministry for the sake of power only, and Nishtar did not expect that such members would meet the expectations of the people".²⁶³ It appears that Nishtar opposed Sir Qayum as he knew that it would be difficult for his ministry to introduce any legislation for the betterment of the Muslims in the presence of Mehr Chand Khanna.

From its first day, the new cabinet had a very weak position and the Congress did what it could to undermine it. The four Democrats who seem to have been persuaded by the Governor to support the ministry, had not been given any ministership and therefore they soon began to drift towards the Congress.²⁶⁴ On 22nd June 1937, the Viceroy had made conciliatory statement, which the Congress high command felt enabled them to allow Congress ministries to be formed in the provinces, where it had majority.²⁶⁵ This made the position of the Frontier ministry even weaker. Sir Qayum considered tendering his resignation without even facing the assembly, but encouraged by the Governor, he decided to battle on.²⁶⁶

Nishtar was very right in asking Sir Qayum not to form the ministry with the help of those elements who, were not trustworthy. He had predicted that such ministry would collapse and the Muslims would not be benefitted. His apprehension that the ministry would be ruled by the Hindu-Sikh Nationalist came true and Sir Qayum ministry did not achieve much during its tenure of office purely because it became very short-lived, and also because of the passivity of the ministers. Only two of the measures by this ministry deserve mention. The first was cancellation of Hindi-Gurmukhi Circular and the other was to lift the ban on the Frontier Congress and to allow Khan Abdul Ghaffar to return to the NWFP.²⁶⁷ It seems that Mehr Chand Khanna dominated the ministry and got passed only those measures which benefitted the Hindus and other non-Muslim communities. When the assembly met in September 1937, a motion of no confidence was passed against the ministry on 3rd September 1937 by twenty-seven votes to twenty-two. Among those voting for the motion were the four Democrats, two Hindu-Sikh Nationalists and Sardar Abdur Rab Nishtar.²⁶⁸

After the fall of Sir Qayum's ministry, Maulana Azad and Doctor Rajandar Parshad were entrusted with the task of forming a Congressite ministry in the NWFP. Both the

²⁶² Nishtar, *op.cit.*, *The Daily Jang*, Rawalpindi, April 1, 1963, p. 4.

²⁶³ Interview with Abdul Ghayur.

²⁶⁴ Menon, *op.cit.*, p. 54.

²⁶⁵ Erland Jansson, *op.cit.*, p. 76.

²⁶⁶ *Ibid.*, p. 76.

²⁶⁷ *Ibid.*, p. 76.

²⁶⁸ *Ibid.*, p. 76. Also see Nishtar, April 1, 1963, p. 4.

leaders stressed upon Nishtar to join the Congress with an assurance of ministership, but he told them, "I would vote for the Congress in and outside the assembly provided there was any positive proposal, but I totally differ from the Congress policy of Hindu-Muslim relations".²⁶⁹ This shows us the principles Nishtar was following and trouble he underwent for the Muslims.

Maulana Azad very confidentially asked Nishtar: "You could also support the Muslims from the platform of the Congress like. Hindus wearing khaddar and being Congressmen support the cause of their co-religionists". But Nishtar's reply was, "I can't adopt the dual policy"²⁷⁰ reflects that he believed in fair politics. He seems to be supporting the principles that one should follow the policies of the party to which, one belongs and if one cannot, it is better to remain independent. He had differences with the Congress policies and even during the elections he did not join it. The fact throws some light on the trends Nishtar had, and also indicates that he was a fair man and did not want to cheat anybody whether Muslim or non-Muslim. Nishtar always followed a policy of straightforwardness from the very beginning of his career as a politician and never compromised on principles.

The Congress succeeded in forming a coalition ministry with the cooperation of Muslim Nationalist Party headed by Dr. Khan Sahib. Although Dr. Khan was a Congressite, he was working expediently on separate political platform, but mentally he was with his younger brother, Khan Abdul Ghaffar Khan. The coalition ministry of the Congress consisted of Dr. Khan Sahib (Chief Minister), Khan Mohammad Abbas Khan (Minister for Industries), Qazi Attaullah Khan. (Education Minister) and Bhajnu Ram (Finance Minister). Khan Mohammad Abbas Khan belonged to the Democratic Party.²⁷¹ The oath of office was taken by the ministry on 7th September, 1937.

In a meeting of All-India Muslim League Council held at Delhi in March 1937, it was proposed by Nishtar that the constitution of the AIML should be amended and its ultimate ideal should be complete independence.²⁷² It appears that Nishtar, had a clear picture of the future in mind and was determined to see a free and an independent state established for the Muslims. The proposal was adopted in the annual meeting of the AIML held at Lucknow in October 1937. Since the AIML had changed its character and had become a broad-based, popular and fighting organization reflecting the urges and aspirations of the Muslims of the sub-continent under the dynamic leadership of Mr. Jinnah. Nishtar very optimistically became the member of the AIML in 1937.²⁷³ Haji Malik Shad Khan says: "Nishtar joined the AIML just before the formation of ministry

²⁶⁹ Agha Masood Hussain, *op.cit.*, p. 50.

²⁷⁰ *Ibid.*, p. 50.

²⁷¹ Erland Jansson, *op.cit.*, p. 77

²⁷² Nishtar, *op.cit.*, p. 4.

²⁷³ Mohammad Haneef Shahid, *op.cit.*, p. 26.

by Sardar Aurangzeb Khan in the NWFP".²⁷⁴ But in the opinion of Abdul Ghayur, "Nishtar joined the AIML Council in 1937".²⁷⁵ Abdur Raof Seemab states, "The fact that Nishtar had joined the AIML in 1937 is evident from his participation in the AIML meeting held in March 1937 at Delhi".²⁷⁶ It appears that Nishtar joined the AIML just after the elections held in 1936-37. Had, he not joined the AIML, he would not have attended the meeting of the AIML held at Delhi in March 1937.

After Nishtar joined the AIML, he worked restlessly for the cause of Pakistan and never compromised on principles. When the Congress formed a ministry in the NWFP after the fall of Sir Qayum's ministry, as stated before, Nishtar was offered a ministership by the Congress, which he declined. Why he was offered a ministry by the Congress when there were other Muslim leaders available? The Congress knew that Nishtar was popular among the masses and by his inclusion in the Congress ministry, it would gain more strength in the province. According to Wajid Shams-ul-Hassan: "Nishtar rejected the Congress offer for he knew that the Congress would not work for the betterment of the Muslims of the sub-continent and eventually this rejection made him very popular leader of the province."²⁷⁷

During the election campaign and throughout the summer of 1937, the Congress leaders promised that they would repeal all laws restricting political freedom, if they should come into power. However, when they assumed office, they took a different line. A Repeal and Amending Bill designed to repeal a number of 'repressive' laws was introduced in the autumn session of 1937, but not by the ministry but by Abdur Rab Nishtar,²⁷⁸ who was an independent, sided with the Congress. The Governor was highly critical of the Bill and tried to persuade the Chief Minister to prevail upon Abdur Rab Nishtar to withdraw it. He spoke neither for nor against it in the assembly and the Bill was passed without a division. Sir George Cunningham decided to withhold his assent to the Bill. Before making his decision public, he informed Dr. Khan Sahib of it. The Chief Minister said "the Governor's refusal would cause him no embarrassment".²⁷⁹ Nishtar had opposed Sir Qayum's ministry because of Mehr Chand Khanna's inclusion and had decided to support the Congress on its positive policies. But after forming the ministry, the Congress adopted a friendly attitude towards the Government which Nishtar disliked.

Nishtar continued correspondence with Mr. Jinnah regarding the re-organization of the Muslim League in the NWFP. He contributed much in establishing the Muslim League

²⁷⁴ Interview with Haji Malik Shad Khan.

²⁷⁵ Interview with Abdul Ghayur.

²⁷⁶ Interview with Abdur Raof Seemab.

²⁷⁷ *The Daily Hurriyat*, Karachi, February 14, 1970, p. 3.

²⁷⁸ Erland Jansson, *op.cit.*, pp. 82-83.

²⁷⁹ *Ibid.*, p. 83.

on sound and firm footings in the province.²⁸⁰ In the beginning the progress of the Muslim League was slow but in January 1938, Sir George Cunningham reported that the League had "made some headway lately, particularly among the khans and big landlords, who are becoming more and more conscious of attack which is being made on them by the Congress".²⁸¹ It appears that the position of the Muslim League was becoming stronger day by day. It is interesting to note that some of the Muslim leaders of the NWFP had been supporting the Congress just to get some position in the ministry. But when the Congress ignored such leaders while forming the ministry, they decided to win the sympathies of Mr. Jinnah by showing their indication to join the Muslim League.²⁸²

Nishtar was planning to leave for Calcutta to attend the meeting of the AIML to be held in December 1937, he learnt that Sardar Aurangzeb Khan and Khan Bahadur Saaddullah Khan along with their supporters were also going to Calcutta in order to join the AIML. According to Nishtar: "They were the same people who had sent back Mr. Jinnah quite disappointed a year before and now when the Congress had ignored them, they were trying to make their position in the AIML".²⁸³ These remarks of Nishtar indicate that he did not like insincere and selfish politicians who only desired to make their own position strong. He had all the support for those who believed in the separate entity of the Muslims and desired a separate home-land for them. He liked the people who were honest to the cause of the Muslims in the sub-continent and who stood by principles. He believed in whole-hearted loyalty and sincerity to a genuine case. He disliked the dual policy of other provincial leaders.²⁸⁴ Thus, Nishtar decided not to attend the proposed meeting of the AIML as he himself records: "To join the Muslim League with such position seekers and opportunists was a difficult task for me, as it was difficult for me to go on with the policies of such leaders".²⁸⁵ Nishtar believed in straight-forwardness. Sardar Aurangzeb Khan and his supporters joined the AIML in its meeting held at Calcutta in December 1937. They also proposed names for the Provincial League Council but did not include the name of Nishtar in spite of the fact that he had very close relations with Mr. Jinnah. It was clear to all that Nishtar would not allow anyone to deviate from the policies of the AIML and directions of Mr. Jinnah.²⁸⁶ It is interesting to note that Mr. Jinnah himself proposed Nishtar's name for the presidency of the Muslim League Provincial Council.²⁸⁷ This shows the confidence Mr. Jinnah had in him. It was known to all that there was a close collaboration and great affinity between Nishtar and Mr. Jinnah. What was the standard of Mr. Jinnah for friendship? He never allowed opportunists, time-seekers, selfish and untrustworthy

²⁸⁰ The *Daily Nawa-i-Waqt*, Rawalpindi, February 15, 1960, P. 4.

²⁸¹ Erland Jansson, *op.cit.*, p. 89.

²⁸² Agha Masood Hussain, *op.cit.*, p. 52.

²⁸³ Nishtar, *op.cit.*, p. 4.

²⁸⁴ Interview with Abdul Ghayur.

²⁸⁵ Nishtar, *op.cit.*, p. 4.

²⁸⁶ Interview with Abdul Ghayur.

²⁸⁷ Nishtar, *op.cit.*, p. 4.

people to come closer to him. He trusted those who had sublime character and tried loyalty and exalted competence.²⁸⁸

What were the reasons for which the Muslim League could not be re-organized till 1938? Nishtar has made it clear in these words: "The people who were taken in the League's Provincial Council had a bad reputation. They were known to the public as selfish, opportunists and stooges of the British Government, which gave a set-back to the re-organization of the Muslim League in the province".²⁸⁹ Nishtar knew that such people would not be liked by the masses as the leaders of the province. In fact, the impression people had about the Muslim League in the NWFP at that time was that it was a party supporting the British Government and consisted of selfish and disloyal elements. The Congress benefitted from this misgiving of the public and propagated that the party should be judged through its managing members whose careers were stained.²⁹⁰ This made the ignorant and illiterate people rally around the opponents of the Muslim League and the position of the Congress in the NWFP became stronger.

In January 1938, Nehru addressed a meeting at the residence of Dr. Khan Sahib and asked all the ex-Congressites to rejoin the Congress. Many of Nishtar's friends like Rafique Ali Gul and others rejoined the Congress but Nishtar did not care to give any weight to Nehru's invitation. He has recorded: "I told the Congress leaders that I could not join the Congress because of my differences with its policies on, the Hindu-Muslim rights. I made it clear to them that I had all support for the Muslim League which *Pandit Jee* (Nehru) wanted to liquidate".²⁹¹ Nishtar courageously fought for the Muslim cause in and outside the assembly and never compromised with the Congress on any anti-Muslim move.

In July 1938, Sir George Cunningham passed orders withholding his assent to the Bill introduced by Nishtar to repeal a number of repressive laws. Several Congressites along with the Congress Committee publicly asked the ministry to resign,²⁹² but Dr. Khan Sahib did not protest at all against the Governor's action. Nishtar, in protest against the ministry's attitude severed his connection with the Congress and declared that he would not support the Congress in the assembly for its policies were not in accordance with the public opinion.²⁹³

Along with politics, he never neglected the religious aspect and always strove for it. Qazi Attaullah, Minister for Education, had ordered that besides other books, books on

²⁸⁸ Mohammad Haneef Shahid, *op.cit.*, p. 4.

²⁸⁹ Agha Masood Hussain, *op. cit.*, pp. 52-53.

²⁹⁰ *Ibid.*, p. 53.

²⁹¹ Nishtar, *op.cit.*, p. 4.

²⁹² Erland Jansson, *op.cit.*, p. 83.

²⁹³ *Tribune*, Peshawar, August 7, 1938.

Islamic knowledge²⁹⁴ should also be taught to the students at primary level. This was not liked by the Hindus who started vast protestation against it. Gandhi also objected to these orders. on the plea that instructions contained in these Islamic books could deviate the Hindu students from their own path. Nishtar, in a very convincing way told Gandhi that when there was no objection to the Muslims for teaching of the Bible and the Old Testament, the Hindus should also have no objection on the introduction of Islamic books.²⁹⁵ It throws some light on the fact that Nishtar had all the love for the religion and never allowed any one to ignore it.

A meeting of the AIML was held at Patna in December 1938, in which Nishtar also participated. He spoke in a straightforward manner and declared that the managing members of the Muslim League in the NWFP were selfish and opportunists and as such he could not compromise with them. He condemned them for compromising with Mehr Chand Khanna on one hand and showing their sympathies to the Muslim League on the other. He told Mr. Jinnah that most of these members were conservative, tilted and official stooges. One who worked with them, would ultimately make an end of his even political career. He disliked these leaders because they were hated by the masses. He did not want such people to join the Muslim League, who were trying to seek an umbrella in the Muslim League once after the Congress had ignored them.²⁹⁶ Mr. Jinnah was very much impressed as he discovered in him a sincere and devoted worker.²⁹⁷ The thoughts he conveyed in the meeting brought him very closer to Mr. Jinnah. Mr. Jinnah was fully aware of the developments that were taking place especially in the NWFP. He was aware of the political rivalries among the provincial leaders of the province. But this was not the time that he should have restricted the admission of such people to the Muslim League. His only aim at this time was to bring all the Muslims under the banner of the AIML. However, he did not wish that such people should be given power or any such responsibility which could damage the AIML in future. As Nishtar recorded: "Mr. Jinnah told me that he would not give power to such selfish people, but he wanted to bring all the Muslims under the banner of the AIML. He advised me that the province should not be given in the hands of these people who were disloyal and insincere. He was of the opinion that in case such leaders came into power, it would be difficult to get rid of them."²⁹⁸ Nishtar was also invited by Allama Inayatullah Khan Al-Mashraqi, to join the Khaksar Tehrik. Nishtar recorded: "Allama Mashraqi could not convince me to join his 'Khaksar Tehrik', however, I accompanied him to the NWFP Governor who allowed Khaksars to work for their Tehrik under some limitations".²⁹⁹ In spite of the fact that he did not join the Khaksar Tehrik, he had all his sympathies for it.

²⁹⁴ Nishtar in his Autobiography wrote it as '*Himayat-ul-Islam*'.

²⁹⁵ Agha Masood Hussain, *op.cit.*, pp. 57-58.

²⁹⁶ Interview with Abdul Ghayur.

²⁹⁷ Sharif-al Mujahid, "*Abdur Rab Nishtar*," *The Daily Morning News*, February 14, 1969, p. 3.

²⁹⁸ Nishtar, *op.cit.*, p. 4

²⁹⁹ Nishtar, *op.cit.*, April 15, 1963, p. 3.

He had good relations with Allama Al-Mashraqi.³⁰⁰ When Sir Qayum died in November 1937, there arose leadership vacuum in his party. Nishtar was asked by the members of Sir Qayum's party to lead them, but he showed his inability to do so. Nishtar had already supported the motion of 'no confidence' against Sir Qayum's ministry and had on many occasions criticized those who had sided with Sir Qayum, how could he lead such people whose careers were stained.³⁰¹

After the Government of India Act 1935, and the elections of 1936-37, the AINC had succeeded in forming ministries in eight out of eleven Provinces of the British India. By comparison the achievement of the AIML which had been just re-organized under the dynamic leadership of Mr. Jinnah, was disappointing. Only in one province, Bengal, out of the four Muslim majority provinces could the League succeed in forming a ministry and that, too, in coalition with the Krishak Proja Samity.³⁰² Prior to the elections, Mr. Jinnah had made much efforts to bring about a rapprochement between the AINC and the AIML, but his efforts were scorned by the AINC. The AINC policy was to govern the country through one-party rule and not allow any other political party to share the power. According to Nehru, "There are only two parties in India, the Government and the Congress and others must line up"³⁰³ reaffirms the dictatorial attitude which the AINC and its leaders had adopted during and after the elections of 1937. No wonder that Mr. Jinnah who had been a keen seeker of a political compromise with the AINC, was forced to declare that:

No settlement with the majority is possible as no Hindu leader, speaking with any authority shows any concern or genuine desire for it. Honorable settlement can only be achieved between equals; and unless the two parties learn to respect and fear each other there is no solid ground for any settlement. Offers of peace by the weaker party always mean confession of weakness and an invitation to aggression. Appeals to patriotism, justice, and fair play and for goodwill fall flat Politics means power not relying on cries for justice or fairplay or good will.³⁰⁴

The statement of Mr. Jinnah signifies a major change in his policies and tactics. Still keen on a compromise and a settlement, he emphatically insisted on the organization of the AIML and its development and final transformation into a strong political party. This programme was initiated not only to bring about unity in the divided Muslim ranks but also with the object of making the League a representative body of the Muslims of the sub-continent. He could not speak with authority unless and until he had succeeded in winning Muslims public opinion. If the League was to be an effective body, it was necessary to propagate its cause, its objectives and its goals. For this, well-

³⁰⁰ Interview with Abdul Ghayur.

³⁰¹ Nishtar, *op.cit.*, p. 3.

³⁰² Sharif-al Mujahid, ed., *Reminiscences of the Day of Deliverance*, Karachi, February 14, 1976, p. 1.

³⁰³ *Ibid.*, p. 2.

³⁰⁴ Jamal-ud Bin Ahmed, ed., *Speeches and Writings of Mr. Jinnah*, vi. edn., Karachi, 1960, p. 30.

organized campaign to popularize the League not only amongst intelligentsia but also among the rest of the population was necessary. Mr. Jinnah was a great strategist. It was his political acumen and strategy which turned the Congress success into a defeat. The Congress policies had failed to create a sense of security amongst the Muslims. The Mass Contact Movement, the Wardha Scheme, and the adoption of Band-i-Matram as the national song were some of the items in the Congress programme which had brought about an augmented alienation amongst the Muslims. The Muslims were not the only community who suffered under the Congress regime: the depressed and the Scheduled Classes, the Parsis, the non-Brahmins, and the members of other minority communities had equally genuine grievances. The Congress ministries had failed to safeguard and protect their interests.

When World War II broke out, the AINC demanded constitutional concessions in return for any assistance in war. This was a compromise between those who favored cooperation with the British and those who regarded Britain's difficulty as India's opportunity.³⁰⁵ The British refused to make any concessions to the Congress and in response the AINC ordered the provincial Congress ministries to resign. The Frontier ministry headed by Dr. Khan Sahib resigned on November 7, 1939.³⁰⁶ The exit of Congress from power was a source of relief for the Muslim League Leaders. It was in these circumstances that the Quaid-i-Azam issued his directive calling upon the Muslims to celebrate 'Deliverance Day' on 22nd December, 1939, by way of thanksgiving for being delivered from the unjust Congress regime.³⁰⁷ This was deliverance from tyranny, oppression and injustice during the two and a half years when the Congress had been in power. Not only the Muslims but also other minorities were to join in celebrating the Day of Deliverance.

³⁰⁵ Erland Jansson, *op.cit.*, p. 84.

³⁰⁶ *Ibid.*, p 84.

³⁰⁷ Sharif-al Mujahid, *op cit* , p 12.

Chapter Five

NISHTAR AND THE FREEDOM MOVEMENT PART-II

When the Congress ministry in the NWFP resigned on November 7, 1939, the Governor of the NWFP invited Aurangzeb Khan to try to form the ministry. There were fourteen Muslim Leaguers in the provincial assembly, four Hindu-Sikh Nationalists, three Independent and according to Aurangzeb, there were seven Waverers, and the rest supported the Congress. Aurangzeb wired Mr. Jinnah to seek his advice how he could proceed.³⁰⁸ Mr. Jinnah replied, "Form ministry at any cost, even interim ministry. Waverers and other will come afterwards".³⁰⁹ Mr. Jinnah wished that a Muslim League's dominated ministry should be formed in the province to avoid Congress Raj. The Muslims had bitter experience of the Congress ministries and did not want to go through it again. Aurangzeb, however, did not succeed in bringing together a working majority and informed Mr. Jinnah that "Local League and party opinion was not in favor of accepting office".³¹⁰ When Aurangzeb did not succeed in forming a ministry, the Acting Governor proclaimed Governor's Rule in the province. The Congress launched Civil Disobedience Movement in 1940, which was totally ineffective in the NWFP. The 'Quit India' Movement in 1942 was also quelled by the British without any difficulty. This policy placed the Congress outside the mainstream of events and gave the Muslim League an opportunity to establish itself firmly.

It was now realized that the AINC was the main obstacle to the League's aspirations. All the policies of the AIML were designed to establish the League as the Congress's equal, which would enable the former to veto any constitutional proposals considered harmful for the Muslims of the sub-continent. The League was prepared to cooperate with the British but not unconditionally. At its annual session at Lahore in 1940, the AIML upheld the demand for a separate Muslim state and from now on the question of partition of India increasingly dominated the political scene.

The attitude of the Frontier Muslim League leaders was much more unequivocally pro-British than that of the AIML leadership. This was particularly true in case of Aurangzeb Khan, who wrote in the Khyber Mail, in connection with the Italian attack on Greece;

³⁰⁸ *Telegram from Aurangzeb to Jinnah*, November 7, 1939, Quaid-i-Azam Papers, National Archives of Pakistan, Islamabad, File 329.

³⁰⁹ *Telegram from Jinnah to Aurangzeb*, (n.d.), QAP, NAP, Islamabad.

³¹⁰ *Telegram from Aurangzeb to Jinnah*, November 9, 1939. QAP, NAP, Islamabad, File 329.

Will Indians now take a warning from these signs and rally under the flag to offer resistance to the enemies of Great Britain in this war and realize that this war is in fact a war of freedom from slavery not of England alone but of India and other Dominions as well.³¹¹

There were many obstacles in forming a Muslim League ministry. The Frontier League needed support from the Hindu-Sikh Nationalist MLAs, who did not wish to ally themselves with a party representing the Muslims of India. Their antipathy had increased more after the Lahore Resolution was passed by the Muslim League. Another obstacle was the factionalism prevailing in the Frontier Muslim League. The struggle between Aurangzeb and Saadullah Khan went on. Each of them regarded himself as the national choice for the premiership. In addition, there were too many feuds in the party to allow the formation of a Muslim League ministry.

Nishtar was not in favor of forming a ministry with the help of Hindu-Sikh Nationalists. He knew that such a ministry would meet the same fate as that of Sir Qayum. He was very much impressed by the destruction of World War II. A poem written by him projects his heart felt feelings.

In January 1943, Aurangzeb Khan, the Muslim League leader in the assembly, began trying to mobilize a majority for a ministry under his leadership. He also asked Nishtar to join the ministry, in case, the former succeeded in forming a ministry. According to Nishtar, "I opposed the idea of forming a Muslim League dominated ministry because of the unfavorable circumstances like high prices and shortage of food and cloth etc."³¹² Nishtar knew that under these circumstances, it would be difficult for the ministry to manage the basic necessities of life for the people. He was of the view that the ministry would not only fail but will also damage the Muslim League's reputation. It was however, decided in the AIML meeting held at Delhi in April 1943, that the Muslim League should form the ministry in the NWFP.³¹³ The proposal was not supported by Nishtar.³¹⁴ On May 23, 1943, a Muslim League ministry was sworn in, which consisted of Sardar Aurangzeb (Chief Minister), Sardar Abdur Rab Nishtar (Finance), Mohammad Samin Jan (Education), Abdur Rahman Khan (Information) and Sardar Ajit Singh (Public Works).³¹⁵ Nishtar was not willing, to accept ministership as he narrates, "I refused to become minister and preferred to become the president of the assembly, but before Attaullah, Aurangzeb asked me in the name of Holy Quran to accept his

³¹¹ *The Khyber Mail*, Peshawar, November 3, 1940.

³¹² Nishtar, *op.cit.*, April 15, 1963, p. 3.

³¹³ Agha Masood Hussain, *op.cit.*, p. 77.

³¹⁴ *Ibid.*, p. 77.

³¹⁵ Erland Jansson, *op.cit.*, p. 130.

offer and thus I could not refuse".³¹⁶ It is not clear how much support the ministry enjoyed in the assembly at the time of its formation as mentioned earlier.

Saadullah Khan never accepted Aurangzeb Khan as a Chief Minister and on the contrary endeavored to undermine his position in the assembly and in the party. In the autumn session of 1943, he availed a private motion recommending to the government to give back with retrospective effect to the former beneficiaries all the prizes and stipends which had been withdrawn by the Congress ministry. Aurangzeb assured him that he was in sympathy with the motion and promised that he would look into the matter and thus prevailed upon Saadullah to withdraw the motion.³¹⁷ In the next session, the Chief Minister was reminded of his promise. His parliamentary secretary answered for him that the question was receiving attention of the government, but nothing was ever done about it.³¹⁸

Pakistan was another sensitive question for the ministry, as it was bound to create Problems for the Sikh Minister, Ajit Singh. Saadullah urged the ministers 'to declare their policy about Pakistan'. Aurangzeb, he said, had been called the 'Lion of the Frontier' and had been "heard roaring whenever there was a meeting he pleaded the cause of Pakistan and that is why I wish that he should declare his policy on the point". But this time again, Aurangzeb managed to side-track the issue raised by his rival.³¹⁹ These skirmishes continued. In November 1944, Saadullah Khan informed Mr. Jinnah that he could no longer support the ministry and in case no confidence move was tabled, he would vote in favor of it.³²⁰

Aurangzeb's position was weak not only in the assembly but also in the provincial Muslim League. At a meeting of the Provincial League Council, on October 24, 1943, a resolution was put forth by Arbab Mohammad Ayub Khan, a very prominent Leaguer expressing no confidence in the ministry. In the end, he withdrew the motion, and instead, a resolution was passed requesting Mr. Jinnah to come to the province to take a stock of the situation.³²¹ The Muslim League's ministry remained in office for 22 months and only ten Acts were passed which carried little significance.

The most difficult problem administration had to deal with during the period was shortage of food, cloth and other essential commodities. The Muslim League's supporters claimed that the shortage was caused by a conspiracy between the Congress and Hindu traders with a view to enfeeble the League's ministry. In the Congress circles, on the other hand, the big khans in the Muslim League were accused of creating

³¹⁶ Agha Masood, *op.cit.*, p. 78.

³¹⁷ Erland Jansson, *op.cit.*, p. 131.

³¹⁸ *Ibid.*, p. 131.

³¹⁹ *Ibid.*, p. 131.

³²⁰ Quoted by Erland Jansson, *op.cit.*, p. 132.

³²¹ Mian Ziauddin, *Memoirs of a Pakistani Diplomat*, Peshawar (n.d.), p. 72.

the shortage.³²² Since the business in the NWFP was dominated by the Hindu and Sikh traders, one cannot blame the Muslim League for shortage of food etc. Most of the khans who opposed the Muslim League played a vital role in making the Congressite propaganda successful against the League ministry. On one occasion, Obeidullah Khan, son of Dr. Khan Sahib, announced that he would sell grain at a price above that fixed by the government.³²³

Nishtar was not happy with the working of the ministry. When the Working Committee of the AIML was announced in January 1944, Nishtar was also nominated as one of its members by Mr. Jinnah. He was also nominated to the AIML Planning Committee.³²⁴ At the end of 1944 he told Mr. Jinnah that the ministry had damaged the League's image in the NWFP and it would continue to do more harm if it existed any longer. He proposed that the ministry should resign without any delay. Mr. Jinnah was also convinced by the arguments Nishtar had put before him. In December 1944, the NWFP ministers were invited by Mr. Jinnah to Delhi and were asked to resign. But on the request of Aurangzeb another chance was given to the ministry to continue.³²⁵

In January 1945, Nishtar was invited by the central government to attend a transport conference to be held in Delhi. According to Nishtar, the conference carried great importance.³²⁶ A budget session was held on March 9 and 12, 1945 and a no confidence motion was passed against the Muslim League Ministry by 24 votes to 18.³²⁷ One of those supporting the motion was Saadullah Khan.³²⁸ The ministry tendered resignation on March 16 and Dr. Khan Sahib formed the ministry consisting of Dr. Khan Sahib himself, Qazi Attaullah an, Khan Abbas Khan and Bajnu Ram.³²⁹

After the Lahore Resolution was passed on March 23, 1940, Nishtar, in addition to his other responsibilities, toured from town to town and conveyed the League's message to the masses. The distinctive trait of, the freedom movement was its Islamic color to which Nishtar also contributed. Nishtar rose to prominence as an All-India figure when he was invited to preside over the Punjab Provincial Muslim League Conference held at Sialkot on April 1, 1944, just after Malik Khizar Hayat's betrayal of the Muslim League. It was at this conference that Nishtar paid a remarkable tribute to Mr. Jinnah. He said, "The Quaid-i-Azam is so intelligent that no one can deceive him, he is so courageous that nothing can overawe him, he is so selfless that no temptation can lead him astray."³³⁰ Nishtar states that "Mr. Jinnah had also to address the conference, but he

³²² Erland Jansson, *op.cit.*, p. 135.

³²³ *Ibid.*, p. 135.

³²⁴ Agha Masood Hussain, *op.cit.*, p. 75.

³²⁵ *Ibid.*, pp. 64-67.

³²⁶ *Ibid.*, p. 67.

³²⁷ *Tribune*, Lahore, March 13, 1939.

³²⁸ *Ibid.*

³²⁹ Nishtar, *op.cit.*, April 15, 1963, p. 3.

³³⁰ *The Daily Morning News*, Karachi, February 15, 1959, p, 5.

postponed his speech for the next day, in order that my speech could get more weight".³³¹ Nishtar had impressed Mr. Jinnah with his intelligence and supreme qualities which the later expected in a competent and honest politician. Nishtar had also the honor of presenting translation of the speech delivered by Mr. Jinnah at the conference.

Since the Muslim League in the NWFP was divided into two groups, one led by Khan Saadullah Khan and other by Sardar Aurangzeb Khan, Mr. Jinnah thought that it would be in the interest of the NWFP Muslim League, if Sardar Aurangzeb was replaced by Sardar Abdur Rab Nishtar as the party leader.³³² Nishtar opposed this idea for the Congress was a well organized party in the NWFP and the League was already divided into two groups. He opined that if Sardar Aurangzeb was removed from the party leadership at this stage, it would result in creation of more groups and as such the Muslim League would go weaker.³³³ Mr. Jinnah wanted to replace Aurangzeb as he considered his leadership harmful for the Muslim League from a national point of view. But Nishtar requested him to forego his plan and wait for the ripe time to implement it. Thus, Aurangzeb remained the party leader. This indicates that Nishtar was anxious for the unity among the Muslims as well as in the Muslim League and never wished that the League should be divided into groups which could benefit the Congress.³³⁴ He never tried to displace others although opportunities waited for him. His sincerity and loyalty for the Muslim "Cause and for the Muslim League was evidently clear throughout his political career.

After the failure of the Simla Conference, in 1946, the Viceroy of India decided to hold elections for the central and provincial assemblies. Against one seat of the NWFP in the Central Assembly, Abdul Ghani, a son of Khan Abdul Ghaffar Khan and Mian Akhtar Shah contested. The Muslim League boycotted the elections and supported Mian Akhtar Shah, but Abdul Ghani got elected.³³⁵ When the elections for the Provincial Assemblies were to be held, Khan-Abdul Qayum Khan who was still a Congressite, declared to join the Muslim League on October 6, 1945.³³⁶ Nishtar records: "I had been insisting upon him to join the Muslim League since long. He was not liked by Khan Abdul Ghaffar Khan but enjoyed good relations with his brother Dr. Khan Sahib. He was hopeful to get a ticket from the Congress with the support of Dr. Khan Sahib. But when he felt that the Congress would not nominate him as a candidate in the elections, he joined the Muslim League".³³⁷

³³¹ Agha Masood Hussain, *op.cit.*, p. 65.

³³² *Ibid.*, pp. 68-69.

³³³ *Ibid.*, p. 69.

³³⁴ Interview with Abdur Raof Seemab.

³³⁵ Agha Masood Hussain, *op.cit.*, p. 69.

³³⁶ Aziz Javed, *op.cit.*, p. 106.

³³⁷ Nishtar, *op.cit.*, p. 3.

Khan Abdul Qayum Khan did not take interest in 'Quit India Movement'. He also became involved' in Desai-Liaquat Pact. For these reasons he lost the confidence of the Frontier Congress. When he realized that he would not be re-nominated for the seat in the Central Assembly, he joined the Muslim League.³³⁸

On October 12, 1945 the Central Parliamentary Board of the Muslim League decided to constitute three provincial boards for the NWFP namely Selection Board, Election Board and the Financial Board.³³⁹ The President of the Provincial Election Board was Nawab of Mamdot from the League High Command, but selection work of the Board was dominated, by the convener of the Board, Khan Abdul Qayum Khan.³⁴⁰ Nishtar and Mian Ziauddin were the President and Secretary of the Election Board respectively,³⁴¹ which was entrusted with the responsibility of making arrangements for the elections. The Financial Board was constituted just to control the expenditure on the elections. According to Nishtar, Sardar Aurangzeb went to Mr. Jinnah, who was staying at Mastung-Kalat and requested him to nominate him in the Election Board, but the request was not acceded to.³⁴² Aurangzeb was of the view that Nishtar was an obstacle in his way. In spite of the fact that Mr. Jinnah had told him the details of discussion which took place at Cicil Hotel between Nishtar and Mr. Jinnah regarding Aurangzeb, he still opposed Nishtar who was not willing to take part in the elections. The opposition of Aurangzeb and his supporters made his convictions stronger. He wrote to Mr. Jinnah that he would not be able to take part in the elections. Khan Abdul Qayum Khan was also trying that such candidates should not be elected who could later become the party leader.³⁴³ Nishtar believed in the unity of the Muslim League and he thought it better not to take part in the elections so that friction among the local Muslim leaders should not go wider.

Pir of Manki Sharif had also become active in politics after the failure of the Simla Conference. He founded an organization of his own called "*The Anjuman-ul-Asfia*". The organization promised to support the Muslim League on the condition that the Shariat Laws would be enforced in Pakistan. To this, Mr. Jinnah agreed. As a result Pir of Manki Sharif declared a Jihad to achieve Pakistan and ordered his supporters/followers to support the Muslim League in the 1947 elections.³⁴⁴ The Pirs and Ulemas gave statements in favor of the League and its position became stronger than before.

³³⁸ Interview with Haji Malik Shad Khan. Abdur Raof Seemab and Abdul Ghayur are also of the same opinion. Also see Nishtar, *op.cit.*, p. 3.

³³⁹ Aziz Javed, *op.cit.*, p. 101.

³⁴⁰ Erland Jansson, *op.cit.*, p. 161.

³⁴¹ Aziz Javed, *op.cit.*, p. 102.

³⁴² Nishtar, *op.cit.*, p. 3.

³⁴³ Agha Masood Hussain, *op.cit.*, p. 71.

³⁴⁴ Erland Jansson, *op.cit.*, p. 166.

Nishtar was asked by Mr. Jinnah to take part in the elections. He records: "In response to my letter, I received a telegram from Jinnah in which he had advised me to contest the elections".³⁴⁵ Nishtar, complying with the orders of his leader, applied for ticket. He also wrote to Mr. Jinnah that "Under the circumstances prevailing in the NWFP and rivalry among the local leaders, I should not be a candidate in the elections".³⁴⁶ Mr. Jinnah visited Peshawar in November 1945, in order to muster support. He was given the details of the developments in NWFP elections. According to Nishtar, Mr. Jinnah was shocked to know the attitude of the Muslim Leaguers in the NWFP. He advised Khan Qayum and others to cooperate with one another, but all in vain.³⁴⁷ It was unfortunate that in spite of their majority in the Province, the Muslims were not united and their future looked bleak because of mutual factions.

By the end of 1945 the demand for Pakistan had begun to gain considerable support in the Frontier but the Provincial Muslim League was unable to take advantage of the situation. The new elections which were to be held in February 1946 underlined the differences in the party rather than uniting the members.³⁴⁸

It is interesting to note that six of the Selection Board's nine members were themselves nominated as Muslim League candidates.³⁴⁹ It is usually claimed that in the selection of the candidates Khan Abdul Qayum Khan was guided only by one principle, who would support him and who would not.³⁵⁰ It could, however, be argued that the Board just purged the party of those who had given the party a bad name when it was in power. Aurangzeb, Saadullah Khan and Mian Ziauddin were all denied nominations. All appealed to the Central Selection Board to rescind the decision but only Mian Ziauddin, Mohammad Ali Khan of Hoti and Sardar Bahadur's appeals were accepted. Abdur Rab Nishtar was able to get re-nominated for his old seat but only with great difficulty.³⁵¹

The Muslim League candidates launched individual, fragmented and uncoordinated drive for the elections. According to Nishtar, "Khan Qayum's porters propagated that success of Khan Qayum was necessary as his defeat could only please the Congress. Nishtar is an influential man and also has the support of the Leaguers, therefore all the votes should be given to Khan Qayum."³⁵² It appears that there was a total friction among the Muslim leaders of the NWFP. Of the fourteen persons who failed to get nominated, six nevertheless decided to stand against the official League candidates.³⁵³

³⁴⁵ Agha Masood Hussain, *op.cit.*, p. 78.

³⁴⁶ *Ibid.*, p. 78.

³⁴⁷ *Ibid.*, p. 78.

³⁴⁸ Erland Jansson, *op.cit.*, p. 147.

³⁴⁹ Mian Ziauddin, *op.cit.*, p. 72.

³⁵⁰ *Ibid.*, p. 72.

³⁵¹ Erland Jansson, *op.cit.*, p. 148.

³⁵² Nishtar, *op.cit.*, p. 3.

³⁵³ Erland Jansson, *op.cit.*, p. 148.

There were also several other disgruntled Muslim League leaders who worked against the League or the official candidates of the League. In Hazara District, Ghulam Jan Tahirkheli, (the Editor of a newspaper and Secretary of the Haripur Muslim League), Qazi Asadul Haque (a member of the Provincial Election Board who for many years had been combating against Aurangzeb and the League's strongman, Jalaluddin), Khan Abdul Jaffar Khan and Abdullah Jan (two League's leaders in Mansehra) and K. B. Attai Khan of Bhattal were all expelled from the party for their anti-Muslim League activities during the elections.³⁵⁴

The Muslim League raised the issue of Pakistan in the election drive. But it appears that the Muslim League was not well organized due to internal dissensions among the Muslim leaders. On the other hand, the Congress was a well organized party and was not affected by the internal disputes.

The other two parties, which had previously played a prominent part in the provincial politics, were by now dissolved. The first was the Hindu-Sikh Nationalist Party, which in 1937 had won half of the Hindu-Sikh seats. Faced with the prospect of Pakistan, most of the Hindu and Sikhs supported the Congress. The second party which disappeared was the Independent Party, which had been led by Pir Bakhsh and Malik Khuda Bakhsh. The groups which had previously supported this party now supported either the Congress or the Muslim League, mostly the latter. In addition to the Congress and the Muslim League, several other parties, the Ahrars, the Khaksars, the Jamiat-ul Ulma and the Sikh Party (the Akali Dal) participated in the elections, but almost all the leading candidates belonged either to the Muslim League or to the Congress. Traditional rivalries and loyalties continued to determine political affiliation of the voters and the voting pattern.

The elections were held between January 26 and February 14, 1946. The Congress won 30 out of 50 seats, while the Muslim League won only 17 seats.³⁵⁵ In other Muslim majority province, the Muslim League acquired an impressive majority. Nishtar states: "This was all due to the mutual frictions and rivalries among the Leaguers. Had there been no factionalism among the Muslim leaders and the party, the Muslim League would have won with a thumping majority".³⁵⁶ The Congress exploited these rivalries and succeeded in getting a majority in the NWFP province. There were several reasons as to why the Muslim League could not get many seats. Firstly, the Muslim League's ministry had brought a bad name to the party. Secondly, the Congress had built up a strong organization while the Muslim League had failed to do so.³⁵⁷

³⁵⁴ *Ibid.*, p. 150.

³⁵⁵ *Ibid.*, p. 151.

³⁵⁶ Agha Masood Hussain, *op.cit.*, p. 82.

³⁵⁷ Erland Jansson, *op.cit.*, p. 182.

Khan Qayum and Yahya Jan were elected but Nishtar was defeated in the elections. Despite all wrong tactics used. Qayum Khan and his supporters, he could get a few more votes than Nishtar.³⁵⁸ The Muslim League supporters were, instructed to cast one vote for each of their candidates, but Abdul yum tried to make League supporters cast both their votes only for himself.³⁵⁹ According to Abdul Ghayur, "In the Peshawar City constituency, every voter was allowed to cast two votes. Khan Qayum's supporters managed to convince the people to cast two votes in favor of Khan Qayum so that it could be proved to the Congress that whoever joined the Muslim League, was welcomed by the masses".³⁶⁰ Why did Nishtar not use such tactics to win the elections? Abdur Raof Seemab says, Nishtar always disliked the policy of confrontation and believed in fair play. He believed that defeat was necessary for political training". He further remarks: "Khan Abdul Qayum Khan never wanted any one to supersede him in politics". To which Khan Qayum Khan is on the record to have said: "Everything is fair in politics. Whether it was the AINC or the AIML, the victory was always destined for me".³⁶¹

The Muslim League demand for Pakistan grew more and more vigorous. The AINC claimed that the people of the NWFP had in these elections rejected the idea of Pakistan. Among various slogans raised by individual candidates for the sake of election campaign and despite a fierce battle put up by the Red Shirts and the AINC, the Muslim League contacted the masses to gather on the platform of the demand for Pakistan.

The new ministry in the NWFP was formed by the Congress under the Chief Ministership of Dr. Khan Sahib. Others in the ministry included Qazi Attaullah (Revenue Minister), Yahya Jan (Education Minister), and Mehr Chand Khanna (Finance Minister). A noteworthy feature of this ministry was that it was by and large a family ministry. All except the Hindu member, Mehr Chand Khadila, were related to Abdul Ghaffar Khan. The Chief Minister was his elder brother, the Education Minister was his son-in-law and the Revenue Minister's daughter had been married to one of his sons.³⁶²

Nishtar, after his defeat in the elections, was asked by Sir George Cunningham to become Advocate General or a Member of the Council of State. Nishtar 'rejected the offer with thanks'.³⁶³ It can be argued that Nishtar had no lust for power. He was only struggling for the cause of Pakistan and worked round-the-clock to unite the Muslims of the NWFP to bring them under the banner of the Muslim League. He would have

³⁵⁸ Agha Masood Hussain, *op.cit.*, p. 82.

³⁵⁹ Erland Jansson, *op.cit.*, p. 262.

³⁶⁰ Interview with Abdul Ghayur.

³⁶¹ Interview with Abdur Raof Seemab and Khan Abdul Qayum Khan.

³⁶² Agha Masood, *op.cit.*, p. 83.

³⁶³ *Ibid.*, p. 83.

accepted Cunningham's offer, if there had been any desire in him for a higher position.³⁶⁴

In the Frontier Assembly, there were four candidates for leadership of the Muslim League. They were Mohammad Ali Khan of Hoti, Sardar Bahadur Khan, Abbas Khan and Abdul Qayum Khan, But Abdul Qayum Khan managed to become the leader of the opposition while Nawab Qutbuddin and Habibullah Khan were elected as the Deputy Leader and the Secretary respectively.³⁶⁵

³⁶⁴ *The Daily Jang*, Karachi, February 15, 1959, p. 4.

³⁶⁵ Agha Masood Hussain, *op.cit.*, p. 86.

Chapter Six

NISTHAR AND THE FREEDOM MOVEMENT PART-III

In June 1945, the Viceroy, Lord Wavell had invited the Indian political leaders to a conference at Simla. The conference was convened to ease the contemporary political situation and to advance India towards the goal of a complete self-government.³⁶⁶ The conference, known as Simla Conference, met on June 25 at Simla. The Viceroy appealed to the leaders of the AIML and the AINC for cooperation to make the conference a success. Maulana Azad, on behalf of the AINC, said that the AINC would not be a party to any proposals that would tend to reduce the AINC to the status of a communal organization. He desired that the objective of the Conference should be the complete independence of India.³⁶⁷ He also declared that any commitments would be provisional subject to being accepted and ratified by the AINC Committee.³⁶⁸ Mr. Jinnah promptly intervened and severely criticized some of the observations made by Azad and said they were absolutely irrelevant. He said that he would make his detailed observations after the replies of the Viceroy to Azad's questions.³⁶⁹ The Viceroy made point to point replies to Azad's observations and assured him that the proposals did not intend to brand the AINC as a communal organization. Mr. Jinnah objected to the last observation of the Viceroy and said that, according to him and the Muslims of India, the AINC could only claim to represent Hindus and not Muslims. On this Dr. Khan Sabib, representing the AINC said that the AINC did represent Muslims also.³⁷⁰

It was decided that Mr. Jinnah and Pandit Govind Ballabh Pant should have a separate meeting to reach an agreement, but the talks between Mr. Jinnah and Pant broke down, and no basis could be found for a reconciliation between the AIML and the AINC. All possibilities for an agreed solution were explored, but in vain, and as such the Conference ended in a deadlock. In spite of the failure of the Simla Conference, Lord Wavell requested all the parties being represented at the Conference to give him a list of names for his consideration for formation of the interim government, but the names suggested were to belong to that particular party or interest. Maulana Azad declared that the AINC would send names not only of the Hindus, but also of the Muslims, Christians and Scheduled Caste Hindus.³⁷¹ Mr. Jinnah pointed out that he could not

³⁶⁶ Menon, *op.cit.*, p. 183.

³⁶⁷ G. Allana, *Quaid-i-Azam, The Story of A Nation*, Lahore, 1967, p. 373.

³⁶⁸ *Ibid.*, p. 363.

³⁶⁹ *Ibid.*, p. 374.

³⁷⁰ *Ibid.*, p. 374.

³⁷¹ *Ibid.*, p. 383.

send such a list, until he had the authority to do so from the AIML. He said that the AIML would join the interim government, only if it was publicly agreed that the Muslims had the right of self-determination.³⁷² The controversy continued and both the major parties *i.e.*, AIML and AINC could not reach an agreement.

The victory of the Labour Party in the British General Elections meant that a government which was committed to granting India independence, came into power and after the surrender of Japan no reason was left to prolong the solution of the Indian problem. As a first step towards a solution, general elections were held in the central and provincial Indian legislatures in 1946. The elections resulted in an impressive turnout of the AIML in the Muslim constituencies except the NWFP and equally an overwhelming majority of the AINC in the general constituencies.

In March 1946, the British took a new initiative and three members of the Cabinet were sent to India to negotiate an agreement with the principal Indian parties. The Cabinet Mission consisted of Lord Pethick Lawrence, Sir Stafford Cripps and Mr. A. V. Alexander. The Mission met Mr. Jinnah, Gandhi and other political leaders at Delhi and exchanged views about a political solution of Indian problem.

A meeting of the AIM Working Committee and AIML Council was held in the late March 1946, wherein the question of re-organization of the AIML in the NWFP was discussed. For this purpose, a Committee was constituted which consisted of Nishtar, Aurangzeb Khan, Samin Khan, Mohammad Ali Khan of Hoti, Arbab Abdul Ghafoor and Ghulam Mohammad Londkhaur. Arbab Abdul Ghafoor and Samin Khan were elected President and Secretary of the Committee respectively.³⁷³ Again a meeting of the AIML Working Committee was held in April 1946, to nominate the representatives to negotiate with the Cabinet Mission on behalf of the AIML. Mr. Jinnah was authorized by the Working Committee to send the names of the representatives. Mr. Jinnah wrote to Lord Wavell on April 29, 1946, "For finding an agreed solution of Indian Constitutional problem, I am sending the following names on behalf of the AIML to participate in the negotiations:

1. Mohammad Ali Jinnah
2. Nawabzada Liaquat Ali Khan
3. Nawab Mohammad Ismail Khan
4. Sardar Abdur Rah Nishtar.³⁷⁴

The negotiations started on May 5, at Simla and ended on May 12, without achieving anything. The AINC was represented by Maulana Azad, Nehru, V. Patel, and Khan

³⁷² *Ibid.*, p. 384.

³⁷³ Agha Masood Hussain, *op.cit.*, pp. 86-87.

³⁷⁴ Nicholas Mansergh, ed., *Transfer of Power in India*, v.vii, 1942-47, London, 1981, p. 371.

Abdul Ghaffar Khan.³⁷⁵ Mr. Jinnah had nominated Nishtar in the negotiation team, when Sir Olaf Caroe, the Governor of the NWFP sent a telegram to Lord Wavell on May 13, and commented "I suppose that Nishtar will prove too closely tied to Jinnah to play".³⁷⁶ It appears that the British, also knew that Nishtar was a loyal and devoted friend of Mr. Jinnah and his inclusion was not to be liked by them. The British had thought of Mohammad Ali Khan of Hoti to be included in the negotiation team. Regarding the inclusion of Mohammad Ali Khan of Hoti, Sir Olaf Caroe wrote: "I had thought of Hoti, who is MLA and possessed of personality and independence of thought".³⁷⁷

Mr. Jinnah had nominated Nishtar on account of his ability, competence and a staunch loyalty to the AIML. He participated in the negotiations very effectively and offered clarifications on those points which were unclear to the Muslims. During a meeting with Lord Pethick Lawrence and Sir Stafford Cripps on May 16, 1946, Nishtar asked: "Whether he correctly understood that each section of the Constitution-making Body would be entitled to frame the constitution, for the provinces within it, irrespective of whether they attended or not, and also to determine whether there should be, subject only to the right of a province to opt out after the constitution had been framed". Sir Stafford Cripps replied that "This was in accordance with the document. The option would be exercisable after the whole picture including the union constitution had been completed".³⁷⁸ Nishtar had complete understanding of constitutional hitches and wished that every point in the Mission's proposals should be clarified to avoid any confusion in future. He was fully aware of the Hindu tactics and knew that if these points were not made clear, the AINC would take advantage of such ambiguities. While participating in the Conference Nishtar did not ignore any aspect of the proposals. He sought clarification with regard to the position of minorities and pointed out: "What would be the position as regards the Advisory Committee on minorities. Would its recommendations have to be included in all constitutions?" To it, Sir Stafford Cripps replied: "It would be an Advisory Body and that it could itself recommend whether provision should be made in all the constitutions".³⁷⁹ Nishtar stressed for provision of an Advisory Committee on minorities in all the constitutions for he knew that after the partition, the Muslims in India would become a minority and such a committee was therefore essential for the safeguard of their interests. Nishtar also pointed out: "Whether the Union Constitution-making Body would decide what would be the fundamental rights on the basis of advice given by this Committee and whether it would be subject to the 'communal issue' provision".³⁸⁰

³⁷⁵ G. Allana, *op.cit.*, p. 402.

³⁷⁶ Nicholas Mansergh, *op.cit.*, p. 548.

³⁷⁷ *Ibid.*, p. 548.

³⁷⁸ *Ibid.*, p. 577.

³⁷⁹ *Ibid.*, p. 578.

³⁸⁰ *Ibid.*, p. 578.

Nishtar represented the view point of the AIML in the Conference in a very convincing way. He was not satisfied with the proposals announced on May 16, 1946 by the Cabinet Mission as it did not reflect the Muslim demands pleaded by the AIML at the Conference. By the time, the Conference was concluded, some ill-feelings grew between Mr. Jinnah and Sir Stafford Cripps. According to Nishtar: "Mr. Jinnah desired that the correspondence/discussions took place in the Conference should be published, so that it would become clear to all as to who actually was responsible for the failure of the Conference. When the idea was opposed by the Cabinet Mission, Mr. Jinnah told the Mission that if the material in question was not published officially, he would himself publish it".³⁸¹

On May 9, Nehru requested the AINC and the AIML to nominate one representative each to discuss the points of difference with an arbitrator mutually agreed upon, who could give final verdict in case of disagreement. Mr. Jinnah said that he would like to discuss that with Nehru and the Conference was adjourned to May 11. But Jinnah-Nehru meeting proved unsuccessful and when the Conference resumed on May 11, Mr. Jinnah put before the Mission in writing the demands of the AIML which were considered to be the irreducible minimum.³⁸²

The formula of the AIM demands was countered by the AINC by contrary demands which were put forth in a letter from its President to the Mission. The AINC memorandum insisted on one Constitution-making Body emphatically repudiating the suggestion of including the Frontier province in the Pakistan Group.³⁸³ The Cabinet Mission Plan was announced on May 16, 1946. A statement was issued by Mr. Jinnah on May 22 from Simla in which the background of the discussion with the Conference was given. He explained the justification for the offer made at the Conference by the AIML. Referring to the statement issued by the Cabinet Mission, he said: "I regret that the Mission should have negated the Muslim demand for the establishment of a complete sovereign state of Pakistan, which we still hold the only solution of constitutional problem of India".³⁸⁴ He also declared the operative part of the Plan unsatisfactory from the, Muslim point of view. The AINC Working Committee's statement was issued on May 24, which was an amalgamation of contradictions and aimed to deceive the Muslims. The Cabinet Mission gave a statement on May 25, negating the statement of the AINC and declared it a deviation from the compromise.³⁸⁵

The Council of the AIML met on June 6 in Delhi and in his introductory address, Mr. Jinnah said: "You have got to decide momentous issues now facing you". He gave the details of his discussions that took place with the Mission. After other leaders had

³⁸¹ Agha Masood Hussain, *op.cit.*, p. 86.

³⁸² Syed Sharifuddin Pirzada, ed.: *Foundations of Pakistan*, v.ii, Karachi, 1970, pp. 536-537.

³⁸³ G. Allana, *op.cit.*, p. 389.

³⁸⁴ *Ibid.*, p. 406.

³⁸⁵ Agha Masood Hussain, *op.cit.*, p. 90.

expressed their views, the Council adopted a resolution, protesting against those provisions in the Mission's Plan which cast doubts at the feasibility of a complete, independent and sovereign Pakistan. However, in view of its indirect acceptance 'by implication' of Pakistan in the proposed scheme, the Council decided that the AIML would work in the Constitution-making Body, reserving its right of withdrawal, if subsequent developments so warranted. The Council authorized Mr. Jinnah, its President to negotiate with the Viceroy as the sole accredited representative of the AIML in all matters including arrangements of the contemplated interim government at the centre.³⁸⁶

Fearing the repetition of a political dead-lock, as the AIML and the AINC held diametrically opposite views on the fundamentals of an agreed solution, the Viceroy wrote on June 16 to Mr. Jinnah and Azad that he proposed to appoint an Executive Council of fourteen members specifically names, six from the AINC, including a Scheduled Caste Congressite, five from the AIML, one Sikh, one Indian Christian and one Parsi. The Muslims whose names were announced included Mr. Jinnah, Liaquat Ali Khan, Nishtar and Khawaja Nazimuddin. The Viceroy hoped that the AINC and the AIML would accept the formula.³⁸⁷

As soon as the proposed names of the Muslims became known, provincial jealousies raised the head to strike. Dr. Khan Sahib, the then Chief Minister of the NWFP and his brother, Khan Abdul Ghaffar Khan, brought pressure on their Congress colleagues to oppose the inclusion of Nishtar. But Mr. Jinnah was made of sterner stuff than the Khan Brothers had imagined and he was not a man to let down most sincere friend, who was loyal to the AIML.³⁸⁸ According to Nishtar: "The AINC objected my inclusion only for the reason that I had lost in the elections, although the ministry formed in the D. P. by the AINC had two Muslim ministers who too had been defeated in the elections".³⁸⁹ It appears that the AINC wanted Dr. Khan Sahib on the Executive Council and therefore opposed Nishtar's candidacy. Nishtar has further narrated "The Leaguers whose names were announced by the Viceroy for the Executive Council declared that they would not accept the Viceroy's invitation individually without the permission of the AIML. When the AIML decided to join the Executive Council, the Viceroy could then talk with Mr. Jinnah for the purpose".³⁹⁰

The elections to the Constituent Assembly were held in July 1946. The AIML won 73 out of 78 seats allotted to the Muslims.³⁹¹ The AINC could not win in ten constituencies of the general seats. A meeting of the AIML Working Committee was held on July 27-29,

³⁸⁶ G. Allana, *op.cit.*, p. 409.

³⁸⁷ *Ibid.*, p. 410. Also see Agha Masood Hussain, *op.cit.*, pp. 92-93.

³⁸⁸ Agha Masood, *op.cit.*, pp. 93-94.

³⁸⁹ *Ibid.*, p. 94.

³⁹⁰ *Ibid.*, p. 94.

³⁹¹ G. Allana, *op.cit.*, p. 426.

1946 at Bombay, in which Mr. Jinnah said: "In view of the Cabinet Mission having gone back on their words on the question of setting up of an interim government, the AIML Council had to decide what steps they had to take".³⁹² Nishtar who was one of the AIML delegates to the Tripartite Conference at Simla, addressing to the Council said: "Though the Cabinet Mission proposals fell short of the AIML demands, it accepted them in order to prove to the world that it was not the AIML which stood in the way of India's independence. The AIML acted as an honorable and honest organization and wanted to solve the Indian political deadlock by peaceful methods. The AINC on the other hand, tried to dominate the AIML in whatever way it could. In view of all that had happened during the past three months, the Muslims had only two courses open: one was to continue to be under the British imperialism which would be dishonorable, the other was to fight for the attainments of Pakistan. The Muslims were prepared to make any sacrifice for the purpose".³⁹³ The meeting decided to renounce forthwith the titles conferred upon the Muslims by the British Government in protest against, and in token of their deep resentment of the attitude of the British. It was also decided that the Muslims all over India would observe August 16, 1946, as Direct Action Day by holding meetings where the inevitability of Pakistan would be explained.³⁹⁴

The Working Committee of the AINC met on August 8 at Wardha and passed a resolution regretting the attitude of the AIML and said that the AINC 'have emphasized the sovereign character of the Constituent Assembly'. It was very strange that the resolution expressed the hope 'that the AIML and all others concerned in the wider interests of the nation as well as of their own, will join in this great task'.³⁹⁵ Nishtar records: "The AINC was invited by the Viceroy to form the ministry as the Cabinet Mission had accepted the AINC conditional acceptance of Mission's Plan of May 16 and the AIML was not invited as according to the British, the AIML had withdrawn its acceptance of the Mission's Plan". He further records: "Such was not the position, but Sir Stafford Cripps, who was a personal friend of Gandhi and Nehru, got an opportunity to hand over the rule to the AINC. To invite Nehru to form a cabinet meant that the British wanted to see him as the Prime Minister".³⁹⁶ Nehru wrote to Mr. Jinnah to extend his cooperation in the task of forming a ministry, but Mr. Jinnah rejected the offer of joining the interim government on these terms. He was asked by Nehru to give a list of the names of AIML nominees to the interim government, but Mr. Jinnah was not in favor of joining the interim government through Nehru. As Nishtar reports: "This was the AINC tactic just to show that it was willing to cooperate with the AIML and Nehru had acted according to the set customary plan of the AINC and as such this could not sort out the problems of the political deadlock".³⁹⁷

³⁹² Sharifuddin Pirzada, *op.cit.*, p. 549.

³⁹³ *Ibid.*, p. 558.

³⁹⁴ Ishtiaq Hussain Qureshi, *op.cit.*, p. 229.

³⁹⁵ G. Allana, *op.cit.*, p. 415.

³⁹⁶ Agha Masood Hussain, *op.cit.*, p. 96.

³⁹⁷ *Ibid.*, p. 97.

August 16, 1946, was observed as Direct Action Day by the Muslims of India. Processions were taken out in all important towns and sporadic public meetings were held where resolutions were passed in accordance with the stand of the AIML. Governments of Bengal and Sindh declared the day as public holiday, and Suharwardy, the Premier of Bengal, gave a challenging statement in which he said that if the AINC were to be induced into office by the Viceroy at the Centre, he would declare Bengal to be completely independent state with a parallel government in his province. No revenue would be received by such a central government from Bengal and they would consider themselves as a separate sovereign state, having no connection with the Centre.³⁹⁸

The Direct Action Day in the NWFP was led by a Committee of Action whose president was Pir of MAnki Sharif while Arbab Abdul Ghafoor was a member of the committee.³⁹⁹ The Day passed without any violence in the province. *Hartal* was observed in Peshawar and other towns, meetings were held processions were taken out, but the demonstrations remained peaceful.⁴⁰⁰ The agitation continued until the whole autumn was over. In the month of September 1946, it was declared that agitational drive would continue in order that the demand for a sovereign state of Pakistan could vigorously propagated and deeply rooted. The Committee of Action passed three resolutions:

- i) It was decided that a list of all Muslim preachers (religious leaders) should be prepared and they should be organized for the propagation for Pakistan;
- ii) To make the Muslim community economically strong, all the Muslims were urged to buy necessities of life from the Muslim shopkeepers instead of the Hindus;
- iii) The Muslim lawyers were asked to devote their spare time to the programme of Pakistan and to form defence committees to defend the Muslim Leaguers who were being arrested and on whom punishments were being imposed.⁴⁰¹

In response to the resolution, some prominent Muslim lawyers held a meeting at Mian Ziauddin's house and unanimously decided to place their services at the disposal of the Frontier Provincial Muslim League in connection with any programme the Council of

³⁹⁸ G. Allana, *op.cit.*, p. 415.

³⁹⁹ Erland Jansson, *op.cit.*, p. 177.

⁴⁰⁰ *The Khyber Mail*, Peshawar, August 16, 1946, p. 1.

⁴⁰¹ *The Khyber Mail*, Peshawar, September 7, 1946, p. 2.

Action may adopt for the attainment of Pakistan.⁴⁰² The Frontier Muslim Chamber of Commerce held a meeting to discuss the problems of the Muslim businessmen. The President of the Peshawar Muslim League, Mian Abdullah Shah, addressed the meeting and said that it was regrettable that the Muslims were not in the control of Marketing their products and that the fruit of their labor was being snatched by the Hindus. An appeal was made to the businessmen to make the Muslim community economically strong.⁴⁰³ The result of these activities was, of course, very little. But this shows that the provincial politics had undergone a great change. There was no factionalism in the provincial politics anywhere as existed during the elections to the Provincial Assembly. On the question of Pakistan as united India, the factional disputes and rivalries were irrelevant and there was a much broader base for a political mobilization.

The Direct Action meant that the AIML for the first time had adopted a new posture when the loyalist Leaguers went to a corner. In accordance with the decision of the AIML Working Committee, titles and awards in the NWFP were also renounced. In September 1946, seventeen Khan Bahadurs and twenty-seven Khan Sahibs had renounced their titles.⁴⁰⁴ As the struggle for freedom spread, the old loyalists also transferred their loyalties towards the AIML. The most important aspect of the Direct Action Day was the religious-cultural appeal for Pakistan as an independent sovereign state for the Muslims of India. The communal violence in other parts of the country, particularly in Bombay and Bihar had a deep impact on the Frontier. The atrocities of the Hindus and the Sikhs on the Muslim community in these areas had aroused the sympathies of the Muslims in the NWFP. The missions of various kinds from the NWFP were sent to the varied places to aid the Muslim sufferers and find out the exact situation prevailing in those areas. Nishtar, who, was in these days at Delhi, visited the province from time to time and played a key role in organizing the Muslims under the banner of the Muslim League.⁴⁰⁵ The position of the Provincial Muslim League had become stronger in the NWFP.

The AIML leaders and Pir of Manki Sharif toured all over the Frontier during the campaign. A large number of meetings were held in which more publicity was given to the idea of Pakistan and the Muslims were made aware of the fact that they could not be in a position to live together with the Hindus and the Sikhs who were their staunch enemies. In a meeting Khan Abdul Qayum Khan said:

"The words of Hindus are sweet and soft, when they talk about the Muslims, but they have dislike in their hearts for the Muslims and wish to dominate them".⁴⁰⁶

⁴⁰² *Ibid.*

⁴⁰³ *The Khyber Mail*, Peshawar, September 27, 1947.

⁴⁰⁴ *The Khyber Mail*, Peshawar, September 29, 1947.

⁴⁰⁵ Interview with Haji Malik Shad Khan.

⁴⁰⁶ Quoted by Erland Jansson, *op.cit.*, p. 180.

The Pir of Manki Sharif urged the Muslims to unite themselves under the banner of the AIML and work earnestly and maintain discipline for the achievement of Pakistan. He said that the Hindus and the British were determined to crush the Muslims and through their conduct they had proved to the world that they were not the well-wishers of Muslims.⁴⁰⁷

Although Hindus had no concern with these processions and meetings held on account of the Direct Action Day, they resorted to violence in Calcutta and in the communal rioting that followed, about 5,000 persons were killed and 20,000 persons were injured. Prior to August 16, Muslims in Bihar, Bombay and Ahmadabad were killed on a large scale and their properties were looted by the Hindus. On August 24, the Viceroy had announced the names of the AINC members to be included in the interim government. This Council of the Governor General consisted of Nehru, V. Patel, Rajandar Parshad, S. C. Bose, Rajgopal Acharya, John Mathias (Christian), D. H. Bhabha (Parsi), Baldev Singh (Sikh) and Jagjeevan Ram (Scheduled Caste). The Muslims members taken in the interim government by the AINC were, Asif Ali from Delhi, Syed Zaheer from Lucknow and Sir Shifaat Ahmed.⁴⁰⁸ The AINC had to postpone its swearing-in ceremony because of communal rioting which took place on September 29, 1946.

Just after the swearing-in ceremony of the AINC members, the Muslims in Hazara District killed some Hindus and Sikhs. Similarly in Noakhali, in East Bengal and Calcutta, communal rioting took place and the Hindus were killed on a large scale by the Muslims as a revenge. This situation alarmed the British Government and Lord Wavell persuaded Mr. Jinnah to join the interim government. They were of the view that by joining of the AIML in the interim government, communal rioting could be controlled.

When dialogue between Mr. Jinnah and Lord Wavell was going on, the Nawab of Bhopal, who was greatly respected by all leaders and political parties, brought the former to evolve a acceptable formula. Mainly due to efforts of Nawab of Bhopal two leaders agreed: "The AINC do not challenge and accept that the AIML now is the authoritative representative organization of an overwhelming majority of the Muslims of India. As such, in accordance with democratic principles, they alone have, today an unquestionable right to represent the Muslims of India. But the AINC cannot agree that any restrictions or limitations should be put upon the AINC to choose such representatives as they think proper from amongst the members of the Congress as their representatives".⁴⁰⁹ This agreement was signed by Mr. Jinnah and Gandhi. But when Gandhi announced this formula which had been agreed upon, Nehru and the AINC, refused to accept it. The AINC now wanted to get rid of this agreement and offered new conditions for a compromise. When these talks failed, Mr. Jinnah convened

⁴⁰⁷ *Ibid.*, p. 180.

⁴⁰⁸ Agha Masood Hussain, *op.cit.*, p. 97.

⁴⁰⁹ *Ibid.*, pp. 97-98.

the meeting of the Working Committee of the AIML and on October 13, 1946, communicated in a letter to Lord Wavell the decision on the entry of the AIML to the interim government. The letter stipulated, that despite the League had serious objections, yet in the interest of the Musalmans and other communities, it will be fatal to leave the entire field of the Central Government in the hands of the Congress.⁴¹⁰

Prior to sending names of League's nominees to the Viceroy, Mr. Jinnah had consulted all those whom he wanted to nominate in the interim government. He wrote to Nishtar and desired that he proposed to nominate him in the Executive Council as one of the League's nominee. Nishtar in his letter of October 14, 1946, thanked Mr. Jinnah for the confidence he so kindly reposed in him. He assured Mr. Jinnah that as a member and nominee of the League, it would be his duty to work in accordance with the policy and programme of the League as a loyal member of the AIML group in the Executive Council and would also abide by the decisions of the party. He also assured that he would whole-heartedly obey the directions or the instructions issued to him by Mr. Jinnah or the League.⁴¹¹

Why did Mr. Jinnah chose Nishtar for inclusion in the interim government in spite of the fact that there were many other top-ranking leaders of the AIML available? In fact, Nishtar was one of the few leaders of repute who enjoyed the full confidence of Mr. Jinnah. Secondly, the AIML, had to nominate one of its nominees from the NWFP in order to give representation to the Frontier. It was necessary because the Khan Brothers supported the AINC and opposed the AIML. Nishtar was the only most suitable person from the NWFP to be nominated on the interim government. He was indeed, an undisputed figure amongst the rank and file of the Muslim League in the NWFP as compared to other Leaguers given the opposition from the Khan Brothers. Above all, he was honest, capable, competent and popular among the masses and had very close relations with Mr. Jinnah for his loyalty to the AIML and devotion to the cause of Pakistan.⁴¹²

In his letter of October 14, 1946, Mr. Jinnah conveyed to the Viceroy the names of the five AIML's nominees on the interim government. They were:

1. Nawabzada Liaquat Ali Khan
2. I. I. Chundrigarh
3. Abdur Rab Nishtar
4. Chazanfar Ali Khan
5. Jogendar Nath Mandal.

⁴¹⁰ Sharifuddin Pirzada, *Quaid-i-Azam Jinnah's Correspondence*, Karachi, 1977, p. 372.

⁴¹¹ *Letter from Nishtar to Jinnah*, October 14, 1946, National Archives of Pakistan, Islamabad, File No. 20, p. 82.

⁴¹² Interview with Abdul Ghayur.

Mr. Mandal was a member of the Schedule castes and a minister in the AIML ministry in Bengal.⁴¹³ When the names of AIML's nominees were announced, objection was raised to the nomination of Nishtar from the NWFP. According to Lord Wavell: "Azad grumbled about the nomination of Nishtar from the NWFP, wanted Sarat Chandra Bose instead of Mehtab, and talked about the possible inclusion of Zakir Hussain".⁴¹⁴ Nishtar's nomination was objected for the AINC wanted that someone from the NWFP having affiliations with the Khan Brothers should have been nominated on the interim government. Gandhi was of the opinion that some nationalist Muslim should be included in the interim government. It appears that he wished that one of the Khan Brothers should be taken on the Executive Council. But the Congress Working Committee had decided against the advice of Gandhi, not to put forward a nationalist Muslim for the interim government, and were going to accept subject to Chaffer Khan's raising no objection to Nishtar.⁴¹⁵ When the Khan Brothers felt that it was rather impossible to persuade Mr. Jinnah to withdraw the name of Nishtar from the interim government, Lord Wavell recorded: "Nishtar's objection was gone apparently, since Abdul Ghaffar Khan had apparently said that the idea of participating in such a government was nonsense, anyhow, so what did it matter who was in it".⁴¹⁶

It must be mentioned that even the British were not pleased with the AIML's nominees appointed by Mr. Jinnah. They wished that some neutral persons should have been nominated to the Executive Council, who could remain under their influence. Lord Wavell observed: "When I studied Jinnah's list of names for Coalition Government, it was rather a disappointing list. Liaquat Ali Khan and Nishtar were the certainties, but Chundrigarh from Bombay and Ghazanfar Ali Khan from the Punjab were poor substitutes for Ismail Khan and Nazimuddin".⁴¹⁷ But Mr. Jinnah had nominated those persons whom he considered the most suitable for inclusion in the interim government. It was not necessary that every top-ranking leader of the AIML should have been given an opportunity to represent AIML in the interim government. It was essential that such persons should be sent to the Executive Council, who could represent the AIML's view point as well as the Muslim majority provinces.

The portfolios of the AIML's nominees were not announced. These were to be announced in consultation with the Viceroy and Nehru. The day, the names of AIML's nominees to the interim government were announced, Nehru had decided to tour the NWFP on the following day. The department of External Affairs was under Nehru and the Tribal Areas of the NWFP also fell under his jurisdiction. He showed that he was touring the NWFP as Incharge of the External Affairs but the factual position was somewhat different. The purpose of Nehru's visit to the NWFP was to persuade the

⁴¹³ Syed Sharifuddin Pirzada, 1977, P. 374.

⁴¹⁴ Penderal Moon, ed., *Wavell The Viceroy's Journal*, Karachi, 1974, p. 295.

⁴¹⁵ *Ibid.*, p. 297.

⁴¹⁶ *Ibid.*, p. 298.

⁴¹⁷ *Ibid.*, p. 359.

people to support the AINC instead of the AIML.⁴¹⁸ The Khan Brothers were losing mass support for their fallacy to have invited Nehru to the NWFP so that they could impress the political agents of tribal areas that they were under Nehru and in this way they wanted to get their support. According to Nishtar, the Khan Brothers calculated wrongly as the tribesmen of the NWFP were totally against the AINC and the Khan Brothers. They did not like Nehru's visit to the Frontier and had all their support for the AIML.⁴¹⁹

Nehru was advised by the Viceroy to postpone his programme of touring the NWFP, but he did not agree. Nehru had himself received reports that the people in the NWFP had transferred their loyalties to the AIML. But he held the view that these reports were incorrect and fabricated by the British officers. The impression in the Congress circle was that the majority of the people of the NWFP were with the Khan Brothers. According to Azad: "I told him that he should not take any hasty action as it was difficult to know what the exact position in the Frontier was, but Nehru insisted and said, whatever be the consequences, he would go".⁴²⁰

Azad recorded: "the Khan Brothers wanted to impress us that while there were differences in other provinces, the Frontier was solidly with the AINC. In fact, however, there was quite a strong group against the Khan Brothers. Dr. Khan Sahib's term of office as Chief Minister had given additional strength to such opposition. He had the opportunity of winning over the entire province, but he had committed many mistakes which had added to the strength of the opposition".⁴²¹ This indicates that the AINC ministry in the NWFP had bitterly failed and lost mass support. The Congress deeds during its rule in the Frontier made people aware of the fact that the Khan Brothers were working for the betterment of the AINC and they had no concern with or sympathies for the Muslims.

When Nehru reached Peshawar airport, he found thousands of Pathans carrying black flags and shouting anti-Congress slogans. Dr. Khan and other ministers who had come to receive Nehru, were themselves under the police protection and proved completely ineffective. When Nehru visited Khyber and Malakand agencies, he found a large section of the people against him. In some places his car was stoned and Nehru was once hit on his forehead.⁴²² Nishtar states: "That the Congress had tried to deceive the world by posing that majority of the Muslims in the NWFP supported the AINC, but its false propoganda came to an end when the foreign press reporters, accompanying Nehru, witnessed the situation themselves".⁴²³

⁴¹⁸ Agha Masood Hussain, *op.cit.*, p. 100.

⁴¹⁹ Maulana Abu-ul Kalam Azad, *Indian Wins Freedom*, Calcutta, 1964, p. 168.

⁴²⁰ *Ibid.*, p. 169.

⁴²¹ *Ibid.*, p. 170.

⁴²² *Ibid.*, p. 171.

⁴²³ Agha Masood Hussain, *op.cit.*, p. 100.

The announcement of names of the AIML's nominees was taken as a strange move by most of the circles. The British were also not expecting such nominations. The Congress had also objections to some of League's nominees. Some of the Muslim Leaguers, who were expecting to be included in the interim government, were disappointed when they heard the announcement. Mr. Jinnah had chosen those, whom he considered better from every angle and their loyalties to the-AIML and cause of Pakistan were beyond doubt.

The following portfolios were given to, the AIML's nominees;

- | | | |
|----|----------------------|--|
| 1. | Liaquat Ali Khan | Finance |
| 2. | I. I. Chundrigarh | Commerce |
| 3. | Ghazanfar Ali Khan | Health |
| 4. | Abdur Rab Nishtar | Communications (Postal services and Air) |
| 5. | Jogendar Nath Mandal | Law and Legislature |

The AIML nominees took their oath on October 25, 1946. Nehru was appointed the leader of the House whereas Nishtar was appointed leader of the Council of State. Lord Wavell wrote to Lord Pethick Lawrence on October 26, "It has been agreed that Nehru should continue as the leader of the Assembly and that Nishtar on behalf of the AIML should be leader of the Council of State".⁴²⁴ Ghazanfar Ali Khan and Nishtar were also nominated to the Council of State.

Just after taking over of the AIML's ministers in the interim government, reports were received that the Muslims were being assassinated on a large scale in Bihar and their properties were being plundered by the Hindus. It was therefore, decided that Nehru and Liaquat Ali Khan should visit the places of rioting and make arrangements for their control. Nishtar also accompanied them and visited Calcutta, Bihar and Patna in order to defuse the situation. According to Nishtar, these communal riots took place due to intrigues of some of the Congress leaders.⁴²⁵ Nehru and Nishtar delivered speeches in order to control the riots, but in vain. The situation in Bihar was out of the control of the government as the riots were spreading speedily. When the cruel ties in Bihar were publicized in India and the world over, the question was put in the Assembly. But Nehru informed the House by fabricating his own interpretation of the factual position. This hurt Nishtar, who had accompanied Nehru to the places of rioting. He sought permission-from the President of the Assembly to speak on the subject. Nishtar narrates: "I spoke as the leader of the Council of State and informed the members about the facts. I gave a detailed history of the riots and also answered the questions of the

⁴²⁴ Nicholas Mansergh, *op.cit.*, p. 826.

⁴²⁵ Agha Masood Hussain, *op.cit.*, p. 103.

members very successfully".⁴²⁶ The condition of the Muslims in Bihar pained Nishtar very much and he wrote some couplets also in this regard.

The AIML's position in the interim government had become very strong as the key post to the Government *i.e.*, finance was under the control of the League. The AINC had offered the AIML to accept the finance department for the reason that the AIML would not accept this portfolio because of its technical nature.⁴²⁷ But the AIML accepted the offer and Liaquat Ali Khan was entrusted with the responsibilities of a Finance Minister. Now when the over-all charge of the finance was with the AIML, it created difficulties for the AINC and they began to propagate that the AIML's ministers in the interim government had their sympathies with the British.

In December 1946, Asif Ali, a Congressite, was appointed Ambassador to the United States of America and the AINC nominated Maulana Abul-ul Kalam Azad on the interim government. When he came to take oath, Rajgopal Acharya said to him: "Nishtar is our member of state and dignity". Nishtar said to Acharya: "The presence of Azad will increase the dignity of your ministerial meetings". To it, Acharya replied: "It depends how much cooperation you extend to him". "I have all regards for him, but I recollect a couplet of Mirza Ghalib on his news of becoming the Member of Executive Council", Nishtar said and recited the following verse

اکہاں میٹخانے کا دروازہ غالب اور کہاں واعظ
پر اتنا جانتے ہیں کل دہ جاتا تھا کہ ہم نکلے

By hearing this verse Maulana Azad was ashamed, as Nishtar recorded and asked him: "You have still the taste of poetry" and in this way Azad wanted to change the topic.⁴²⁸ Acharya's remarks that 'Nishtar is a member of state and dignity' indicate that the leaders of the AINC wished that Nishtar should leave the AIML and join the AINC, but Nishtar was determined to live and die for the organization, which was fighting for the cause of the Muslims and for a separate and independent state for them. Hence AINC's implied baiting met embarrassment.

According to Nishtar, when Azad met him again he said to him: "You had taunted me and some of my colleagues have written me that you occupy an immense position. I have joined the interim government to remove the differences between you and the Congressites. The AINC had already desired to include me in the interim government, but I did not agree". Azad clarified his position with regard to his position to the AIML and said that he opposed the AIML for he considered it an obstacle in the way of

⁴²⁶ *Ibid.*, p. 104.

⁴²⁷ Maulana Abu-ul Kalam Azad, *op.cit.*, p. 161.

⁴²⁸ Agha Masood Hussain, *op.cit.*, pp. 124-125.

freedom, but now the freedom was nearer and question was what place the Muslims would get on the map. He said: "I feel it necessary for a Muslim organization and now I am not against the AIML, but what can be the probability of an agreement".⁴²⁹ Nishtar told Azad that the Congressites did not want to have an agreement with the AIML and reminded Azad of the efforts made by Mr. Jinnah during the time when the Cabinet Mission was touring India. Nishtar asked Azad: "If you and Ghaffar Khan quit the AINC, probably an agreement can reach to. It is with your presence that it tries to declare itself the representative of the Muslims".⁴³⁰ To which Azad replied "If we also separate ourselves from the AINC, it will become openly a Hindu Sabha". "The secret Hindu Sabha is more dangerous than an open Hindu Sabha: In the presence of V. Patel, you cannot do anything of your own", Nishtar remarked. It is very interesting to note that when Azad said: "Have I not controlled V. Patel during my tenure as President of the AINC?" Nishtar replied: "If following up some one means to control someone, then you have definitely controlled".⁴³¹

It appears that Nishtar was trying to convince Azad to support the AIML instead of the AINC. His remarks were so quick and witty that a politician like Azad was unable to come up with any befitting response. In fact, Azad had all the love for the Muslims, but he was not in favor of a divided India and to the last moment he opposed the partition of India. The position of Nishtar could easily be understood that politicians like Azad and Acharya were eager to win him over to have his cooperation. They thought that if they succeeded in doing that, the position of the AIML from the Frontier point of view will become weak and they would be able to exercise more influence over the AIML to leave the NWFP at its own mercy.

The first meeting of the Constituent Assembly was tentatively scheduled for December 9, 1946. But the AIML refused to participate in the assembly proceedings or even to recognize it as valid body until the AINC gave an undertaking that it accepted the AIML's interpretation of clause regarding the grouping of the provinces. The Viceroy had tried to persuade the AINC leaders to accept the interpretation, but instead the AINC urged the British Government to remove the Viceroy. The Viceroy warned the Secretary of State, that if the Congress attitude remained the same, India would face a civil war.⁴³² The Viceroy on November 20, issued invitations for the meeting of the Constituent Assembly under the Cabinet Mission Plan.⁴³³ Mr. Jinnah characterized this as "one more blunder of a very grave and serious character". The Viceroy did not appreciate the serious situation and its realities and was trying to appease the AINC.⁴³⁴ No AIML representative was to attend the Assembly, when it met on December 9, 1946.

⁴²⁹ *Ibid.*, pp. 125-126.

⁴³⁰ *Ibid.*, p. 126.

⁴³¹ *Ibid.*, pp. 126-127.

⁴³² Menon, *op.cit.*, p. 324.

⁴³³ Ishtiaq Hussain Qureshi, *op.cit.*, p. 281.

⁴³⁴ Jamil-ud Din Ahmed, ed., *Some Recent Speeches and Writings of Mr. Jinnah*, v.ii., Lahore, 1952, pp. 482-489.

The AINC was getting more aggressive in its demand for the removal of the AIML from the interim government unless it agreed to participate in the Constituent Assembly deliberations. Nehru charged the AIML with being the 'King's Party' in the Government and also alleged that there was a mental alliance between the AIML and the senior British officers.⁴³⁵ Liaquat Ali Khan protested against these allegations and challenged Nehru to quote even a single instance of AIML acting as 'King's Party'.⁴³⁶ The basis of these allegations was that the AIML's councilors had refused to accept Nehru as the head of the interim government like others and merely the vice-president of the Executive Council as the presidency of the Executive Council was with the Viceroy.⁴³⁷ Because of these irreconcilable attitudes of the AINC and the AIML, the British Government decided to invite leaders of both the parties to London. A Sikh representative was also included among the invitees. Mr. Jinnah, Liaquat Ali Khan, Nehru and Baldev Singh arrived in London on December 2, 1946, for talks with the British Government.⁴³⁸ The proceedings were unfruitful and on December 6, a statement was issued by the British Government that no agreement had been reached and regarding the controversy about the group clause, the British Government gave her own authoritative interpretation.⁴³⁹ The AIML had accepted the part of the Cabinet Mission Plan according to which, "the decisions of the sections should in the absence of agreement to the contrary, be taken by a simple majority vote of the representatives in the sections. But the AINC had a different view about it. It was declared by the British Government that this part of the statement was an essential part of the scheme, and as such should be accepted by all parties in the Constituent Assembly".⁴⁴⁰ According to the statement of December 6, it was proved that AIML's view point was right.

Nehru commenting on the statement said "this statement was a variation and extension of the Cabinet Mission Plan and therefore the AINC would have to reconsider the whole situation".⁴⁴¹ The next meeting of the Constituent Assembly was convened, in January 1947, but this time too, the AIML did not participate.

The AIML Working Committee in its meeting held on January 31, 1947, passed a resolution that since the AINC had refused to accept the interpretation of, December 6, 1946, announced by the British Government, the elections to the Constituent Assembly and summoning of it were *ab-initio*, void, in-valid and illegal, and its continuation, proceedings, decisions were also invalid and illegal. It was demanded to dissolve the Constituent Assembly at once.⁴⁴²

⁴³⁵ Agha Masood Hussain, *op.cit.*, p. 105.

⁴³⁶ *Ibid.*, p. 105.

⁴³⁷ *Ibid.*, p. 105.

⁴³⁸ Ishtiaq Hussain Qureshi, *op.cit.*, p. 283.

⁴³⁹ *Ibid.*, p. 283.

⁴⁴⁰ Menon, *op.cit.*, p. 331.

⁴⁴¹ *Ibid.*, p. 332.

⁴⁴² Ishtiaq Hussain Qureshi, *op.cit.*, p. 284.

By the end of 1946, the AIML in the NWTP had attracted a large number of people and as such its position was stronger than, before. There was the Congress rule in the province and the only way the AIML could challenge the AINC was through parliamentary means. As the ruling party was inflicting cruelties upon the Muslims, the leaders of the AIML were of the view that a civil disobedience movement should be started against the AINC ministry to get rid of it. The idea was supported by a majority of the local Leaguers. There was an extreme shortage of food and clothing in the province and the ministry failed to provide daily necessities of life for the people of Frontier. The communal tension increased due to shortage of provisions and the Muslims accused the Hindus and Sikhs for diverting their supplies to the black market.⁴⁴³ Various meetings were held and processions were taken out against the ministry. The government, in order to stop the public meetings, processions and assembly of more than five persons, imposed Section 144 in Abbottabad and some other towns of Hazara District. The authorities were given mandate by the governor to check the spread of rumors and allowed them to enforce collective security for the protection of property. The Deputy Commission of Hazara was empowered to exercise powers to use those sections of the Frontier Crime Regulation which related to security and collective fines.⁴⁴⁴ The people were punished with heavy fines. This was an opportunity for the Provincial Muslim League to start challenging the authority of the government. The Muslim League leaders toured Hazara and asked the people not to pay fines.⁴⁴⁵ The ministry was following a repressive policy aimed at crushing the Muslims and the Muslim League as Khan Abdul Qaymm said:

"That thousands of Muslims in Bihar were butchered in cold blood yet no one ever thought of levying punitive fines on the Hindus of Bihar or leading military expeditions against them".⁴⁴⁶

On February 20, 1947, a protest demonstration took place in Mardan and a number of Muslim League leader's including Khan Abdul Qayum Khan and Samin Jan were arrested.⁴⁴⁷ The Provincial League Council in its meeting held on the same day decided to form a war council and to carry on the struggle which was forced upon them.⁴⁴⁸

On February 20, the British Prime Minister, Attlee announced that the British would leave India by June 1948. In case there should be no agreement between the Indian Parties by that date, His Majesty's Government would have to consider to whom the power of the Central Government in British India should be handed over, it was also

⁴⁴³ *The Khyber Mail*, Peshawar, January 10, 1947.

⁴⁴⁴ *Ibid.*

⁴⁴⁵ *The Khyber Mail*, Peshawar, January 24, 1947.

⁴⁴⁶ *The Khyber Mail*, Peshawar, January 10, 1947.

⁴⁴⁷ Erland Jansson, *op.cit.*, pp. 192-193.

⁴⁴⁸ *Ibid.*, p. 192.

announced that Lord Wavell would be replaced by Lord Mountbatten as the Viceroy of India.⁴⁴⁹ The civil disobedience movement continued. Sardar Abdur Rab Nishtar and Nawab Ismail Khan visited the provincial leaders in jail. In the province of the Punjab, a similar campaign had already been going on. On March 2, 1947, Sir Khizar Hayat found himself forced to resign as the situation, in the province had gone out of his control. The province came under the governor's rule and there followed a communal riots resulting in a large number of casualties.⁴⁵⁰

The NWFP occupied the central position in Indian politics after the resignation of the Punjab ministry. There was an apprehension that the communal riots staged in the Punjab might engulfed the NWFP and this put the provincial as well as central government under more pressure.

Mountbatten was entrusted with the responsibility of seeking an agreement of the Indian leaders on the basis of the Cabinet Mission Plan. Mountbatten reached Delhi on March 22. His appointment was greatly welcomed by the Congress and his relations with Nehru were said to be good.⁴⁵¹ He met Nehru on March 25, and asked him to give his opinion of Quaid-i-Azam, and Nehru proceeded to paint a Hindu picture of the Muslim leader.⁴⁵² According to Nishtar, "After meeting Nehru and Liaquat Ali Khan, I was invited by Mountbatten. He, told me that he was sent by the British Government with vast powers for making a compromise between the AIML and AINC to find out an agreed solution of the Indian problem. He opined that it was very difficult to understand Quaid-i-Azam. I told him that Quaid-i-Azam was an intelligent, straightforward and a truthful man, who always stood by his words. If he says 'Yes' it remains 'Yes' forever, and if he says 'No', no power can deviate him from it. He is not like Hindu leaders who agree on one hand and negate on the other".⁴⁵³ Nishtar told Mountbatten that it was easy to understand Quaid-i-Azam for those who believed in fair game and followed honesty and truthfulness, but he had no room for those who wanted to deceive him. When Nishtar was asked by the Viceroy about an agreed solution of Indian problem, "the division of India was the only solution of the problem", Nishtar replied.⁴⁵⁴ After meeting with the principal Indian leaders, Mountbatten started work on his plan and by the beginning of May it was ready. The plan conceded the fundamental demand of AIML-Pakistan, but the plan was prepared by V. P. Menon according to the wishes of Nehru and Gandhi.⁴⁵⁵ On April 15-16, the Viceroy got the plan approved in the Governors' Conference. After this Conference, the Viceroy met the Governor and the Chief Minister of the NWFP, Mr. Caroe and Dr. Khan Sahib. As a

⁴⁴⁹ *Ibid.*, p. 192.

⁴⁵⁰ Menon, *op.cit.*, p. 350.

⁴⁵¹ Ishtiaq Hussain Qureshi, *op.cit.*, p. 290.

⁴⁵² *Ibid.*, p. 290.

⁴⁵³ Agha Masood Hussain, *op.cit.*, p. 109.

⁴⁵⁴ *Ibid.*, p. 109.

⁴⁵⁵ Ishtiaq Hussain Qureshi, *op.cit.*, p. 290.

result of this meeting, the Frontier government offered to release all political prisoners and to lift the ban on public meetings. But the League leaders refused to avail themselves of the amnesty unless the ministry resigned and new elections were held.⁴⁵⁶ Mountbatten decided to go to the NWFP to know what the exact situation in the Frontier was. The visit took place on April 28-29. Nishtar toured the Punjab, where communal riots were taking place and advised the Muslims to remain peaceful. He also addressed public meetings in the area wherever the authorities allowed. During these days, the civil disobedience movement launched by the Muslim League was continued in the NWFP as well and Nishtar visited the province in the third week of April. According to him, "I addressed public meetings at Haripur and Peshawar and informed the Muslims that establishment of Pakistan was nearer and the Muslims would get rid of the Congress rule".⁴⁵⁷ There was a committee to enhance the movement against the Congress and it consisted of Mian Mohammad Shah, Sher Bahadur Khan, Mian Abdullah Shah and Khurshid Anwar, the latter being from the Punjab who was leader of the party.⁴⁵⁸ As all the prominent leaders of the Frontier Muslim League had been arrested, the committee led the movement. It was decided by the AIML that during the tour of Mountbatten to the NWFP protest processions should be taken out and demonstrations should be staged forcefully.

A day before Viceroy's arrival in Peshawar, Nishtar was informed on telephone by Liaquat Ali Khan that Mr. Jinnah did not wish to take out protest processions on the arrival of the Viceroy. It was proposed by Mr. Jinnah that instead of demonstrations and protest processions, a list of demands and proposals should be prepared and then prominent leaders should meet the Viceroy and present him the demands and proposals of the Muslim League.⁴⁵⁹ According to Nishtar, "It was very difficult for me to control the situation at that sensitive moment as I was fully aware of the sentiments of the people. However, I held a meeting with the members of the committee to devise ways and means to control the situation".⁴⁶⁰ Nishtar was prepared to obey the orders of Mr. Jinnah but he also did not mean to hurt the feelings of the people who had prepared themselves for an agitation on Viceroy's arrival. Nishtar conveyed to the Governor of the NWFP through Feroze Khan Noon that it would be better if the Viceroy should himself witness the demonstration, so that the sentiments of the people could be cooled down. A big crowd of the Muslim League supporters numbering more than 70,000 marched towards the Government House. According to the suggestion of Nishtar, Lord Mountbatten and Lady Mountbatten witnessed the demonstration from the railway line near Shahi Bagh and also saluted the crowd. This attitude of the Viceroy pleased the crowd and as such no incident of violence took place.⁴⁶¹ Thus,

⁴⁵⁶ Menon, *op.cit.*, p. 362.

⁴⁵⁷ Agha Masood Hussain, *op.cit.*, p. 112.

⁴⁵⁸ *Ibid.*, p. 113.

⁴⁵⁹ *Ibid.*, p. 114.

⁴⁶⁰ *Ibid.*, p. 114.

⁴⁶¹ *Ibid.*, p. 115.

Nishtar by this way succeeded in obeying order of Mr. Jinnah as well as the desire of his people to demonstrate before the Viceroy. It appears that after the receipt of orders from Mr. Jinnah, he was not going to allow any violence at any cost and in this way he proved that the people of Frontier believed in the dynamic leadership of Mr. Jinnah.

According to Nishtar, "Dr. Khan Sahib had told the Viceroy that the Frontier Muslim League was a disorganized party and no one knew About Jinnah in the Frontier. But when the Viceroy met Mr. Jinnah at Delhi, he appreciated Mr. Jinnah's leadership under whose directions the demonstration was controlled at the last moments. He also admitted that the Frontier Muslim League was a strong and well organized party."⁴⁶²

At one occasion, whet, the Viceroy had a meeting with, a deputation from the demonstrators, he asked them, if they had had anything to do with Jinnah, "Of course", they replied, "He is our leader" and "we are ready to obey his orders."⁴⁶³ The Viceroy's visit to the NWFP, had made it clear to him that the Frontier Muslim League enjoyed full support of the people whereas the Congress had lost its hold.

Mountbatten had drafted a plan for the partition of India, but it was still secret. However the Indian top leaders knew which direction the Viceroy's mind was working. Nehru and his colleagues in the AINC high command were prepared to accept the plan, if it was in accordance with their wishes. The Viceroy sent the plan to London for Cabinet's approval on May 2. But for the Frontier Congress, the acceptance of plan by the AINC high command was a catastrophe, from which it proved unable to recover. Once the principle of Pakistan had been accepted by the AINC, its alliance with the Khudai Khidmatgars had no substance, Thus, the Khudai Khidmatgars had to find out a new political platform and reconsider their relations with the AINC.

Nehru was not in favor of new elections in the Frontier. To meet Nehru's objection it was suggested to arrange a referendum instead of an election. It was also made clear that before the referendum was held the Province would be placed under Governor's rule. The AINC was opposed to the imposition of the Governor's rule. Therefore, Mountbatten, proposed to hold the referendum under a committee consisting of hand-picked officers under his own control.

The Cabinet accepted the idea of a referendum in the NWFP and with a few amendments the plan was approved on May 10. Mountbatten was of the opinion that he must show the plan secretly to Nehru. When Nehru saw the plan, he rejected it totally. Nehru's refusal, to accept the plan was because of the provision of referendum in the NWFP. He thought that the NWFP province like the others must be given the opportunity to exercise its own will, but this must be done in a proper say. The AINC

⁴⁶² *Ibid.*, p. 116.

⁴⁶³ Erland Jansson, *op.cit.*, p. 202.

leaders knew that in case of referendum, the Muslims of the NWFP would, support the idea of Pakistan and as such the Congress would lose its old comrades *i.e.*, the Khan Brothers. In order to please Nehru, the Viceroy entrusted the task of revising the plan to V. P. Menon, a typical Hindu-minded Congressite, who prepared another plan in accordance with the wishes of Nehru. This plan was personally taken to London by the Viceroy and approval to this was sought. The new plan's important feature was that the date for the transfer of power was put forward to August 14-15, 1947.⁴⁶⁴

On June 2, Mountbatten convened a meeting of the principal leaders of India, where Nehru, Patel and Kriplani represented the Congress while Mr. Jinnah, Liaquat Ali Khan and Nishtar represented the AIML. The new plan was placed before the members and few objections were raised from both the sides, but they agreed to the plan in general. Nehru and Mr. Jinnah promised to do their best to persuade their respective parties to accept the plan. The AINC Working Committee had a meeting on June 2, in which it was decided to recommend the All-India Congress Committee to accept the plan. Only Gandhi and Chaffer Khan spoke against the acceptance.⁴⁶⁵ The plan was made public on June 3, which came to be known later as the '3rd June Plan'. The AIMIL Council in its meeting held on June 10, gave Mr. Jinnah full powers to proceed with the implementation of the 3rd June Plan.

For the purpose of carrying out the work of partition various committees were formed. A ministerial committee was constituted in which Patel and Rajandar Parshad represented the AINC and Liaquat Ali Khan and Nishtar represented the AIML. According to Nishtar, the Sindh Assembly decided in favor of Pakistan after which a partition council was constituted, which consisted of Viceroy, Nehru, Patel, Rajandar Parshad, Mr. Jinnah, Liaquat Ali Khan and Nishtar.⁴⁶⁶

Nishtar had to proceed to Quetta where the Shahi Jirga had to decide about the fate of Baluchistan. The Shahi Jirga decided in favor of Pakistan Group as Nishtar records.⁴⁶⁷ Nishtar was also authorized by Mr. Jinnah to deal with the affair's of the states, which were to opt for Pakistan.

Abdul Ghaffar Khan had a meeting with Nishtar when he was in Delhi. He put forward his own proposals to Nishtar. According to him:

- i) If Pakistan remained in the Commonwealth, the Pakhtuns should be allowed to secede and form an independent state of their own;

⁴⁶⁴ Menon, *op.cit.*, p. 369.

⁴⁶⁵ Erland Jansson, *op.cit.*, p. 204.

⁴⁶⁶ Agha Masood Hussain, *op.cit.*, p. 130.

⁴⁶⁷ *Ibid.*, p. 130.

- ii) The Pakhtuns of the settled districts and those of the tribal areas should be allowed to unite;
- iii) The Pakhtuns should enjoy an autonomous status in Pakistan.

But these proposals as being ridiculous were not acceptable to the AIML. Nishtar opined: "Ghaffar Khan wanted to establish his own rule in the Frontier."⁴⁶⁸ The Frontier Muslim League had conducted a campaign for Pakistan whereas the Frontier Congress leaders campaigned for Pakhtunistan and boycotting the referendum. In spite of the Congressite propaganda for the Pakhtunistan, no success could be claimed by its advocates. The Congress made repeated attempts to achieve a rapprochement with the Muslim League the terms Ghaffar Khan had already stated, but all in vain.

A meeting took place between Mr. Jinnah and Khan Abdul Ghaffar Khan at the residence of Mr. Jinnah, on June 18, 1946. Nishtar recorded: "Mr. Jinnah asked Ghaffar Khan to forget the past and suggested that we should work together for the progress and stability of Pakistan. Ghaffar Khan was of the view that he was unable to convince other members of his party. Mr. Jinnah told Ghaffar Khan that if both of us were agreed, we would go to those who were propagating for Pakhtunistan and try to convince them to accept our ideas. Ghaffar Khan promised Mr. Jinnah that he would inform him about the decision after his party meeting at Bannu".⁴⁶⁹ According to Nishtar, "I had also a meeting with Ghaffar Khan before and I was convinced that Ghaffar Khan would not fulfill his promise. The same day Gandhi declared that although a meeting took place between Ghaffar Khan and Nehru, but there would be no positive result. This indicated that Ghaffar Khan was unwilling to have an agreement with the AIML and continued to propagate for the establishment of Pakhtunistan".⁴⁷⁰

The referendum took place in the month of July. On July 5, a meeting was held at Peshawar, where Dr. Khan Sahib said:

"This is an hour of life and death in the history of Pakhtun race. If the public remain united, disciplined and organized, their future will be bright and no power on earth can prevent them from obtaining their cherished goal of Pakhtunistan."⁴⁷¹

The polling started on July 6 and ended about ten days later. The July 7 was celebrated as 'Pakhtunistan Day' in Peshawar under the directions of Khan Abdul Ghaffar Khan. The Khudai Khidmatgats and Pakhtun Zalme marched through Qissa Khawani Bazar

⁴⁶⁸ *Ibid.*, p. 131.

⁴⁶⁹ *Ibid.*, pp. 132-133.

⁴⁷⁰ *Ibid.*, p. 156.

⁴⁷¹ Erland Jansson, *op.cit.*, p 221.

shouting slogans in favor of Pakhtunistan.⁴⁷² The referendum resulted with overwhelmingly majority in favor of Pakistan. The boycott of the Congress went totally ineffective, immediately after the referendum, the Provincial Muslim League urged the government to dismiss the ministry and promulgate Governor's rule. During the campaign of referendum Nishtar worked round the clock and convinced the people that they should vote in favor of Pakistan to get rid of the Congress rule and the Khan Brothers. He played an important role during the referendum although he was already busy in the preparatory work for partition.⁴⁷³

As soon as it was finally agreed that the partition of India would take effect by August 15, 1947, on the basis of 3rd June Plan, the British Government went busy in framing the Indian Independence Bill to be placed before the British Parliament for approval. The Bill introduced in the House of Commons on July 4, gave to the legislatures of the two Dominions (India and Pakistan) complete independence and these legislatures in fact, were to be the Constituent Assemblies of their respective Dominions. Until the Constituent Assembly of a Dominion made any constitutional provisions; the Government of India Act, 1935, as adopted and modified would continue to govern each Dominion. The Bill was passed on July 15 and was endorsed by the House of Lords on July 16 and received royal assent on July 18, 1947.

It was proposed by Mr. Jinnah that a Boundary Commission under the chairmanship of Judge of Privy Council be set up. In spite of Mr. Jinnah's insistence, the British Government appointed Sir Cyril Radcliffe as the Chairman of the Boundary Commission and the AIML and the AINC were asked to nominate two judges each of the respective High Courts, as their representatives. It was also decided, that in case of disagreement, the final decision would be on the casting vote of the Chairman, Boundary Commission. The AIML nominated Justice Abu Saleh Mohammad Akram and Justice S. A. Rahman as their representatives On the Bengal Boundary Commission and Justice Din Mohammad and Justice Mohammad Munir on the Punjab Commission.⁴⁷⁴

According to Nishtar, the decision taken by the Commission was later on changed by Sir Radcliffe and the assent, of the AIML's members was not given weightage.⁴⁷⁵ G. Allana recorded: "Sir Radcliffe submitted the report of the Punjab Commission on August 12, saying there was no agreement among the members of the Commission, they assented to give him his own decision."⁴⁷⁶

⁴⁷² *Ibid.*, 221.

⁴⁷³ Interview with Haji Malik Shad Khan.

⁴⁷⁴ G. Allana, *op.cit.*, p. 457.

⁴⁷⁵ Agha Masood Huasan, *op.cit.*, pp. 140-141.

⁴⁷⁶ G. Allana, *op.cit.*, pp. 457-458. Also see Agha Masood, p. 138.

The Partition Council continued to meet and tackled a basic question regarding the working of the Cabinet during the process of partition.⁴⁷⁷ The decisions on many important details were yet to be taken *i.e.*, verdict of the provinces, legislation essential for the transitory period, divisions of armed forces and, military equipment, allocations to the Dominions on an equitable basis of the assets and liabilities of the united India. As has already mentioned the Sindh Legislative Assembly on June 26 had decided to join the new Constituent Assembly. Similarly, the Shahi Jirga and non-official members of Quetta Municipality had unanimously decided to join the new Constituent Assembly. The Punjab Assembly met under a heavy police guard and decided to join the new Constituent Assembly by 91 votes to 77.⁴⁷⁸ The NWFP had already given its verdict through referendum to join the new state of Pakistan.

The AINC had accepted Mountbatten as Governor-General of India for the reasons that he had extended all his support to the AINC during the preparations of 3rd June Plan and partition of united India.⁴⁷⁹ The AINC expected that the AIML would also accept Mountbatten as the Governor General of Pakistan and combined Governor General who was AINC's choice, would be more beneficial for the AINC. The AIML was of the view that to make Mountbatten Governor General of Pakistan meant that he would stay in Delhi and when any complication arose, the decision would be given by the Governor General in accordance with the wishes of the Congressites. So the AIML decided to make Mr. Jinnah the Governor General of Pakistan.⁴⁸⁰ When it was announced that Mr. Jinnah would become the Governor General, Nishtar opined, "It is in the fitness of the things that the Chief Executive of Pakistan essentially a Muslim State, should be the one who commands the implicit confidence of a hundred, million Muslims. It is important that the centre should have the guidance of such a personality always available. Mr. Jinnah is the architect of the state and the best possible man to look-after it. Now everything will be all right".⁴⁸¹ This indicates volumes of confidence Mr. Jinnah had for Nishtar.

Separate provisional governments were set up for India and Pakistan on July 20, 1947. On August 7, Mr. Jinnah left India for good and flew to Karachi, the capital of Pakistan. The Constituent Assembly of Pakistan met on August 13, and elected him as its President. Mr. Jinnah was sworn in as the first Governor General of Pakistan on August 15, 1947.

During his tenure as a Communication Member of the interim government, Nishtar performed his duties keeping in view the AIML's programme and cause of Pakistan.

⁴⁷⁷ Agha Masood, *op.cit.*, p. 138.

⁴⁷⁸ G. Allana, *op.cit.*, p. 462.

⁴⁷⁹ Khalid B. Sayeed, *Pakistan, The Formative Phase*, Karachi, 1967, p. 230.

⁴⁸⁰ *Ibid.*, p 231.

⁴⁸¹ *Ibid.*, p 231.

Lord Wavell described Nishtar as "Biggish, dark, may be quite capable and silent".⁴⁸² He always spoke in such a logical way that he could convince others easily. Reid of the *Daily Telegraph* told Wavell, "Nishtar impressed him as one of the strongest character in the Working Committee of the Muslim League".⁴⁸³ He always stood by principles and never deviated from the right path. He was of such a firm character that all forces failed to win him over to the AINC. Maulana Azad and many other Congressites had tried their best to have a compromise with Nishtar, but he was determined to achieve the goal only under the leadership of Mr. Jinnah in shape of a sovereign Muslim state.

Nishtar had a great love for the Muslims of India and he worked restlessly during the freedom movement on every front. He pleaded the case of the AIML, wherever he was sent by the Quaid. He did not like to listen anything against the Muslims and many times he had to speak for hours in the Cabinet meetings. That is where Lord Wavell commented: "The League's members do not show up well in the Cabinet except Liaquat who always talks good sense. Chundrigarh is slow, dull and Nishtar loquacious and not very clear."⁴⁸⁴ This is a contradiction of his own statement previously given where he had admitted that Nishtar was a capable and silent man, but here he negated his very own statement. It can be argued that Nishtar's only motive was the betterment of the Muslims of India and as such he was not liked by the British and the Hindu Congressites which he did not care.

Nishtar, for his sweet words, was not only liked in the Muslim League's circle, but even some of the Congressites had a great regard for him. Agha Shorish Kashmiri stated that during the period of Cabinet Mission, Maulana Azad had said:

"If the Muslim League had an attitude like that of Nishtar, it would have been easier to knock the door of compromise"⁴⁸⁵

Nishtar spent a greater part of 1946 in Delhi in playing a prominent role in the political parleys with the British rulers and the AINC. Nishtar justified his appointment in all capacities by fighting valiantly along with his colleagues to protect vital Muslims interests and to prevent the AINC from misusing its position of vantage against the emergence of Pakistan. According to Sharif-al Mujahid: "He was one, of the closest associates of the Quaid-i-Azam, an associate, who was taken into confidence and was allowed into his inner counsels, an associate, who for that very reason could have an insight into the working of his leader's mind and the' motivations behind the Pakistan Movement".⁴⁸⁶

⁴⁸² Penderal Moon, *op.cit.*, p. 259

⁴⁸³ *Ibid.*, p. 328.

⁴⁸⁴ *Ibid.*, p. 413.

⁴⁸⁵ Mohammad Haneef Shahid, *op.cit.*, p. 20.

⁴⁸⁶ Sharif-al Mujahid, *op cit.*

Nishtar participated in the freedom movement whole-heartedly and his contributions were numerous dating since the Khilafat days. It was in recognition of his meritorious services that after the establishment of Pakistan, while forming the first Cabinet, Mr. Jinnah again entrusted him with the responsibility of Communication Minister.

Chapter Seven

NISHTAR AND THE YOUNG COUNTRY

After the birth of Pakistan, the new government of the state had to perform the uphill task of making it work. Prior to independence, the administrative authority in undivided India was beginning to did integrate where law and order began to give way to murder, looting and arson. Millions of people over wide areas of the sub-continent began to worry for the safety of lives. Entire communities started leaving their native places and began migrating with all their possessions they could carry. Just after the independence, the situation deteriorated and law and order could only be preserved by force. Long series of refugees blocked the roads and over-flowed the trains, where they were looted and slaughtered. There were many problems inherited by the newly born state of Pakistan,

At the time of demarcation of territory and division of assets, Pakistan was not given its due share from the machinery and other assets etc., of the undivided India. To rehabilitate a large number of refugees was one of the most serious problems the Government of Pakistan had to face. The ammunition stores remained under the control of India and Pakistan was given very few arms and ammunition, which proved insufficient. Most of the businessmen were Hindus who now, migrated to India and Pakistan had to face a great set-back in the economy. Before independence, key posts in government offices were occupied by the non-Muslims. Majority of these civil servants were also Hindus. With their migration, Pakistan had to face an acute shortage of skilled and experienced administrators and civil servants. These conditions were the result of the British-Congress intrigues, in order that new state of Muslims should collapse. Under this challenging situation, the very existence of Pakistan seemed at stake but the confrontation ensued with India had taken serious turn.

Due to these problems, it was necessary for, Pakistan to have a government consisting of veteran statesmen and experienced administrators in order to face the new challenges. Mr. Jinnah, who had become the first Governor General of Pakistan, had to choose members for the Cabinet from amongst those whom he considered competent to steer the ship of the state skillfully through the hot waters. Nishtar was taken as a Communication Minister in the first Cabinet of Pakistan headed by Mr. Liaquat Ali Khan. The swearing-in ceremony of the Cabinet members took place on August 15, 1947 and Governor General, Quaid-i-Azam Azam Mohammad Ali Jinnah administered the oath.⁴⁸⁷

⁴⁸⁷ Ishtiaq Hussain Qureshi, *op.cit.*, p. Also see Agha Masood Hussain, *op.cit.*, p. 147.

The next important task was the framing of a constitution for the state and for this purpose, formation of a Constituent Assembly was indispensable. The Constituent Assembly of Pakistan was constituted without the formal blessing of law. Its inception lay in the Cabinet Mission Plan of May, 1946, and the Viceroy's statement of June 3, 1947 (3rd June Plan) which announced the agreement to partition the sub-continent. The 1946 Plan envisaged a single constituent assembly for undivided India. This was to be an assembly of representatives chosen by the elected members of the provincial legislative assemblies with the addition of delegates from the princely states. Elections to the provincial legislatures were held in 1945-46 and these legislatures were not chosen with a view to become an electoral college for the constituent assemblies. However, they were dominated by the AIML, and the AINC, each struggling for independence in its own fashion. The 1946 elections resulted in formation of most of the ministries in the majority Muslim provinces by the parties other than the AIML. In the Punjab, a Unionist Ministry was formed in spite of the fact that the League carried an overwhelming majority of seats, a pro-Congress ministry took over in the NWFP, and a coalition in Bengal. The Constituent Assembly of undivided India came into being in 1946. In the provincial assemblies, members were elected by communal groups, voting on the basis of proportional representation. The Constituent Assembly started its deliberations on December 9, 1946, just before six months of the principle of partition was accepted. The AIML declined to participate in the proceedings of the Constituent Assembly for not being satisfied with the AINC interpretation of the grouping provision of the Cabinet Mission Plan. When the partition of the sub-continent was agreed in June, 1947, it became necessary to constitute a separate constituent assembly for Pakistan. This was done under the agreement of 3rd June Plan and the Indian Independence Act. The legislatures of the Punjab and Bengal met and voted for partition. The NWFP had to undergo a Referendum, in which the people of the Frontier decided to join Pakistan. The Sindh Assembly and Shahi Jirga of Baluchistan also voted for Pakistan. Since the Constituent Assembly members had been chosen as a group to fill the quota for all the Muslims of two provinces *i.e.*, West Punjab and East Bengal, it became necessary for these two provinces to select new representatives. It was thus that the members were chosen who met together in Karachi on August 10, 1947 for the first meeting of the Constituent Assembly of Pakistan. At the time of its inauguration, the total membership of the Assembly was sixty-nine. To give representation to the refugees, five extra Muslim seats were given to the Punjab, one to Sindh, one seat each was allowed to Bahawalpur and Khairpur, the Baluchistan states union and the states of the North West Frontier, but the total number of the seats did not exceed 79.⁴⁸⁸

The first meeting of the Constituent Assembly was held in the Assembly Chamber, Karachi, on Sunday, August 10, 1947. Nishtar moved a resolution proposing special rules for the election of the President of the Constituent Assembly. With a minor amendment proposed by Mr. Dharendra Nath Datta (East Bengal General), rules

⁴⁸⁸ Keith Callard, *Pakistan - A Political Study*, Karachi, 1968, p. 79.

proposed by Nishtar were adopted by the Assembly.⁴⁸⁹ Nishtar also proposed to appoint a committee consisting of a chairman to be nominated by the President of the Assembly to report on the Rules of Procedure of the Assembly, powers of the President and procedure for declaration and filling of vacancies in the Assembly. The resolution of Nishtar was adopted by the Assembly without any amendment.⁴⁹⁰ This shows Nishtar's interest in procedural formalities before some matters were to be initiated. In other words it can be said that he believed that everything should be decided in the light of certain principles and one should not implement policies without making the plans. When Liaquat Ali Khan moved a resolution that President of the Constituent Assembly and Governor General of Pakistan should be addressed as 'Quaid-i-Azam Mohammad Ali Jinnah' in all official Acts, documents, letters and correspondence from August 15, 1947, Mr. Bhupendra Kamar Datta (East Bengal General) opposed the resolution. Nishtar asked him to give the reasons of opposing the move. Mr. Sris Chandra Chattopadyaya remarked that "President will also not like this title as this is not against the leadership of Mohammad Ali Jinnah but I oppose on principle". No other member opposed the resolution and it was adopted by the assembly.⁴⁹¹ Liaquat Ali Khan moved that a committee consisting of the President and 15 members be appointed to advise the Assembly on fundamental rights of citizens of Pakistan and on matters relating to the minorities with power to the President to nominate not more than seven members who need not be members of the Constituent Assembly. Nishtar was included in this committee.⁴⁹² The committee was sub-divided into two committees, one to report on fundamental rights and the other to report on matters relating to the minorities. Sir Zafarullah Khan and Nishtar became the Chairmen of the Committees respectively.⁴⁹³

Besides dual responsibilities of minister-ship and membership of the Constituent Assembly, Nishtar had to divert his attention towards other matters. During August-September 1947, communal riots took place in East Punjab on a large scale, with the result that the Muslims had to migrate in mass to the Western Punjab. Nishtar and Liaquat Ali Khan visited Gujranwala, Sialkot (West Punjab) and Ferozepur, Jullundar, Moga and Ludhiana (East Punjab) and tried to create friendly and brotherly atmosphere. The communication system of the country had deteriorated to a great extent as most of the civil servants in the railways and post and telegraph departments were Hindus who had fled to India during the course of partition. Secondly, both the departments were not well-equipped with the machinery required. All the things were to start from the beginning. In spite of all these handicaps, Nishtar managed to run the communication wing of the state very successfully. He introduced Urdu in the Railways and Post & Telegraph Department. The Railways timetables, fare tickets and the postal

⁴⁸⁹ Constituent Assembly of Pakistan Debates, Official Report, v.i, Karachi, Aug. 10-14, 1947.

⁴⁹⁰ *Ibid.*, p. 29.

⁴⁹¹ *Ibid.*, pp. 36-37.

⁴⁹² *Ibid.*, p. 35.

⁴⁹³ Agha Masood Hussain, *op.cit.*, p. 162.

stamps were printed in Urdu.⁴⁹⁴ Although it was an ordinary measure, but it reflects Nishtar's love for his national language, and his patriotism.

Nishtar participated in the Combined Defence Council in its meeting held in Delhi on September 8, 1947 on behalf of the Prime Minister, Liaquat Ali Khan, who was preoccupied. When he reached Delhi, he saw thousands of the Muslims being butchered by the Sikhs. He records: "I asked Mountbatten and V. Patel to get these communal riots stopped. V. Patel was of the opinion that the situation had deteriorated to such an extent that even the government servants were working at their own. I told V. Patel that communal riots were not being stopped for the Muslims were facing the loss in lives and properties".⁴⁹⁵ Nishtar wanted to tackle the Hindu leaders politically by warning them that if they did not control the riots, Muslims would also take revenge of atrocities of the Hindus. When it was announced that Kashmir would join India, a protest was lodged by Pakistan. In response, it was agreed by Mountbatten that he along with Nehru would come to Lahore to discuss on the problem of Kashmir with Mr. Jinnah. But in spite of their promise, both Nehru and Mountbatten did not turn up.⁴⁹⁶

In November 1947, Nishtar again participated in the meeting of the Combined Defence Council at Delhi where the question of Kashmir was discussed in detail. Nishtar was of the view that the problem of Kashmir should be solved in accordance with the wishes of Kashmiris. He told Indian leaders: "This is the only issue for Pakistan on which we would be forced to open ways, if India wants to destroy us, we shall also destroy India".⁴⁹⁷ The proposals of Mr. Jinnah for the solution of Kashmir problem were discussed in the meeting. It was decided that a draft agreement should be prepared on which both the countries could agree, but it never materialized. According to Nishtar: "If action would have been taken in accordance with the directions of Mr. Jinnah, the problem of Kashmir would have been solved forever. But it was because of selfishness of a high ranking Pakistan army officer, that directions of Mr. Jinnah could be not followed".⁴⁹⁸ Nishtar has not mentioned the name of the army officer, who, according to him, did not follow Mr. Jinnah's directions. Therefore, nothing can be said with certainty.

In the meeting of the Constituent Assembly held on February 24-25 and March 2, 1948, Liaquat Ali Khan proposed to amend the Indian Independence Act, 1947, which meant to extend the period from March 31, 1948 to March 31, 1949 in respect of special powers of the Governor General under Rule 9 of the Indian Independence Act 1947, Dhirandra Nath Datta opposed the motion on the plea that such amendment would be an

⁴⁹⁴ Mohammad Haneef Shahid, *op.cit.*, p. 4.

⁴⁹⁵ Agha Masood Hussain, *op.cit.*, p. 151.

⁴⁹⁶ *Ibid.*, p. 156.

⁴⁹⁷ *Ibid.*, pp. 154-157.

⁴⁹⁸ *Ibid.*, p. 156.

encroachment upon the powers of the Assembly. Nishtar supported the resolution and made it clear that there was no plan to encroach upon the powers of the House. He said: "The House is a sovereign Body with full powers". He supported the resolution in view of the fact that the partition was being carried out in a hurried manner and it was naturally expected that in carrying out this partition many difficulties would spring up and it would not be possible for the government to deal with them in a regular manner. The arguments of Nishtar convinced the opponent and the resolution was adopted by the Assembly.⁴⁹⁹ We see that Nishtar did not believe in illegalities and always stressed on begged approach to solve problems whether of special or of ordinary nature.

A committee consisting of 12 persons was constituted to perform the duties of the President of the Constituent Assembly in the absence of Mr. Jinnah. According to Nishtar, "I was also appointed one of the Members of this Committee when Mr. Jinnah proceeded to Quetta in May 1948."⁵⁰⁰ Mr. Jinnah died on September 11, 1948, Nishtar was very much shocked when he remarked:

"The Quaid-i-Azam is dead. The Father of our nation, the Founder of our dear infant state is no more in our midst. That is an event too tragic for words. He was one of the greatest contemporaries and the greatest among the Muslims of his age. Our nation was most fortunate to have the Quaid-i-Azam period in our history. Though not physically present, the Quaid-i-Azam's spirit will constantly inspire us to serve State more than ever and to complete the task of building up Pakistan. We feel so helpless, almost like orphans, yet in the hour of our greatest loss and deepest grief, let me remind the nation that our Quaid-i-Azam never faltered in the darkest hour of our struggle. As his humble followers we should also bear this sudden calamity with fortitude and strive hard for the attainment of the goal that he set before us. This is the best way to pay our homage to our departed leader. Let us not forget the great motto of Unity, Faith and Discipline which the Quaid-i-Azam gave us".⁵⁰¹

He advised the people to follow the principles laid down by the Father of the nation. He believed that by following these principles, Pakistan could achieve more progress and success. Nishtar had great regard for Mr. Jinnah, who always considered him one of his best lieutenants during the freedom movement and thereafter.

Liaquat Ali Khan moved the objectives resolution in the Constituent Assembly in its session of March 1949, embodying the main principles on which the constitution of Pakistan was to be based. Nishtar supported the resolution and clarified all the points one by one to the members of the House. He opposed the criticism voiced against the preamble of the Resolution. He said:

⁴⁹⁹ CAPD v.ii, Karachi, February 24-25 and March 2, 1948, pp. 43-45.

⁵⁰⁰ Agha Masood Hussain, *op.cit.*, p. 162.

⁵⁰¹ Jamil-ud Din Ahmed, *Quaid-i-Azam As Seen By Contemporaries*, Karachi, 1976, p. 241.

"As a matter of fact, when we say that our code of life is Islam and we want that we should live as, Muslims and our constitution should be based on Islamic principles, it gives the minorities a very great guarantee, a guarantee which no other constitution could have given to them. It saves them from the tyranny of the majority. They know that in the constitutions which are known as democratic constitutions, what does the tyranny of the majority mean. Therefore, when we say that the constitution shall be based on Islamic principles, and the authority of the such constitution is derived from the Almighty who is not only the sovereign of Pakistan but of the whole universe, the minority should welcome it".⁵⁰²

Nishtar believed that framing of a constitution was one of the most sacred duties of the Assembly. He clarified the beginning of the Preamble to those who opposed it for the reasons that it might be misinterpreted by some body. He was of the view that the sentence "the authority which He has delegated to the State of Pakistan through its people for being exercised within the limits prescribed by Him" means that "Pakistan does not believe in a chaotic land, a land where there is no government, where there is anarchy - Islam believes in an organized existence - and, therefore, when we say in this Resolution that authority has been conferred upon the people but to be exercised by the people through their own organized will and in an organized manner".⁵⁰³

Nishtar believed that a society based upon the Islamic principles of freedom, equality and social justice for the Muslims and non-Muslims, believers and non-believers, men and women, poor and rich, and everybody was the only solution to their problems. He thought that the constitution of Pakistan should not only be framed, but acted upon in order to foster stability. He held a firm conviction that the constitution of Pakistan based on Islamic principles would succeed and prove a panacea for the ailments which the world was suffering from. He appealed to the Muslim members of the Constituent Assembly: "If my non-Muslim friends do not believe in these principles (Islamic principles) as a matter of faith, accept them on the basis of reason. If you are not ashamed of borrowing phrases from Abraham Lincoln, if you are not ashamed to quote from Marx, Lenin, Rousseau and others, why should you be ashamed of borrowing something from Islam".⁵⁰⁴ He appealed to all for a unity and show the world an alternative system based on social justice. Nishtar opposed all the amendments proposed by Mr. Prem Hari Barma, Mr. Sris Chundra Chattopadyaya and Mian Mohammad Iftikharuddin to the Objective Resolution proposed by Liaquat Ali Khan. According to Altaf Hussain Qureshi, "In the Constituent Assembly, Nishtar's contribution for Islam was admirable Nishtar considered success of Objectives Resolution one of the great deeds of his life. When there was a controversy in the Assembly that the head of the state of Pakistan should be Muslim or non-Muslim, it was

⁵⁰² CAPD, v.v, Karachi, March 7-10, 1949, pp. 56-63.

⁵⁰³ *Ibid.*, p. 63.

⁵⁰⁴ *Ibid.*

due to the courageous efforts of Nishtar that made it essential for the President of the State to be a Muslim".⁵⁰⁵

When Punjab was facing crisis, it was placed under the governor's rule. Nishtar succeeded Sir Francis Mudie as the first Muslim governor of the Punjab on August 2, 1949.⁵⁰⁶ He records: "unfortunately the situation in the Punjab province had deteriorated to a great extent. The Assembly and the Ministry of the province had ceased to exist and the Muslim League had also been divided into many groups. There was a large number of refugees in the province, and it had become a home of economic, political and social problems. I told the Prime Minister that the province had so many problems and who ever went there would bring bad name for him. But he advised me to accept this assignment. I took over as Governor of the Punjab with a view to saving this province as its further decline could be dangerous for Pakistan".⁵⁰⁷

When Nishtar became the Governor of the Punjab, he was very hopeful of solving the problems of the province. He declared that he would keep a direct contact with the masses and this approach would set the things right. When his appointment as Governor of the Punjab was announced, he said: "I am myself a commoner, the heart of the province is sound, while the present political flutter is only a superficial and temporary one". Nishtar recalled the words of Mr. Jinnah who used to characterize the West Punjab as 'the heart of Pakistan' and remarked, 'it was essential for the preservation of Pakistan that the province should at the earliest be restored to political normalcy'.⁵⁰⁸

After his assumption of office as the Governor Nishtar made a stirring call to the people of the Punjab to help him in the sacred task of uniting the different groups. In his broadcast he said; "Let this be clear to all that our salvation lies in sinking our differences. We can only advance and progress, if we firmly and unitedly face the problems confronting us. Therefore as a servant of the people I appeal to various groups to resolve their differences and assist me in the task of dissolving factional loyalties".⁵⁰⁹ It appears from these statements that Nishtar considered himself to be the servant of the people and he knew that without the cooperation of the masses it would be very difficult to solve the problems the province was facing. He disliked factional rivalries and believed in unity, which in his view was necessary for the well-being of Pakistan. He believed that in the affairs of the government, a mandate from the people was necessary. He did not like to solve the problems according only to his own will, as most of the rulers do in the democratic countries He said, "My task would have been much easier had there been a representative legislature functioning in the province with

⁵⁰⁵ Altaf Hussain Qureshi, *Hamara Nishtar, Urdu Digest (Salnama)*, June 1966, p. 305.

⁵⁰⁶ *Civil and Military Gazette*, Karachi, August 2, 1949, p. 1.

⁵⁰⁷ Agha Masood Hussain, *op.cit.*, pp. 175-176.

⁵⁰⁸ *Civil & Military Gazette*, Karachi, August 2, 1949, p. 1.

⁵⁰⁹ *Ibid.* Also see *Sindh Observer*, Karachi, August 3, 1949, p. 1.

the administration vested in it. However, as you are aware due to certain circumstances and developments section 92A had to be enforced in the province some months back. Consequently pending the new elections I will have, to adopt some other procedure to gauge public sentiments and also to avail the advice of well-informed and influential persons".⁵¹⁰ He gave more importance to the public opinion and wanted to solve the problems of the province with the advice of the people. He wanted to restore people's government in the province and said, "It is my desire that elections should be held as soon as possible and in this connection government will make every possible effort. However, even though these problems are diverse and complex, I am hopeful of their solution provided you give me your cooperation and assistance".⁵¹¹ He also assured the refugees for their early rehabilitation. He thought that refugees had given more sacrifices as compared to other people. He said, "It is obligatory not only from the Islamic and humanitarian point of view, but also it is indispensable for the survival of Pakistan".⁵¹²

Nishtar's appointment as the governor of the Punjab was welcomed by all socio-political circles and a rousing ovation was given to him when he reached Lahore Railway Station on August 2, 1949. It was believed that Nishtar would be able to manage the things in a right prospective. He was considered by the people a man of democratic principles, who could always afford the people their representation in the affairs of the government. On the occasion of his taking over as the governor, Mr. H. M. Habibullah, President, Anjuman Musalmanan-e-Punjab, Karachi congratulated the province of the Punjab and said: "The Governor, who himself came from amongst the common people would bring to the task, a heart, which would feel as the people felt, and this community of feelings between the Governor and the people would ultimately solve the present unfortunate complications".⁵¹³ There was a confidence that Nishtar would soon put the province on the road to democracy with healthy representative institutions established and revitalized.

On the occasion of his becoming the Governor of the Punjab, Agha Abdul Karim Shorish Kashmiri wrote a poem, which depicted a complete picture of the province. The Weekly *Qandeel* recorded: "The announcement that Khawaja Nazimuddin has appointed Nishtar as Governor of the Punjab, made the people happier. The loss will be made up by this old associate of Quaid-i-Azam, which damaged the image of the Muslim League due to the governorship of a non-Muslim".⁵¹⁴

There were so many problems in the province which warranted immediate attention. The foremost among them was the rehabilitation of refugees. Nishtar stressed that more

⁵¹⁰ The Daily *Sindh Observer*, Karachi, August 1949, p. 1.

⁵¹¹ *Ibid.*

⁵¹² *Ibid.*

⁵¹³ *The Civil & Military Gazette*, Karachi, August 2, 1949, p. 1.

⁵¹⁴ The Weekly *Qandeel*, No. 4, Lahore, July 26, 1949, p. 3.

attention should be diverted to the well-being of the refugees and he gave more time to the problems of refugees during his governorship. He considered refugees one of the strongest forces during the freedom movement. He was aware of the fact that if proper attention was not paid to their problems, the anti-state elements would exploit the issue and would make the refugees play havoc. He tried to bring unity among the people of the province as he believed that no success could be achieved without unity. According to him: "Faith, determination and sincerity of action have always achieved great things. If we follow these principles, there seems no reason why we should not emerge successful".⁵¹⁵ He did not like one man's rule and declared that 'governor's rule, however, good it might be, is no substitute for a representative government'.⁵¹⁶ As a true Muslim he believed that, the bad habits were the reasons for the destruction of national character. He introduced an ordinance banning liquor for the Muslims on August 14, 1949,⁵¹⁷ just after a fortnight of his taking over as governor. He wanted to purge the province of all evils and was determined to bring it on the right path so that the people of the province could lead their lives in accordance with the Islamic principles. He condemned the executive traditions which had been laid down by the British, and rather established new ones according to his own taste and desire of the people. He did not intend to lose his contacts with the people and wished to be among them.⁵¹⁸ Although, he was governor of the province, he did not hesitate in criticizing the ruling party *i.e.*, the Muslim League that had fallen prey to selfishness. He declared that such leaders should be replaced with the new ones, as they had become inefficient and were unable to come up to the public aspiration. He advised the people of the Punjab "To create new leaders if the old had proved corrupt or inefficient or had failed to serve the country properly". He was of the view that the leaders of the Punjab had failed to "Keep their house in order and with the support of people he was confident to "Reconstruct the decaying house" on healthy foundations. To him, "The achievement of Pakistan was the result of unity of people".⁵¹⁹ It was his dynamic leadership, sincerity and dedication to the cause that he succeeded in uniting the people of the Punjab in a shorter time and smoothed the way for putting the province on to the path of democracy.⁵²⁰

The governorship of the Punjab was a trial for Nishtar, but through his speeches he united the people under the banner of the Muslim League by persuading them to forget their mutual bickering and rivalries. He made the people aware of the fact that if they remained disunited, it would not be easy to solve the problems faced by the province, rather they would increase. He warned the people: "Your enemy is scheming to destroy you and if you want to keep him at a bay, you must unite and organize".⁵²¹ Nishtar

⁵¹⁵ The Daily *Dawn*, Karachi, November 1, 1949, p. 1. Also see The *Daily Gazette*, Karachi, November 1, 1949, p. 1.

⁵¹⁶ The Daily *Pakistan Times*, Lahore, August 4, 1949, p. 1.

⁵¹⁷ Agha Masood Hussain, *op.cit.*, p. 176.

⁵¹⁸ Interview with Abdul Ghayur.

⁵¹⁹ The Daily *Sindh Observer*, Karachi, August 21, 1949, p. 1.

⁵²⁰ Interview with Sher Mohammad Khan.

⁵²¹ The Daily *Sindh Observer*, Karachi, August 21, 1949, p. 1.

opposed injustice and inequality and believed in implementing a social order based on equity and social justice. He knew that the labor of the province was facing great difficulties. He advised the capitalists to establish cordial relations with their workers. He held that "If the workers are happy and contented, it helps both the country and the industries".⁵²² To him, the labor was the real producer of wealth. During his governorship, he introduced many ordinance, which in his view, were for the welfare of the people of the province. He believed that without bringing unity amongst the people of the province and giving an end to the evils it would be difficult for the province to hold fair elections.

He always quoted examples from the Holy Quran and advised the people to follow the Holy Prophet (May peace be upon him) and the principles laid down by him for the Muslims. He said that when the Muslims were few, they conquered almost half the world and it was tragic that when they number into many crores they are faced with problems and difficulties which have baffled them. To him, it was merely because the Muslims had forgotten to practice the precepts of the Holy Prophet.⁵²³

He advised the people of the Punjab that there should be no distinction between refugees and non-refugees. He warned the refugees against indulging in party squabbles and asked them to extend their fullest cooperation to the fellow people to live amicably. He wished that peace should prevail in every corner of the province. He knew that by putting an end to such problems, he would be able to set the province on the path of progress.

To eradicate corruption from the province Nishtar established an anti-Corruption Department in the province under the control of the Home Secretary of the Punjab Government, who was responsible to the Governor only. He ordered enquiries against a number of government officials and unofficial who were involved in corruption. Nishtar discouraged anti-state newspapers and warned that all such papers should be penalized and drastic action would be taken against those papers which "Flayed into the hands of the enemy" or "Jeopardized the larger interest of the state."⁵²⁴ He also introduced Public Safety Ordinance to control those sections of the press who were habitually using abusive language for government officials, and whose role was not positive for the well being of the state. This ordinance did not curtail the legitimate liberties of the press and was not intended against the members of the press who honestly discharged their functions with due regard to the interests of the state.⁵²⁵

Nishtar was not in favor of active participation in politics by governmental employees. He warned the officers that they must keep themselves above all party factions and

⁵²² *The Civil & Military Gazette*, Lahore, November 29, 1949, p. 1.

⁵²³ *The Daily Dawn*, Karachi, March 10, 1952, p.8.

⁵²⁴ *The Daily Pakistan Times*, Lahore, October 22, 1949, p. 1.

⁵²⁵ *The Civil & Military Gazette*, Karachi, October 22, 1949, p. 1.

uphold impartiality of the administration. He was totally against corruption and advised the provincial officers to weed out corruption and inefficiency from their respective departments.⁵²⁶ During his governorship he declared that he would not tolerate corruption in any form and always stressed impartial administration of justice in the courts.

Nishtar had all the sympathy for the tenants. A large number of tenants were ejected by the land lords in certain areas of the province. Nishtar enforced a law stopping the ejection of the tenants. The Shariah Act was enforced in the province in March 1951 under the direction of Nishtar. He also declared registration of Auqaf necessary and a law was passed to this effect.⁵²⁷

Nishtar was determined to give the province a representative government for which he made all the efforts to bring unity among the people and in order to prepare the province for the election of the provincial assembly. An enquiry was conducted against those M.L.A's who were allegedly corrupt. Nishtar knew that there were some anti-state elements who were playing in the hands of enemy and were trying to create disturbances in the province. For an effective control of the 'Gundas', he stressed the Central Government for the implementation of Gunda Act in the province.

The elections for the provincial assembly were held in March 1951. Nishtar had given a stern warning to all government servants not to interfere in the elections and advised them to remain impartial. The elections were held on adult franchise basis for the first time in the province and the Muslim League won an overwhelming majority. Although, some reports of malpractices were received from some of the constituencies but no politician held the governor responsible for such allegations.

Mr. Suharwardy in a statement said: "In spite of governor's instructions, the police failed to comply with the orders and large scale malpractices took place in various constituencies. He demanded re-elections to the provincial assembly".⁵²⁸ Some of the Muslim League leaders complained to Mr. Liaquat Ali Khan when he visited Lahore that Nishtar, as a governor did not extend them any support in the elections. In response, Nishtar said that "At the time of becoming governor, I had taken a oath to be honest, loyal and impartial. How can I break these Promises?".⁵²⁹ As the governor of the province it would have been easier for Nishtar to extend maximum support to the Muslim League in the elections but he believed in a fair game.

When there was a controversy in the Constituent Assembly whether the country should adopt the system of separate electorates or joint electorates, Nishtar said: "Separate

⁵²⁶ The Daily *Pakistan Times*, Lahore, October 11, 1949, p. 1.

⁵²⁷ Agha Masood Hussain, *op.cit.*, p. 178.

⁵²⁸ The Daily *Ingitab*, Lahore, March 21, 1951, p. 6.

⁵²⁹ Altaf Hussain Qureshi, *op.cit.*, p. 308.

electorates were sanctioned for safeguarding the rights of minority and ensuring peace and harmony in the country. In joint electorates a majority by manipulating constituencies, could easily prevent the minorities from returning their real representatives in the elections". Nishtar appealed to the, members of the opposition to take a practical and realistic view of things.⁵³⁰

After the assassination of Liaquat Ali Khan, Khawaja Nazimuddin formed the cabinet, and Sardar Nishtar's, services were again requisitioned by the central government. He was given the portfolio of Industries. Nishtar wished that tries in the country should be promoted to such an extent that country could become self-sufficient in everything. Nishtar was very eager in the development and progress of coal mines in Baluchistan and the Punjab. He deputed experienced surveyors to, submit a comprehensive report on the coal bearing regions in Baluchistan and the Punjab. He stressed upon the adoption of proper measures to safeguard against the extensive damage to coal mines in Baluchistan.⁵³¹ He also got the government agree to explore the possibilities of oil and gas in the country.⁵³² Nishtar was of the view that the progress of industries did not depend only on, money and machinery, but also a proper planning was equally important. He believed "Nature has given vast resources to Pakistan and now it was for the people to make best use of them". About the development of electric power in the country, he remarked, "Energy is the real power of the country. If we want to be powerful, we must develop our power resources which is indispensable for industrial development".⁵³³

Nishtar deemed that if the scientists of the country, work honestly, they could play a vital role in the development of industries and in the exploitation of natural resources. He believed that factories should not be established with the sole object of earning more money by a few investors, but the workers who produce this wealth should also be given a proper share in the dividends and be provided with all amenities. To him, the trouble of the industrialists and workers was that a discontented labor was always pitched against the management. He stressed that there should be cordial relations between the workers and industrialists and advised both of them for mutual cooperation. He believed that with the mutual cooperation of labor and industrialists, the country could make progress rapidly. He acknowledged that "if workers are happy and contented, it helps both the country and industrialists and becomes a real asset".⁵³⁴ Nishtar also believed that an agricultural country could not attain the higher status of an industrially developed country in the present industrial age. He was strongly in

⁵³⁰ CAPD, v.xi, Karachi, March 20 - April 19, 1952, pp. 151-152.

⁵³¹ *The Sindh Observer*.

⁵³² *The Daily Pakistan Times*, Lahore, November 21, 1952, p. 1.

⁵³³ *The Daily Dawn*, Karachi, (n.d.), p. 1.

⁵³⁴ *The Daily Dawn*, Karachi, April 7, 1952, p.1.

favor of industrializing the country. He held that the more industries are established in a country the stronger will be its economy".⁵³⁵

Nishtar as the Minister for Industries, directed the Industrial Finance Corporation, Government of Pakistan to extend its support to the private companies and individual industrialists. He also advised the capitalists to utilize every opportunity to establish new industries. It was due to his efforts that Finance Development Corporation of Pakistan also installed some industries in the country. He asked the people to take more interest in the industrialization of the country to make Pakistan economically self-sufficient. He observed: Economic independence was the real independence, "God has given us a big country with vast resources which had not so far been fully exploited".⁵³⁶ Nishtar was of the view that finance was not the only requisite for the successful promotion of the industries rather better results be achieved by courage and preservice than by money alone. This quality was also necessary for the quick and cumulative progress of a young country.

When Khawaja Nazimuddin took over as the Prime Minister in October 1952, Ghulam Mohammad managed to become the Governor General of the country. All powers were to be in the hands of the Prime Minister while the Governor General was the only statutory head. This was not liked by Ghulam Mohammad who wished to enjoy all the powers the Prime Minister was enjoying. The ministry of Khawaja Nazimuddin, despite having majority in the Assembly, was dissolved by Ghulam Mohammad on April 17, 1953. Ghulam Mohammad tried to exploit the troubled political situation prevailing in the Punjab at that time when the communal riots over the status of Qadyanis were going on. It was a period of violent emotions and the Governor General felt that he should be exploiting it to his utmost. While dissolving the Assembly, he issued the following statement:

I have been driven to the conclusion that the cabinet of Khawaja Nazimuddin has proved entirely inadequate to grapple with the difficulties facing the country. In the emergency which has arisen I have felt it incumbent upon me to ask the cabinet to relinquish office so that a new cabinet better fitted to discharge its obligations towards Pakistan may be formed.⁵³⁷

Nishtar was very much shocked at this undemocratic step of the Governor General. He supported Khawaja Nazimuddin's stand that the Governor General was, not justified in liquidating the cabinet which enjoyed the support of the majority in the legislature. Unlike some of his colleagues, he refused to join the new cabinet and also declined to accept any other office. He preferred to go into wilderness to serve the people as a

⁵³⁵ The Daily Dawn, Karachi, May 5, 1952, p. 5.

⁵³⁶ *Ibid.*

⁵³⁷ Keith Callard, *op.cit.*, p. 135.

popular leader. A couplet read by Nishtar at that time indicates his feelings he had on the issue.

In this couplet Nishtar very painfully explained the reasons for their dismissal from the cabinet and snatching away their leadership. He was of the view that "Leadership was snatched from us only on the ground that we cannot leave the masses at the mercy of robbers".

In another couplet Nishtar said: "Look at the irony of, the world politics. The ones who did not accompany the caravan reach the destination."⁵³⁸ Nishtar was of the view that those who were not comrades in the freedom struggle, had now managed to become the rulers of the country through political intrigues.

So Nishtar remained in the government for about six years after the establishment of Pakistan and had to leave it when the country was overtaken by political intrigues. During his stay in government, as a governor, or as a minister and as a member of the Constituent Assembly, he lived like a common man. He never cared for any high position and always wished to be aligned with the common people. He believed that the prestige and honor he was enjoying was due to the support and liking of the masses. When he was the Governor of Punjab, it was very difficult for an observer to recognize him as he always liked to appear as an ordinary citizen. He tried to repeat the conventions and traditions of the pious Caliphs and did not lose contact with the masses, the source of his power.

⁵³⁸ *Ibid.*, p. 23.

Chapter Eight

NISHTAR AS AN IDEOLOGUE.

Nishtar was not a politician only but had also a broad outlook on all the other matters relating to the life of human beings, especially the Muslims. He was a true Muslim and inherited a deep love for his religion. In spite of his pre-occupations in the governmental and political affairs, he never ignored this aspect and always stressed that the Muslims should live their lives in accordance with the instructions laid down in the Holy Quran and follow the teachings of the Holy Prophet. His poetry also throws some light on deep affiliations he had for the religion.

Nishtar advocated that all the Muslim countries should unite themselves in order to make the Muslim bloc stronger. He was of the opinion that for creating unity among the Muslims of the world, it was necessary that Arabic language should be given due importance. He knew that the realization of the dream of the Muslims unity was, to a great extent, dependent on the popularization of Arabic.⁵³⁹ Only by learning Arabic could the Muslims create that atmosphere in which all the Muslims could think alike and achieve unity of thought, which was an essential prerequisite for unity of action and without which Muslim Renaissance could never be achieved.⁵⁴⁰ He maintained that if the "Muslim countries are to survive, they must unite, as there is no other way out".⁵⁴¹ To him, the degeneration of the Muslim nations and the downfall of the Muslim countries was the result of disunity. He aspired to remove the causes of the differences which were created by the western powers just to exploit the situation for their own designs, the Muslims should unite themselves. He opined: "If any Muslim country feels "that it could live in isolation from its brother Muslim countries, by God, it would be wiped out by the storms being unleashed on the Muslim countries by the western powers".⁵⁴²

Nishtar equally believed in the unity of action. He stressed that to bring unity of action among the Muslim countries, the unity of thought was necessary. To him, "the unity of thought could only be realized in an atmosphere where all Muslims could think alike. Only through Islam,, unity of thought could be brought about in Islamic countries".⁵⁴³ He considered the Muslims the luckiest nation, as they had all the possibilities of unity of thought. He firmly believed that as Islam is based on the Holy Quran, Islamic

⁵³⁹ *The Daily Dawn*, Karachi, February 18, 1950, p. 1.

⁵⁴⁰ *Ibid.*, p. 1.

⁵⁴¹ *Ibid.*, p. 1.

⁵⁴² *Ibid.*, p. 3.

⁵⁴³ *Ibid.*, p. 3.

thinking was only possible if Islamic language is adopted. He was of the view that: "Without an Islamic language, there was possibility that some un-Islamic concepts might not creep into the Islamic thoughts".⁵⁴⁴

Nishtar, time and again appealed to the Muslims of the world that they should maintain the prestige of Islam by remaining united. He held that it was the duty of the governments no less than that of the people of the Muslim countries to unite to save the Muslim world from western imperialist powers.⁵⁴⁵ He maintained that without understanding the importance of unity and brotherhood, the Muslim world cannot prosper in the present age.⁵⁴⁶ He was of the view: "Muslims could revive the glory of Islam, if they could only follow the teachings of the Quran and the Holy Prophet".⁵⁴⁷

To Nishtar, Islam was a precept of life which provided guidance in all the spheres of human activities. He was of the view that "It was the duty of the Muslims to draw their inspirations from the life of the Holy Prophet and refashion their lives according to the tenets of Islam. Islam was a perfect code of human conduct".⁵⁴⁸ He believed that it was necessary for every Muslim to live in accordance with the injunctions of Islam. Nishtar observed with a sense of shock that the Muslims knew all the Islamic principles but did not practice them in their lives. Nishtar was in favor of forming an Islamic Commonwealth like that of the United Nations. He maintained that the organizations like SEATO, CENTO, UNO, and Baghdad Pact had failed to solve the problems of the Muslim countries. It was, therefore, necessary that the Muslims should form their own Commonwealth to safeguard their interests. He believed: "The Muslim countries though weak were so strategically placed that if they get united, they could dictate the countries like France, the United Kingdom and even United States of America".⁵⁴⁹ Nishtar discouraged the idea of dependence on the western countries as there was no link between them and the Muslims.

Nishtar was of the opinion that the Muslims do not sacrifice their lives for negative objectives but their sacrifices were always in accordance with the teachings of Islam. Nishtar in his poetry warned the Muslims that if they ever forgot the Islamic principles, their destruction would be sure. He opposed the trends of following the western style of life and always insisted on following a simple life which Islam enjoins. Had Nishtar's proposal for establishing an Islamic Commonwealth been accepted, the Muslim countries would have not faced immense amount of difficulties which they are facing at present.

⁵⁴⁴ *Ibid.*, p. 3.

⁵⁴⁵ *The Daily Dawn*, Karachi, December 6, 1950, p. 1.

⁵⁴⁶ *The Daily Dawn*, Karachi, August 27, 1952, p. 1.

⁵⁴⁷ *The Civil & Military Gazette*, Karachi, November 12, 1952, p. 1.

⁵⁴⁸ *The Daily Dawn*, Karachi, January 4, 1955, p. 2.

⁵⁴⁹ *The Daily Dawn*, Karachi, June 30, 1956, p. 1.

NISHTAR AND KASHMIR

Just after the Independence, Kashmiri Muslims fell victim to severe highhandedness by the Hindus and the Sikhs. In October 1947, the atrocities of the non-Muslims reached the climax. There was Dogra Raj in Kashmir which was covertly supporting the Hindus for butchering the Muslims. The Maharaja of Kashmir had not till then decided to accede either to Pakistan or India. He proposed to both the governments a standstill agreement by which facilities enjoyed by Kashmir before August 1947 should be temporarily continued. Kashmir, geographically was part and parcel of Pakistan and 78% of its population was Muslim, majority of whom wanted to join Pakistan. The Maharaja, in fact, had conspired with the AINC and had decided secretly to join India. When the Frontier tribesmen came to know of the Muslims being murdered and looted, they decided to help them. Many tribesmen entered Kashmir which Maharaja's forces were unable to defend. Thus, he made an appeal to India for military aid. The Indian Government tried to take advantage of the opportunity and asked the Maharaja to join India. Accession was offered by the Maharaja on October 26, 1947 and was accepted by the Indian Government the following day.⁵⁵⁰ A High Court judge of the East Punjab and notorious communist, Mehr Chand Mahajan was appointed the Prime Minister of Kashmir. According to Nishtar, "Nehru declared that accession was accepted because of the tribal interference in Kashmir. However, the final decision on the accession would be taken after a reference to the Kashmiris".⁵⁵¹ The tribesmen would have conquered Kashmir had they occupied Srinagar and its airport, but due to selfishness of some people, they could not advance further than Barmula, 36 miles from Srinagar.⁵⁵²

After accession was announced, the Indian army took over the control of Kashmir and occupied the greatest part of Jammu and the Valley of Kashmir.⁵⁵³ Eventually Pakistani and Indian armies came into a direct conflict in 1948. Nishtar had all the sympathies for Kashmir and wished that the Muslims of Kashmir should be given the right of self-determination to decide their future. When the conflict between both the armies continued on, Nishtar, in November 1948 declared: "It is sheer folly to think that Muslims of Pakistan will ever reconcile with the idea of handing over Kashmir to Indian".⁵⁵⁴ This indicates the approach Nishtar had about Kashmir. He held United Nations responsible for dereliction of its duty towards Kashmir issue. In December 1948, he said, "Pakistan has fulfilled its duty as a member state of the United Nations in accepting and following its advice regarding the Kashmir problem. But the United Nations has failed to do its duty to Pakistan one of its members".⁵⁵⁵ He was of the view that India was also a member state of the United Nations and it was sole responsibility

⁵⁵⁰ Keith Callard, *op.cit.*, p. 306.

⁵⁵¹ Agha Masood Hussain, *op.cit.*, p. 155.

⁵⁵² *Ibid.*, p. 155.

⁵⁵³ Keith Callard, *op.cit.* p. 306.

⁵⁵⁴ *Sindh Observer*, Karachi, November 22, 1948, p. 1.

⁵⁵⁵ *The Daily Dawn*, Karachi, December 7, 1948, p. 1.

of the United Nations to make India agree to a peaceful and just settlement of the Kashmir question. He severely condemned the attitude of Indian leaders and warned India by saying: "It is impossible for the people of Pakistan to tolerate the attitude of the Indian Government and the United Nations regarding Kashmir. They would do their duty towards their brethren in Kashmir no matter what their government thought or did".⁵⁵⁶ He was fully aware of the feelings of the people of Pakistan who were ready to offer every sacrifice for the liberation of Kashmir.

The fighting between both the armies was suspended with a cease fire agreement on January 1, 1949. The cease fire line left the main centers of the population in Indian hands and strip of territory along the western borders and less populated area of north-west remained on Pakistan's side.⁵⁵⁷ The United Nations spent much of its time in attempting to find out a solution. The principal objective was to bring about a plebiscite in which the Kashmiris could freely decide their own future. The principle of a plebiscite had been accepted by both the sides and the UNO. The direct meetings and correspondence between the prime ministers of both the countries brought the solution no nearer. Eventually, a draft agreement was prepared and Nehru did not raise any objection to it. But later on, Nehru was skeptical about the immediate withdrawal of Indian armed forces. He desired that advice of Sheikh Abdullah in the matter would be sought in order to finalize the draft agreement.⁵⁵⁸ This was one of Nehru's old delaying tactics. Junagarh, which had decided to join Pakistan earlier, was given under the control of Indian Government by the Dewan and this was a great encouragement for India. A Committee was constituted by the Security Council to visit India and Pakistan to gather opinions about the problem of Kashmir. So an agreement was signed by both the countries on the basis of which cease fire had taken place. Although the agreement was not satisfactory from Pakistani point of view, but it was accepted because of the circumstances.⁵⁵⁹

Nishtar maintained that unless the problem of Kashmir was settled, the relations between India and Pakistan could not become friendly. To establish friendly relations, he held that "Early solution of Kashmir problem was vital for Indo-Pak relations". He declared Kashmir as "part and parcel of Pakistan of which it formed an important unit".⁵⁶⁰ Nishtar considered Kashmir necessary for the survival of Pakistan. In his opinion, "If Kashmir, which was Pakistan's important limb, was cut off, Pakistan could hardly survive".⁵⁶¹ He was prepared that every sacrifice should be given for the liberation of Kashmir. In August 1949, he declared that Pakistan would do everything in her power to see that the Kashmiris decided their future in accordance with their

⁵⁵⁶ *Ibid.*, p. 1.

⁵⁵⁷ Keith Callard, *op.cit.*, p. 307.

⁵⁵⁸ Agha Masood Hussain, *op.cit.*, p. 158.

⁵⁵⁹ *Ibid.*, p. 159.

⁵⁶⁰ *Sindh Observer*, Karachi, August 20, 1949, p. 1.

⁵⁶¹ *Ibid.*, p. 1.

own aspirations. He warned India that occupation of Kashmir by force would never be tolerated and Pakistan would rise as one man to foil all attempts if India ever had any such intention.⁵⁶² Nishtar did not believe in war, and wished that both the countries should establish their relations on the principles of peaceful coexistence provided India agreed to give the right of self determination to the Kashmiris.

He had also in his mind the Indian Muslims who were being ruled by a Hindu majority. He realized that by establishing cordial relations with India, Pakistan could have earned Indian Government's sympathies for these Muslims. But the main obstacle in the way of promoting cordial relations of both the countries was the problem of Kashmir and India was not going to show any elasticity there. In spite of the fact that India had also agreed to a plebiscite in Kashmir, yet she never prepared herself to give it a practical shape. Nishtar maintained: "Pakistan does not want war, least of all with India, which besides being the neighbor was the home of 60 million Muslims".⁵⁶³ He demanded an impartial and fair plebiscite in Kashmir and observed sadly that "although the Kashmir issue has been hanging fire before the UNO, it could not compel India to the holding of a fair and an impartial plebiscite in Kashmir".⁵⁶⁴

Nishtar did not ignore Kashmir issue and always pleaded for the Kashmiries, who were being ruled by the Hindus under a constant mental torture. He asked the government to take a firm stand on the issue of Kashmir and wished that Pakistan Government should get in touch with Delhi. He criticized the policies of his own Government towards the problem of Kashmir. In November 1956, he declared that "the weak policy which the government has been perusing hitherto did nothing except confusing the Kashmir issue".⁵⁶⁵ He was equally not in favor of the foreign policy being followed by the government with the big powers. He believed in a straightforward policy, which should reflect the aspirations of the nation. He did not like those who posed themselves to be friendly towards Pakistan but never proved themselves friend in need. He maintained: "Friends are those who are friends in need, not those who want to exploit us for their own imperialistic designs. We are prepared to sign defence pacts, both offensive and defensive with any country which is prepared to help us against our one enemy, India".⁵⁶⁶

Nishtar never subscribed to the dual policy perused by the big powers and to him it was harmful for Pakistan to establish relations with such countries who could not extend their support to Pakistan at the time of crisis. He maintained that, India was an enemy of Pakistan and Pakistan Government should choose such friends who could dare help it against the aggression of India. As President of the Muslim League, he

⁵⁶² *Ibid.*, p. 1.

⁵⁶³ *The Civil & Military Gazette*, Karachi, February 4, 1950, p. 1.

⁵⁶⁴ *The Daily Pakistan Times*, Lahore, October 24, 1950, p. 1.

⁵⁶⁵ *The Daily Dawn*, Karachi, November 26, 1954, p. 6.

⁵⁶⁶ *Ibid.*, p. 6.

opposed the foreign policy of the government. In December 1956 criticizing the foreign policy of the Government of Pakistan, he said: "Our present foreign policy has put the whole nation in an awkward position and our continued alignment with the Britain had done great harm to us".⁵⁶⁷ He asked the government to quit the Commonwealth and also wanted Pakistan to recede from Baghdad Pact. He condemned Britain for it had always supported the Hindus and never had sympathies for the genuine grievances of the Muslims.

In January 1957, he appealed to the people to unite and to create a new national spirit, among themselves. He believed: "the only way to obtain Kashmir was to unite and get stronger".⁵⁶⁸ He advised the people to renew the same spirit and determination which they displayed in achieving Pakistan. Although, the problem of Kashmir had been cornered because of the policies of the regimes since taking over of Ghulam Mohammad as Governor General of the country, Nishtar made every effort to keep the Kashmir problem alive in the minds of the people. He repeatedly declared that "Kashmir cannot become a forgotten issue". By this, he meant that Pakistan will continue to fight till the time when the Kashmiris would be given their due right of deciding the fate of Kashmir. He had mentally prepared the nation to sacrifice everything for the liberation of Kashmir.

Why Nishtar was so keen in the solution of the Kashmir Problem? He was a staunch Muslim and his life's training was mainly based on the teachings of Islam. Secondly, he had been a close associate of Mr. Jinnah, who always stood with the weaker. Nishtar campaigned for giving the right of self-determination to Kashmiri Muslims because of the fact that he believed that "everyone should be at liberty to decide about his fate". The people in Kashmir were Muslims and Nishtar felt it as his duty to support his brethren. He firmly believed in Islam and the teachings of the Holy Prophet and thus always pleaded and supported the cause of the Kashmiri Muslims.

⁵⁶⁷ *The Daily Pakistan Times*, Lahore, December 11, 1956, p. 1.

⁵⁶⁸ *The Daily Dawn*, Karachi, January 21, 1957, p.8.

Chapter Nine

NISHTAR - CHAMPION OF DEMOCRACY

After the assassination of Liaquat Ali Khan, the first Prime Minister of Pakistan, there were frequent changes in the structure of the government and the bureaucracy was gradually becoming stronger. The people of Pakistan and especially the politicians had become apathetic to the cause of creation of the state and everyone was trying to seek an opportunity to get higher positions through undemocratic means. Gradually, the principles of democracy were being eroded. The bureaucracy was making every effort to become all-powerful and was trying to replace the politicians. It was unfortunate that just after independence, the administration of the country was handed over to the government officials who considered themselves experts on every things.⁵⁶⁹

After the establishment of Pakistan, Ghulam Mohammad, a retired officer, managed to become Finance Minister and Chaudhry Mohammad Ali took over as a Secretary and Adviser to the Government. These individuals were entrusted with the responsibility of framing administrative structure of the newly-born state. The administrative structure was so arranged that all powers rested with the bureaucracy and nothing remained in the hands of the politicians. However, PRODA⁵⁷⁰ was there to push out the politicians and this was all because of "Rules of Business".⁵⁷¹ It was propagated by the bureaucracy that except for Quaid, all other politicians were looters and the government servants were the only capable group to run the country. To bureaucracy, Pakistan came into being just to provide 'good administration' to the people. The government officials were declared as the God-chosen and it was claimed that only they deserved a role in politics and thus were destined to lead the nation.⁵⁷²

By dint of manipulative tactics, the bureaucracy completely ousted the politicians and prevailed upon the system. This was equally a great psychological setback which increased the distance between politics and the government and thus paved the way for further political confusion. The Muslim League was pushed behind and the administrative control of the government was now completely in the hands of the bureaucrats. The bureaucracy had become independent because of 'no party's control' over it. By imposition of PRODA the politicians were completely removed from the scene. The rights of the elected representatives were snatched by the bureaucracy and the power was used in such a way that politicians became weary of such dirty politics

⁵⁶⁹ Peer Ali Mohammad Rashidi, "*Sardar Abdur Rab Nishtar - Sikandar Mirza Marhoom ki Shakhsiat Aur Unka Role*", *The Daily Jang*, Karachi, February 27, 1973, p. 3.

⁵⁷⁰ PRODA: Public and Representative Offices (Disqualification) Act.

⁵⁷¹ *Ibid.*, p. 3.

⁵⁷² *Ibid.*, p. 3.

or were driven away by force. The void created by the politicians was filled in by the bureaucracy, which badly affected the growth of smooth political life, democracy and the Muslim League.⁵⁷³

The real tragic change occurred, when Ghulam Mohammad, a bureaucrat, became the Governor General of the state and Chaudhry Mohammad Ali took over as Finance Minister in his place. From this time onward, the series of 'palace intrigues' started. The bureaucracy always kept two things in view:

- i) To weaken the Muslim League in order to eliminate its control over the government;
- ii) To project Islam in such a way that it should, not affect the affairs of the government and feelings of the people should not be hurt either.

Khawaja Nazimuddin's ministry was dissolved without any justification in 1953 and Mohammad Ali Bogra became the Prime Minister and President of the Muslim League. The sincere and devoted leaders like Nishtar were driven out and the Muslim League became so weak that it could not even resist openly such drastic changes. Even the Constituent Assembly was dissolved. Nishtar declared the action of the Governor, General as undemocratic and unjustified. He was of the view that the Governor General was not empowered to dissolve the cabinet which retained a majority in the Assembly.

It is worth mentioning that no other leader dared oppose the action Ghulam Mohammad had taken. It was only Nishtar who very courageously condemned his action. According to Nishtar, "Ghulam Mohammad, through some of his ministers tried to persuade me to accept ministership, but I refused. I had told them that neither I am fond of ministership nor have I any greed for luxury. I have spent all my life in simplicity".⁵⁷⁴ Unlike his other colleagues, Nishtar did not bend himself before the will of the rulers and proved that he believed in democratic principles and was not prepared to accept any office through the back-door. He did not desire that he should work against the wishes of the masses. Maulvi Tameezuddin had filed a writ petition in the Sindh High Court against the action of the Governor General. Nishtar, I. I. Chundrigar along with many lawyers of repute pleaded for this case. He spoke for an hour before the court and gave his logical arguments. The Sindh High Court had already given decision in favor of Maulvi Tameezuddin, but it was not accepted by the Governor General and then the case was referred to the Supreme Court of Pakistan, which upheld the action of the Governor General. Nishtar also pleaded the case in the Supreme Court and he was assisted by I. I. Chundrigar and Sharifuddin Pirzada.⁵⁷⁵ It was an unfortunate decision, which gave birth to horrible intrigues and the roots of democracy

⁵⁷³ *Ibid.*, p. 3.

⁵⁷⁴ Quoted by Mohammad Haneef Shahid, *op.cit.*, p. 7.

⁵⁷⁵ Interview with Abdul Ghayur.

started decaying. But, one cannot blame anyone except bureaucracy which was behind this entire centrum.

After the ministry of Khawaja Nazimuddin was dissolved, Nishtar started his practice as a lawyer. In spite of the fact that he did not hold any position in the government or in the Muslim League, yet he always kept in view the betterment of the masses and the country. He did not lose contacts with the people and continued his efforts for the restoration of their fundamental rights and privileges. He advised the people for self sacrifices and sustained efforts to make the country stronger. He emphasized the need for infusing new life into the Muslim League in order to make it a mass organization. To him the Muslim League was a sacred trust for the country. In a press statement, he said: "If you are going to serve Pakistan, if you are going to build up Pakistan, if you are going to reconstruct Pakistan then I say, the only course upon to a Mussalman is to join the Muslim League and serve Pakistan to the best of his ability".⁵⁷⁶ He gave more importance to the Muslim League for it was the party which had launched freedom movement under the dynamic leadership of Mr. Jinnah and had achieved a separate state for the Muslims of the South Asia. He believed that it was only the Muslim League, which could be a panacea for all the ills of the country. To him, the beginning of 'Palace intrigues' was the result of the leadership fallen victim to a power lust. He opined that those were occupying the high posts, were anxious to secure their continuance in power while those who were out constantly strove to capture those "gaddis".⁵⁷⁷ He condemned such attitude of the leaders and considered it harmful for the nation. He was equally not in favor of so many political parties in the country, instead he gave importance to revitalize the Muslim League for solving the problems of the masses and the country.

After Ghulam Mohammad had taken over as Governor General of Pakistan, the Muslim League was divided into many groups. Everyone was running for getting a higher position in the government. Nishtar condemned this attitude of the leaders and it pained him very much that the organization which had won Pakistan had fallen victim to evils. He held the view: "Some people had left the Muslim League just to get power. Power worship is the ban of our life. It had ruined Muslim states in the past and if we do not curb it, it will do us great harm. The vigilant people in whom lies all the real power must guard against such evil tendencies". This indicates that Nishtar believed that real power rested with the people who were entitled to rule the country. The cause of national frustration was due to the fact that people were losing faith in the leadership, as Nishtar observed. Nishtar opposed that the Prime Minister of the country should become the President of the Muslim League also. He criticized the Governor General for not ascertaining the wishes of the people at the time new cabinet was formed. He was not satisfied with the performance of the government as there was a

⁵⁷⁶ The *Daily Pakistan Times*, Lahore, May 1, 1953, p. 1.

⁵⁷⁷ The *Daily Morning News*, Karachi, October 25, 1953, p. 2.

great distance between the masses and the rulers. Nishtar was of the view that "No one can win the confidence of the people by moving about under the protective shadow of sten guns".⁵⁷⁸

In spite of the fact that the people were losing hopes for the restoration of democracy in the country, Nishtar was hopeful that people would succeed in establishing their representative government in the country. He advised the people not to lose hope. He maintained: "Hope is our sheet anchor. Let courage not desert us. After every Karbala there has been a regeneration of Islam".⁵⁷⁹ He asked the people to follow in the footsteps of Mr. Jinnah and Liaquat Ali Khan by observing the principles of faith, discipline and unity.

Nishtar became a member of the Pakistan Muslim League Working Committee in January 1954. A lot of criticism was poured in on his becoming the member of the Working Committee. This was because of the fact that the Muslim League had become very weak and its leaders did not follow the principles Mr. Jinnah had set for them. Nishtar was very popular among the masses and it was felt by the people that he should not become the victim of the so-called leaders. While clarifying his acceptance of the membership of the Muslim League Working Committee, Nishtar expressed his regret by saying: "Those at the helm of affairs in the Muslim League have made it a handmaid of the government". To remove misunderstanding of the people of his joining the Working Committee, he said: "I was approached even last October to join the Working Committee but I declined. My approach to the problem is well-known. I feel that one of the major causes of present unfortunate state of affairs is the absence of well organized public opinion in our country".⁵⁸⁰ This clearly indicates that Nishtar believed in the support of the masses without which it was very difficult for a government or any organization to work smoothly. His approach was democratic and he gave due importance to the public opinion. He further said: "The well-wishers of the League feel perturbed over the present state of affairs and it is realized that concerted efforts should be made to rescue the Muslim League by re-organizing, reforming and revitalizing it. It is with this object in view that some of those who have tendered great sacrifices to the Muslim League in the past, suggest the holding of a convention to consider ways and means of making the Muslim League a really mass organization".⁵⁸¹ Nishtar had all regard for the people and he felt it his duty to clarify the position. He could have refused for not giving any reason for joining the Working Committee, but by giving his clarification, he proved that he was the man of the masses.

Since the series of palace intrigues had started to work, another conspiracy was hatched which resulted in the Prime Ministership of Chaudhry Mohammad Ali and the

⁵⁷⁸ *Ibid.*, p. 2.

⁵⁷⁹ *Ibid.*, p. 2.

⁵⁸⁰ *The Daily Dawn*, Karachi, January 5, 1954, p. 1.

⁵⁸¹ *Ibid.*, p. 1.

Governor-Generalship of Iskandar Mirza. Iskandar Mirza could not enjoy full powers in the presence of the constitution, so he wanted to make an end of it. He thought that by creating conflict among the political parties, he could easily achieve his objectives. He awarded ministership to those who had departed from the Muslim League in a greed of power. He established a new party with such members known as the Republican Party.⁵⁸² It would be interesting to note that in those days ruling party in USA was also Republican.

To realize his aims, Iskandar Mirza created confusion among the Muslim leaguers on the one side and conspired with Ayub Khan on the other. To dissolve ministries, to involve military in politics, to make the bureaucracy more powerful and to create conflicts among the politicians were the important factors of Mirza's policy. All these steps were taken by him just to strengthen his own rule.⁵⁸³ Chaudhry Mohammad Ali, the Prime Minister, in spite of his piety and sincerity was trapped by Iskandar Mirza and soon he was playing in his hands.⁵⁸⁴ He was also the President of the Muslim League. He felt that distance between the party and the Muslim League was increasing since the party had lost roots in the masses. He felt that Nishtar would be suitable for becoming the Chief of the Muslim League. It was felt at the time when the elections were ahead and people in power considered it necessary to have a shelter of strong organization. Chaudhry Mohammad Ali approached Nishtar and asked him to join the Working Committee of the Muslim League in order to persuade him to become the chief of the party. Nishtar told him: "the present approach is bound to finish the organization and unless the policy is reversed and it is decided to bring various groups of Leaguers to make the League as a people's organization, there was no use of my joining the Working Committee". "I also told him", he wrote further, "that I could not be a party to groups squabbles".⁵⁸⁵ When Nishtar was assured by the League's president to change the policy of the organization, Nishtar promised to support him and became the Member of the Working Committee of the Muslim League. It appears that Nishtar did not believe in factionalism and followed a straightforward policy of unity. First of all Miss Fatima Jinnah was persuaded to accept the Presidency of the Muslim League, but she expressed her inability to accept the office and instead she directed Nishtar himself to shoulder this responsibility.⁵⁸⁶

It seems that Nishtar accepted the presidency of Muslim League on the advice of Miss Fatima Jinnah. However, Chaudhry Mohammad Ali also played a vital role in getting Nishtar agreed to accept the office. Before taking over as the Chief of the Muslim League, he declared: "I would accept the responsibility provided the organization shall

⁵⁸² Peer Ali Mohammad Rashidi, *op.cit.*, p. 4.

⁵⁸³ *Ibid.*, p. 4.

⁵⁸⁴ *Ibid.*, p. 4.

⁵⁸⁵ *The Daily Dawn*, Karachi, January 5, 1954, p. 6.

⁵⁸⁶ *The Daily Morning News*, Karachi, November 23, 1955, p. 1.

be re-organized after clearing all undesirable factional interests".⁵⁸⁷ He also deplored the tendency of the Leaguers "to praise always those in power" and held that this mentality had resulted in lowering the prestige of the Muslim League among the people. He was of the view that to regain its mass control and vitality, the party should go into the opposition for some time. He had ideas of a democrat and his association with Mr. Jinnah had made him a brave soldier to fight' for the cause of the masses. He did not believe in exhilarating slogans but in actions for the betterment of Muslims. Thus he held an exalted position amongst the people.

Nishtar was unanimously elected Muslim League President by the Pakistan Muslim League Council in January, 1956. In his first presidential address, Nishtar said: "Pakistan could only survive if principles of Islam are followed in the country". Emphasizing the importance of ideology, he said, "Pakistan was an ideological state and not a geographical entity only. Pakistan could not solve its disputes with India, Kashmir dispute in particular, nor could it solve its internal problems unless it adheres to the Islamic ideology. All the problems are subordinate to the ideology. Belly comes after faith. I would not compromise on principles".⁵⁸⁸ Nishtar gave more importance to the ideology and advised the Muslims to demonstrate their determination unitedly that they would not allow any body to do anything opposed to the principles taught by Mr. Jinnah. It was fortunate that Muslim League was put under the control of a close associate of Mr. Jinnah. It was believed that with the dynamic leadership of Nishtar, the Muslim League would soon regain its lost glory. According to Peer Ali Mohammad Rashidi, Chaudhry Mohammad Ali's following two deeds were in the interest of the nation:

- i) He gave a constitution to the country, which was accepted by the leaders of both the wings;
- ii) He gave the Muslim League under the control of Nishtar and thus party got rid of the dictator's control.

Two deeds of Chaudhry Mohammad Ali were' against the nation's interest:

- i) He helped Iskandar Mirza in becoming the President of the country;
- ii) He did not show any resistance at the time Republican Party was established by Iskandar Mirza⁵⁸⁹.

Prior to Nishtar's acceptance of the presidentship of the Muslim League, Chaudhry Mohammad Ali was heading the party. No importance was given to the reorganization

⁵⁸⁷ *Ibid.*, p. 1.

⁵⁸⁸ The *Daily Dawn*, Karachi, January 29, 1956, p. 1.

⁵⁸⁹ Peer Ali Mohammad Rashidi, *op.cit* March 14, 1973, p. 1.

of the Muslim League for most of the politicians were running after power. Secondly, the leadership of the Muslim League remained in the hands of prime ministers, who neither worked for its re-organization nor allowed others to organize it on sound footings and thus it had no links with the masses. Why Nishtar was entrusted with the presidentship of the Muslim League? The constitution of 1956 had been approved and was implemented according to which new elections were to be held in the country. It was thought the Muslim League could only succeed in the elections if the new breath was given to it. To bring the Muslim League on a sound footing was, a difficult task as the organization had lost the faith of the masses. Therefore, it was necessary that the organization should be headed by such a leader who could win the support of the people and for this purpose Nishtar was considered to be the most suitable candidate. Nishtar accepted the office of the President of the Muslim League just to save the country from its ultimate destruction. But the ruling clique wished that Nishtar should become a toy in their hands and act in accordance with their wishes. This, only a presumption as Nishtar was not prepared to compromise with the ruling group. He wanted to restore democracy in the country. He wished that the people should be given their due rights and privileges by the government and no one should be deprived as such. After his becoming the President of the Muslim League, Nishtar stated:

- i) The Muslim League would not be a stooge in the hands of the government;
- ii) Joint electorates would not be allowed to be imposed in the country as these were totally against the principles of Pakistan Movement;
- iii) The ministers would be answerable to the party;
- iv) Dr, Khan Sahib would not be accepted as the Chief Minister of the Punjab as he was not a member of the Muslim League. The Muslim League had a majority in the assembly and no one could be appointed chief minister unless he did enjoy the confidence of the members of the Assembly.⁵⁹⁰

From the very beginning Nishtar very clearly indicated his policy and principles which he had to follow as the chief of the Muslim League. He was against the practice that the party should be a hand-maid of the government. He believed that the party members should not come under the influence of the government officials as it could affect their integrity and they could not work in accordance with the wishes of the people. He wished that the party members should follow the policy which was in the interests of the masses whether it pleased the government or not. By imposing such conditions, he knew that ministers would work more honestly and sincerely. He was a follower of democratic principles and opposed making such a person the chief minister who was

⁵⁹⁰ The *Daily Dawn*, Karachi, March 15, 1956, p. 1.

neither a member of the party nor enjoyed its confidence. This indicates that he did not like to deviate from the democratic principles. By declaring his policy, he made it clear to the ruling clique that he would not fulfill their wishes as they had thought. Iskandar Mirza hoped that Nishtar would also cooperate with him like other selfish leaders and in this way he would succeed in achieving his vicious designs. But he had forgotten that Nishtar was a loyal disciple of Mr. Jinnah, who never deviated from principles, how could his associate break these traditions. This resulted in difference of opinion between Nishtar and the ruling party.⁵⁹¹

Nishtar worked day and night to make the Muslim League an organization of the people. He travelled from one end of the country to the other and reminded the people of the role Muslim League had played during the historic struggle. He appealed to the Muslims to come under the banner of the Muslim League. He was of the opinion that without unity and hard work the country would not progress. He advised the people to change themselves according to the changing circumstances and work practically instead of passing resolutions and holding public meetings. He believed that "God helped only those who believed in action and wanted to change themselves".⁵⁹² Nishtar tried to persuade the people to have the same spirit as they had at the time of freedom movement. According to him: "It was the spirit and the cause which had united the Muslims of pre-partitioned India on one front. The same spirit, now could lead the people to progress and prosperity and ensure for the better in the national and administrative structure".⁵⁹³ Nishtar believed that no impractical nation could ever establish a pragmatic government. He had a long association with Mr. Jinnah and Liaquat Ali Khan and as such gained sufficient political experience which had made him able to foresee and make a correct analysis of the situation. Criticizing the government, which was perusing dictatorial tendencies, he said, "Public meetings, resolutions and speeches never served any useful purpose. Even the public opinion carried no weight, particularly in a country like Pakistan, where the people had a tendency of hanker after power".⁵⁹⁴ Nishtar was against those who wished to enjoy the confidence of both the Muslim League as well as the government. He ousted those who had lust for power and did not give them any high position in the organization. He was not prepared even to accept such selfish people as members of the League. He wanted to make the Muslim League a party reflecting the aspirations of the people. He was fully aware of the fact that without the support and cooperation of the people it was difficult to re-organize the party. Therefore, he condemned those who thought of their own interests at the cost of the masses. He purified the Muslim League from the subversive and selfish elements. He condemned those ministers who though originally the members of the League had deserted it. He said: "We are not unhappy because the ministers have left us. In fact we are happy that the masses will now come to us. The

⁵⁹¹ Interview with Abdul Ghayur.

⁵⁹² The *Daily Dawn*, Karachi, March 15, 1956, p. 1.

⁵⁹³ *Ibid.*, p. 1.

⁵⁹⁴ *Ibid.*, p. 1.

strength of the Muslim League lies in the masses and not in the ministers".⁵⁹⁵ The Muslim League got a new life under the wise leadership of Nishtar, as Haji Malik Shad Khan comments, "It was due to selflessness of Nishtar that the Muslim League regained its lost prestige and glory. He was a popular leader of the masses and with his loving personality, he succeeded in attracting the people to the Muslim League. Had he not been given the responsibility of the presidentship, the Muslim League would have ended".⁵⁹⁶ Khan Abdul Qayum Khan stated: "People had thought that the Muslim League would never be able to regain the support it had from the masses. But this was Nishtar's loyalty and devotion which once again made the organization, a party of the masses".⁵⁹⁷ Nishtar believed that: "The real strength lies not in the bungalows of ministers and the presidents, but in the huts where the poor masses of the country live".⁵⁹⁸ He advised the Muslim League's workers to go to the masses and work for their welfare, try to solve their problems in order to make the Muslim League really a party of the people.

Nishtar was of the view that the Muslim League should organize a disciplined public opinion and to achieve that it was necessary that the volunteers of the Muslim League should work hard. He was fully aware that depriving the people of their due share in the government, was to invite troubles. He held that every citizen had a right to criticize the government, but in a proper way. He never recommended unconstitutional methods to be adopted for getting the public demands fulfilled. Since he was a lawyer, he had all the regard for the law of the country and never supported violation of law.

In connection with the reorganization of the Muslim League, wherever Nishtar went, an unprecedented crowd came out to hear him, with enthusiasm and fervor. Nishtar's efforts had made an indelible impression on the minds of people and it was impossible for anybody to wash it off. Some opponents tried to oppose the reorganization of the Muslim League, but in vain.⁵⁹⁹ Nishtar advised the Leaguers to give up thinking in terms of ministries, instead they were to work for the betterment of the people, proper rehabilitation of the refugees and for tottering mass of laborers in the country. It had become a tradition in the regimes after the assassination of Liaquat Ali Khan that politicians professed loyalty to stay in the Muslim League when it suited them and they joined other parties when it was more convenient for them.

When it was announced that the government intended to introduce joint electorates system in the country, Sardar Nishtar decided to launch a campaign against it. It was decided by the National Assembly of Pakistan that system of separate electorates will

⁵⁹⁵ *The Civil & Military Gazette*, Karachi, September 25, 1956, p. 3. Also see *Daily Morning News*, Karachi, September 13, 1956, p. 1.

⁵⁹⁶ Interview with Haji Malik Shad Khan.

⁵⁹⁷ Interview with Abdul Wali Khan.

⁵⁹⁸ *The Daily Morning News*, Karachi, September 13, 1956.

⁵⁹⁹ Interview with Sher Mohammad Khan.

be adopted in West Pakistan, whereas joint electorate system would be introduced in East Pakistan. Nishtar observed: "we will not rest till the decision is amended"⁶⁰⁰. He held the Awami Leaguers and the Republicans responsible for this decision of the Assembly and warned the government that the campaign would continue until the decision was reversed. He opposed the system of joint electorates because it was against the principles of the Pakistan Movement. On one occasion, Mr. Suharwardy pleaded the system of joint electorates on the plea that if joint electorates system was not adopted, Hindus in East Pakistan would demand further partition of East Pakistan. Nishtar criticized the government for adopting the system and ridiculed Mr. Suharwardy's plea. He was of the view that Pakistan was created on the basis of granting freedom to those areas of undivided India where the Muslims formed a majority. In East Pakistan, the Muslims were in majority and there was no question of their demanding further partition of East Pakistan. Such a plea could also be taken in case of the Muslims in India, who are being ruled by the Hindus.⁶⁰¹

Nishtar believed that the innumerable problems facing the country and the people, could not be solved unless the reins of the government were taken by the true representatives of the people in their hands. The nation and the people had fallen into the hands of the conspirators.⁶⁰² He was of the view that the people who sacrificed their everything for the establishment of Pakistan were prepared to offer greater sacrifices for its consolidation provided they were given the guidelines by the leaders. Criticizing the official policy, Nishtar declared that only a government of the people can set the things right. He maintained that mere patching-up here and there would not solve the problems of the country; the, basic thing was to have a government of the people, he emphasized.⁶⁰³ He always stressed for selflessness and disliked power seekers. He condemned the rulers for fighting among themselves which had lowered the country's prestige in the world. He always asked the government and the ruling party to respect the constitution and to refrain from taking any undemocratic step. He warned those in power not to play with the sentiments of the masses. In March 1957, he demanded an immediate restoration of the parliamentary government in the country. He opined: "Pakistan was established for all the Muslims of the country and not for a few individuals. Only those people who have the confidence of the masses have a right to rule this country".⁶⁰⁴ He disliked dictators who were determined to destroy the roots of democracy in the country. In spite of many offers by Iskandar Mirza, Nishtar did not compromise with him.

When Nishtar opposed the system of joint electorates, he had the support of all the prominent political and religious leaders. Maulana Abdul-Ala Maudoodi said in his

⁶⁰⁰ The *Daily Dawn*, Karachi, October 14, 1956, p. 2.

⁶⁰¹ The *Daily Dawn*, Karachi, November 16, 1956, p. 6.

⁶⁰² The *Daily Dawn*, Karachi, December 7, 1956, p. 8.

⁶⁰³ *Ibid.*, p. 6.

⁶⁰⁴ The *Daily Dawn*, Karachi, March 25, 1957, p. 1.

statement on April 20, 1957: "the news about the decision of the unholy alliance of the Awami League and the Republican Party to introduce joint electorates over the entire country has been received with grief and shock. These parties hatched the conspiracy. This is the worse conspiracy and the only motive behind this move seems to be cheap political bargaining".⁶⁰⁵ Mr. Manzar Alam also criticizing the system said: "We are determined to resist this unholy attack on the basic ideology of Pakistan with every possible method and with all the resources at our disposal".⁶⁰⁶ Nishtar said: "This latest move against the ideology of Pakistan has exposed the real intention of the ruling group and therefore it has become essential to take effective steps to reverse the decision".⁶⁰⁷ A large number of politicians and religious leaders condemned the move and demanded the government to amend the decision. It was due to Nishtar's resistance that the government was ultimately forced to reverse the decision.

Nishtar's ability and devotion made the Muslim League a strong and powerful organization within a short span of one year. He demanded the government that the elections should be held in the country by March 1958, otherwise he would adopt other methods. He warned the rulers of the country that "if the general elections were not held in March, the following year, the people who were already getting restive on this score, might resort to other methods to achieve this most fundamental right".⁶⁰⁸ When the ruling group felt that it was difficult for them to run the affairs of the country without the, cooperation of the Muslim League, they offered the Muslim League to join the government. Nishtar referring to the 'proposals' that the Muslim League should join the coalition government, declared that, "He would not be prepared even to study the proposals unless he was convinced that these were sorted out in honesty and sincerity in an attempt to better the lot of the people".⁶⁰⁹ To him the freedom of association and of the press were fundamental rights of the people. In his opinion, the most fundamental right was the people's own government, and if this right was snatched away nothing else mattered.

It was unfortunate that Pakistan witnessed such a strange phenomenon both at the centre and in the provinces, Governments were made and unmade by bureaucracy by intrigues and others who did not have the interest for Pakistan at heart. The fact was that it were the people who should have the real power of making and unmaking the governments, and this could only be done by highly organized political parties in the country. But during post-Liaquat era, the rulers were not at the mercy of the people, but the people were at the mercy of the rulers, who only defended their own interests at the expense of the masses. Nishtar blamed political adventurers for thwarting democracy in the country and for usurping political power.

⁶⁰⁵ *The Daily Dawn*, Karachi, April 20, 1957, p. 5.

⁶⁰⁶ *Ibid.*, p. 5.

⁶⁰⁷ *Ibid.*, p. 5.

⁶⁰⁸ *The Daily Morning News*, Karachi, August 25, 1957, p. 1.

⁶⁰⁹ *Ibid.*, p. 1.

Nishtar, since his taking over as the President of the Muslim League, reorganized the party on sound footings with all his energies and dedication at his disposal. He stressed the government to restore democracy in the country. He opposed the dictatorial trends of the ruling group and always pleaded for the government representing the aspirations of the people. According to Sher Mohammad Khan: "In late 1957, I met Nishtar Sahib at Peshawar when he had come for the reorganization of the Muslim League in the NWFP and asked him to take rest for his health was decaying day by day. He replied, "My life is not that superior to my nation. The nation needs my services and it would be better if I die while performing my duty to my nation". Sher Mohammad Khan further stated: "Once Dr. Qasim, a heart specialist advised Nishtar to take complete rest and avoid political activities". Nishtar thought that Dr. Qasim might have been advising him on the instigation of the government that he should leave the Muslim League. He replied to the doctor "this is the only year which is the life of my nation".⁶¹⁰ It can be said that Nishtar sacrificed his life for the Muslim League and the country.

In January 1958, a move was made by Chaudhry Khaliquzzaman to emphasize that Sardar Abdur Rab Nishtar was ailing and, therefore, incapable of doing any work. The Muslim League could not become an active organization so long as Sardar Nishtar remained at the helm of affairs in the organization. Mian Mumtaz Daultana taking a strong exception to Chaudhry Khaliquzzaman's proposal said that, the Muslim League would split if Sardar Nishtar was ousted from the Presidentship. He emphasized that Nishtar's personality was a great asset to the Muslim League.⁶¹¹

In spite of his ailing health, Nishtar did not take rest and concentrated all his energies in making the Muslim League a mass organization. He was determined to get the country rid of the intriguers and to revive democratic institutions in the country. The question arises that if Nishtar was so popular among the masses, why did he not launch any movement against the action of Ghulam Mohammad? Abdul Ghayur says: "Nishtar always thought for the betterment of the country and his people. He was in a better position to start campaign against the action of the Governor General as he had support from the masses as well as from various political leaders. But he did not launch any disobedience movement because he knew that it would be harmful for his country".⁶¹² According to Abdur Rauf Seemab: "Nishtar never liked the policy of confrontation. He was a peace lover and believed that all the problems could be easily solved through friendship provided both the parties were sincere to each other. He was of the view that confrontation leads to destruction of both the country and the people".⁶¹³ Haji Malik Shad Khan' remarks: "Since his joining the Muslim League, his only aim was to make

⁶¹⁰ Interview with Sher Mohammad Khan.

⁶¹¹ *The Daily Pakistan Times*, Lahore, January 26, 1958, p. 2.

⁶¹² Interview with Abdul Ghayur.

⁶¹³ Interview with Abdur Raof Seemab.

the party stronger and to restore democracy in the country. He always spoke from the platform of the Muslim League for the fundamental rights of the people. He worked for the organization with honesty and sincerity and sacrificed his life for the Muslim League. He was a great soldier and a sincere leader after Quaid-i-Azam and Liaquat Ali Khan".⁶¹⁴

Nishtar was a heart patient. He had been suffering from cardiac asthma and blood pressure since 1953. He died of heart attack on February 14, 1958 at 06.48 a.m. in the morning in Karachi.⁶¹⁵ At the time of his death, he was about 59 years of age. On his sad demise the flags flown at half-mast on all the state buildings as a mark of respect to the great departed leader. All business and other institutions were closed to share the national grief. Thousands of citizens and the Muslim League workers reached his residence to pay homage to their loving leader.

It was demanded by the people that Nishtar should be buried inside the Mazar of Quaid-i-Azam. The proposal was rejected by Feroz Khan Noon, the then Premier on the plea that within the tomb of Quaid-i-Azam, to bury some else, would be against the prestige of the Quaid-i-Azam, the Father of the nation. This annoyed the people very much and huge demonstrations took place demanding the burial of Nishtar near the Quaid's tomb. It was Miss Fatima Jinnah who allowed that Nishtar should be buried near the tomb of her brother, as he had been his sincere and honest lieutenant.⁶¹⁶ Nishtar was buried by the side of Quaid-i-Azam according to the wishes of the people. At the occasion of sad demise of Nishtar, Anwar Jullundary wrote an elegy which was highly acclaimed.

⁶¹⁴ Interview with Hail Malik Shad Khan.

⁶¹⁵ The *Daily Dawn*, Karachi, February 15, 1958, p. 1.

⁶¹⁶ Mohamtad Haneef Shahid, *op.cit.*, p. 4.

CONCLUSION

Nishtar occupies a place of eminence in the history of Pakistan. He was one of the top-ranking leaders of the freedom movement. He plunged into politics since the Khilafat days and his social, religious and political activities, above all his deep affiliation to Islam, helped him in formulating his political ideas and his career as a noble and respected statesman.

Like his supreme leader, the Quaid-i-Azam, he believed in service above self. In fact, his life was of unremitting service to his people and to his country. He associated himself first with Maulana Mohammad Ali Jauhar and then with the AINC, not for his own sake but for the sake of his co-religionists. Very soon he realized that the AINC was a party which aimed at the uplift of the Hindus only and thus he separated himself and worked independently for the betterment of the people of his province. The British bureaucracy in the NWFP still held its sway over the province and it was not easy to voice popular feelings, but Nishtar proved to be an effective and a fearless advocate of popular cause in and outside the legislature. He joined the AIML in 1937 when it was re-organized under the leadership of Mr. Jinnah and until his end, he worked for it.

He never cared for any office not even as a reward for his services. Amidst various temptations to surrender principles at the altar of office, he stood steady and never wavered. His sincerity of purpose, his dedication to the cause, his devotion to duty are the things unmatched in the recent Pakistani leadership. They earned for him the gratitude of the nation and the esteem of, all the friends and foes alike.⁶¹⁷ According to Miss. Fatima Jinnah: "Nishtar worked sincerely and selflessly for the nation and won the hearts of people".⁶¹⁸ In the opinion of Mian Mushtaq Ahmed Gurmani: "He served so selflessly that he became the brightest star of the nation".⁶¹⁹

Nishtar was one of those few, very few persons, who stood steadfast to the ideology behind the movement after the fateful events of 1952. In fact, amidst the prevalent ideological confusion and gloom in the country, he stood as a beacon-light. In this role, Nishtar proved a true and worthy successor of Mr. Jinnah and Liaquat Ali Khan and like them died in harness.⁶²⁰ He was a born leader of men and had a personal magnetism all his own. His was not a pensive armchair leader, rather he was every inch a mass leader. He could speak to the masses in terms intelligible to them, he could move them to action, energetic action, through his powerful speech. Once Shabbir Ahmed Usmani said that "Nishtar's words are not only pricks but also have the

⁶¹⁷ Sharif-al Mujahid, *Sardar Abdur Rab Nishtar, An Appreciation*, The Daily Dawn, Karachi, February 16, 1958, p. 3.

⁶¹⁸ The *Daily Kohistan*, Rawalpindi, February 15, 1958, p. 1.

⁶¹⁹ *Ibid.*, p. 1.

⁶²⁰ Sharif-al Mujahid, *o .cit.*, p. 3.

soothing effect of the balm".⁶²¹ Excepting Mr. Jinnah and Liaquat Ali Khan, no other leader could become so dearer to the masses especially during the last few years of his life, as Nishtar had. Such had been his popularity that he could draw huge crowds wherever he went.

Since his joining the AIML, he became very close to Mr. Jinnah and then he remained very close to his leader. Prior to independence, Mr. Jinnah kept him on the fore-front for parleys with the British rulers and Nishtar proved his worth. On the establishment of Pakistan, Nishtar was given the responsibility of Communication Minister in the first cabinet headed by Liaquat Ali Khan. He was, assigned the task of Governorship of Punjab, when the province was facing the worst situation. He brought a sympathetic outlook to bear on the affairs of the province and placed them on an even keel. He also prepared the province for the fresh elections on the basis of adult franchise, the first of their kind to be held in Pakistan.

After the assassination of Liaquat Ali Khan and formation of new ministry by Khawaja Nazimuddin, Nishtar returned to the central government as Minister for Industries. It was a feature of Nishtar's character that he always stood loyal to his leader and adhered to his principles. To Mumtaz Daultana, "Nishtar was gallant in his work which he reflected in the frame of patriotism".⁶²² When Khawaja Nazimuddin's cabinet was dissolved by the arbitrary act of the Governor General, Nishtar supported Nazimuddin's stand that the Governor General was not justified in dismissing a cabinet which enjoyed the support of the majority of the legislature. Unlike some of his colleagues, Nishtar refused to join the new cabinet and also declined to accept any other position.

In 1956, Nishtar was called upon to assume the responsibilities of the Presidentship of the Pakistan Muslim League. His health had declined but he accepted the new responsibility for the sake of his country. With his characteristic devotion and enthusiasm, he set about re-organizing the League and infusing new life into it. He was a very elegant speaker and his speeches were instrumental in arousing political consciousness. In spite of the greatest personal peril the re-organization problem posed, he undertook the job and achieved the singular success in it. It may be said he worked himself to death. For these very reasons and because of the magnitude of his achievements, he was perhaps the greatest leader Pakistan had had after Mr. Jinnah and Liaquat Ali Khan and indeed the greatest President, the Pakistan Muslim League could claim during the period after his death. In bringing the Muslim League back to the ideological ground work, and in making the Muslim League really a party of the masses, Nishtar made such a significant contribution to the cause of Islamic ideology and of democracy in Pakistan that it can never be underrated. Mian Mumtaz Daultana

⁶²¹ *The Daily Morning News*, Karachi, February 14, 1971, p. 3.

⁶²² *The Daily Kohistan*, Rawalpindi, February 15, 1958, p. 1.

observed: "He rowed on and on the perilous boat of Islam in the ocean of time facing all the impediments in his way".⁶²³

Nishtar opposed dictatorial trends and advised the people to follow Quaid-i-Azam. When the bureaucracy was trying to impose dictatorship on the country during the late 1957, Nishtar declared that the Muslim League would resist any attempt for imposing dictatorship in the country. He believed that the constitution should be strictly followed by the ruling party. He asked the people in power to preserve the constitution and follow it in the letter and spirit in a religious way. He warned the ruling party that he would not allow the installation of authoritarian rule in the country. He said: "Any one entertaining any such idea, was a fool and that fool should know that even the Quaid-i-Azam who created the country, never, thought of becoming a dictator how anybody else could be allowed to carry out such nefarious ambitions".⁶²⁴

Nishtar had dynamism in him. There was an instructive variety in his speech. His comprehensive grasp not only in principles but in details of the subject about which he was called upon to speak was something astonishing it was his mastery over substance and language that gave his words their force. He was of the view that "whether a person called himself a politician or not, the fact remains that every citizen of state practices politics in one form or another. Politics had an, art or a practical side and also a scientific side, though many who practice the art of politics did not consider it necessary to study the scientific side. In his, opinion politics was of special importance for Pakistan because Islam marked a definite departure from other theories, which separated politics from ethics and religion. It is the basic belief of the Muslims that Islam is a code of life covering the individual as well as collective lives".⁶²⁵ He never ignored the religious aspect and always pleaded for it wherever he went, whether in a public meeting or as an official. As Maulvi Tameezuddin observed: "Nishtar was well acquainted with Islamic traditions and modern-knowledge which gifted him the quality of becoming a leader".⁶²⁶ In the opinion of Abu al Hashim: "He was one of the limited eminent personalities who were familiar with the principles of Islam."⁶²⁷

Nishtar was a man of the firm determination. Mian Mumtaz Daultana said: "Firm faith, unwavering determination and foresightedness were Nishtar's distinguished qualities".⁶²⁸ In the opinion of Nasim Hijazi, "Nishtar was like a firm rock in the way of political intriguers and the bureaucrats. He was always ready to stand against such forces and face the consequences".⁶²⁹ No efforts from any quarter could malign him. As

⁶²³ *Ibid.*

⁶²⁴ *The Daily Dawn*, Karachi, September 13, 1957, p. 8.

⁶²⁵ *The Civil & Military Gazette*, Karachi, March 6, 1950, p. 1.

⁶²⁶ *The Daily Jang*, Rawalpindi, February 15, 1958, p. 1.

⁶²⁷ *Ibid.*

⁶²⁸ *The Daily Kohistan*, Rawalpindi, February 15, 1958, p. 2.

⁶²⁹ *Ibid.*

a person Nishtar was a thorough gentleman. He had noble aptitude and was a fair politician, who was never admired by the opponents and the rejected politicians.⁶³⁰ Nasim Hijazi opined: "Nishtar was a cultured and a complete gentleman".⁶³¹ He always followed a straightforward policy and never adopted duality. He was firm in his determination and actions. The conspiracy, bargaining, and materialism were unknown to him. He was a devotee of Pakistan and in principles, a follower of Mr. Jinnah.⁶³²

Besides political activities, he also carried a literary taste. His poetry portrays his viewpoint on different aspects of life. His supreme honesty and high aims of life are clearly evident from his verses. He took proper steps for the welfare of the country and nation by taking active part in practical politics and also wrote such poetry for intellectual development of the people at large which is a land-mark in the history of literature at national level. His poetry envisages his character as a true and devoted lover of Islam. He had great sympathies for the Muslims wherever unpleasant incident happened to the Muslim nation. His poetry is full of high power of intellect, imagination, narrative art and foresight. The beauty of truth, beam of life and grasp on facts are the prominent features of Nishtar's poetry.

Nishtar had a political acumen and some of his predictions came true. He was of the view: "If the leaders of West and East Pakistan did not make efforts to remove the misunderstandings from the minds of East Pakistanis, this mental gulf would become a geographical gulf".⁶³³ He was of the view that the people of East Pakistan are much sensitive and this was the responsibility of national leaders to remove it. His prophecy came true and that wing of the country emerged as a separate state on the map of the world within eighteen years of his prediction.

Some people are of the opinion that Nishtar lacked a decision-making power. Had he possessed this quality, he would have launched a movement against the Governor General when the ministry of Khawaja Nazimuddin was dissolved. But it can be argued that he had a democratic mind and a democrat always takes a decision after a very cool and deep thinking. He might have not launched the movement as it could endanger the interest of the nation.

An observation of Stephens Leacock was quite true in the case of Nishtar, a trusted lieutenant of Quaid-i-Azam: "A man trained by practice and expression finds means to turn casual incongruity of fact or language that crops up in the ordinary life in something broad and visible, dragging after it, perhaps, a sequence".

⁶³⁰ *Ibid.*

⁶³¹ *Ibid.*

⁶³² *Ibid.* Also see, *Qumi Zaban*, February 16, March 1, 1958, p. 1.

⁶³³ Agha Masood Hussain, *op.cit.*, p. 183-184.

His services were not for a political party but purely and essentially for the whole nation.