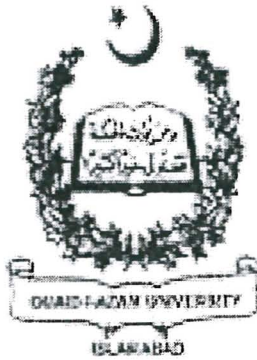




**MUHAMMAD ZAFRULLAKHAN: A RELIGIO-
POLITICAL STUDY**



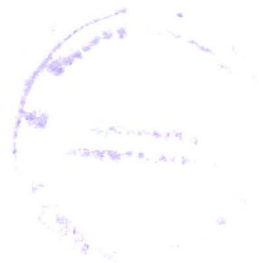
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DEPARTMENT OF HISTORY

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ISLAMABAD

2015



CANDIDATE'S DECLARATION

I hereby declare that the dissertation presently submitted bearing the title "Muhammad Zafrullah Khan: A Religio-Political Study" is the result of my own research and has not been submitted to any other institution for any other degree.

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SUPERVISOR'S DECLARATION

I hereby declare that the M. Phil Candidate Masood Ahmed Riaz has completed his dissertation titled "Muhammad Zafrullah Khan: A Religio-Political Study" under my supervision. I recommend it for submission in candidacy for the degree of Master of Philosophy in History.

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Final Approval

This is to certify that we have read the thesis submitted by Mr. Masood Ahmad Riaz and it is our judgment that this thesis is of sufficient standard to warrant acceptance by the Quaid-i-Azam University, Islamabad for the award of Master of Philosophy Degree in History.

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All the errors and deficiencies in my work are solely because of my own fault.

Masood Ahmed Riaz

Introduction

Statement of the Problem

Sir Muhammad Zafrulla Khan, a devoted Ahmadi and First full-time Foreign Minister of Pakistan, has considerably contributed to the freedom movement and has served the country during the initial phases of the movement. However, a little is known about his work in Pakistan. He has served Pakistan as a Foreign Minister, as the President of the United Nations (UN), and as the President of the International Court of the Justice (The ICJ).

Khan joined the Unionist Party of Sir Fazle Hussain (b. 1877 d. 1936) and soon became his trustee. He was not only trusted by Hussain, but also by the British and the top leadership of the All India Muslim League (AIML) as well. He became a member in the Viceroy's Executive Council; as a representative of the British India within the Commonwealth; and also as an Agent General of the British to China. Later on, he was appointed as a judge in the Federal Court of India.

When the partition plan for the independence of India was announced, Khan asked Sir Khizr Hayat Tiwana (b. 1900 d. 1975) of the Unionist Party to resign and gave a free hand to Jinnah and to the AIML for making the claim of Pakistan assertive. Additionally, he refused the offer of Nehru to serve India by becoming the First Chief Justice of the independent India; instead he decided to serve Pakistan as soon as he was asked by Jinnah (b. 1876 d. 1948). When he was appointed as the Foreign Minister of Pakistan, he enjoyed full confidence of the Cabinet; however, after the death of Jinnah, followed by the assassination of Liaquat Ali Khan (b. 1895 d. 1951), the *ulama* raised the slogan against Ahmadiyya Community, and demanded that Khan should be removed from his office. The demand of the *ulama* became so fierce that it forced Khan to resign from his office and to leave Pakistan.

When Khan disappeared from the political scene of Pakistan, he got an opportunity to build a positive image for the country in the international community. He was elected as a judge in the ICJ and then Ayub Khan (b. 1907 d. 1974) asked him to serve the country by accepting the office of the “Permanent Representative of Pakistan” at the United Nations (UN). Fortunately, Khan was elected as the President of the UN and he became a symbol of Pakistan by representing the country across the globe.

When Khan completed his tenure as the President of the UN, he was again elected as a judge at the ICJ, and continued to serve there, until he became the President of the ICJ. Khan became the first Asian who got the honor of becoming the President of the ICJ, and the only one who became the President of the UN as well as of the ICJ. During his impeccable international career, Khan preferred to be called as a Pakistani, but when he came back to Pakistan to breathe his last part of life, he found himself to be non-Muslim.

Khan’s contributions in the field of the history are multi-facet; he was seen as struggling for the independence of India, then acting as a trustee of Jinnah, defending the case of the AIML before the Boundary Commission, and then struggling for the creation of Pakistan. Soon after the creation of Pakistan, he was seen as establishing the office of the Foreign Service of Pakistan and representing the country in the international world. He was seen as defending the case of the Kashmir and Palestine at the UN. Furthermore, he struggled for the freedom of the Muslim Countries especially in the Arab World.

If Khan was a traitor or an agent of the British, then Jinnah would have been the first person to disown him instead he not only asked accredited Khan for his contribution for the country besides Khan enjoyed the trust and confidence of the Jinnah.

Significance and Scope of the Study

Khan was one of those personalities whose name has been cloaked because of his religious identity. Khan not only played his role in the making of Pakistan but also served as Foreign Minister of Pakistan, including serving different national and international portfolios in his entire life.

He remained a member of All India Muslim League by presenting and promoting the cause of the Muslims to the British also served different key positions on which he was appointed by the British. He remained a trustee of Mr. Jinnah and was given the task to defend the case of the Muslim League in front of the Radcliff Boundary Commission. He was the one to whom Jinnah had given the clout to declare pronouncement without consulting him. He was having the full support of the Cabinet, but still he was forced to resign. The research will try to spotlight on his contributions that he rendered for the country while enjoying the position as Foreign Minister of Pakistan.

Interestingly, Khan was among those who earned an international repute for his country. He served as the President of the UN General Assembly, as a judge in ICJ and then as its President. After serving internationally and during his last days, he came back to Pakistan and was buried in the same soil from where he roused to such a high prestige.

Review of the Literature

Pervez Perwazi, the author of the book, *Sir Zafrulla's Contribution to the Freedom Movement* (2011) has narrated the role of Khan during the period in which he was an associate in the Viceroy's Executive Council. He has mostly relied on the correspondence of Khan which was taking place between him and the British clout. Greater portion of the book covers the memorandum that Khan has written the instructions for Lord Linlithgow. However, this book

does not embrace any critical analysis rather it is an eloquent description of the proceedings, and the book winds up with the creation of Pakistan. Moreover, the author has failed to discuss about the religious identity of Khan, and has also ignored the point of view of the masses that was in opposition to Khan. In short, the book has various shortcomings. As a result, it cannot be read as a complete book providing information about Khan's life and achievements. In this book, the research not only gives a portrayal of Khan's way in into the politics, but also highlights his religious role. Moreover, an investigation has also been carried out that how far the memorandum written by Khan was used by the leaders of Muslims League who adopted it in the shape of the Lahore Resolution. The research also covers the period subsequent to the creation of Pakistan till the last days of Khan in Pakistan.

Muhammad Nasrullah Raja's book, *Tameer o Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar* (2010) narrates the version of the Ahmadiyya Community by highlighting the contributions of the Ahmadis for the welfare of Pakistan. This book by and large focuses on one feature, i.e. how the Ahmadiyya Community and its members played their role for the creation of Pakistan, and in the later days, how they served the country. Generally, this book focuses on the religious facet of the Ahmadiyya Community, and their clash with the *ulama*. This book is mostly based on argument of outsiders mitigating the role of Ahmadis as being devoted to the welfare of the country. Primarily, the research will focus on Khan, and the position of the Ahmadiyya Community. It also analyzes the religio-political input of Khan, and critically analyzes the facts that to what extent Khan, and his Community played their role for the creation of Pakistan. Moreover, this research avoids the religious debate but only focuses on the part of Khan and the efforts done by him.

Dost Muhammad's book *Tehrikh-e-Pakistan aur Jamaat-i-Ahmadiyya* (n.d.) defines the role of the Ahmadiyya Community during the freedom movement. By defining the role of the Ahmadiyya Community, the author highlights the contribution of the members of that community who provided their best efforts for the creation of Pakistan. Moreover, the author argues that the Ahmadiyya Community did their best for the creation of Pakistan, but after the death of Jinnah, members of this Community were declared as traitors and staunch opponents of Islam. Consequently, the focus of this book is to elaborate the services rendered by the Ahmadiyya Community for the cause of the country. However, the research not only analyzes the role of Khan during and after the freedom movement but it also tries to focus on the origin of the Ahmadiyya Community, their beliefs, and then testifies the argument of the Ahmadiyya Community in terms of their services rendered by them for the creation of Pakistan.

Cosmic Anger: Abdus Salam-The First Muslim Nobel Scientist (2008) authored by Gordon Fraser, defines that Abdus Salam was the first Muslim Nobel scientist from Pakistan, but he was barely privileged in his country. The reason was because he was an Ahmadi by faith. Discussing auxiliary, the author argues that the Ahmadis in Pakistan suffer the same destiny as was faced by Abdus Salam. Then the writer focuses on the life and accomplishment of Khan. The author says that Khan seemed to be the only one who was the most appropriate attaché at that time but because of being an Ahmadi, he was never accredited, rather he was criticized to such an extent that he was strained to leave the country. However, he still attempted and served his country at different forums at the international level. This book is primarily written on the life and achievements of Abdus Salam and it barely tries to define the role of Khan during his entire career, whether it be his political career or religious one. This book did not provide complete detail either about Khan or about the Ahmadiyya Community; rather it is a survey book for the

basic understanding of the origin of the Ahmadiyya Community, and the services rendered by the members of that Community. The research tries to analyze the fact that to what extent the religious identity of Khan was distressing his political vocation in the history of Pakistan, and to what extent the Ahmadis are being victimized in Pakistan. Moreover, the research will be wholly focusing on the life and contributions of Khan. It will also be discussing the beliefs of the Ahmadiyya Community due to which the Ahmadis were being persecuted in Pakistan.

Muhammad Raza Kazmi, in his book *Liaquat Ali Khan and the Freedom Movement* (1997) highlights the role of Liaquat Ali Khan that he played for the making of Pakistan. While analyzing the role of Liaquat Ali Khan, the author discusses the role of those who had been cloaked in the pages of history of Pakistan. The author describes that how relentless was the criticism against Khan, when he was about to be appointed as the successor to Sir Shafi of Muslim League. Khan remained the most controversial figure because of his religious identity but keeping the merit intact; Sir Muhammad Yaqub appointed him as the President of the Muslim League, and was honored to chair the Delhi session of Muslim League in 1931. By such a pronouncement, Yaqub lost his esteem among the members of the League.

There are certain inherent shortcomings in this book. For example, this book fails to discuss the entry of Khan into politics, and it also fails to discuss the portfolios held by Khan during the British rule in India. This book only presents one side of the story that Khan was a controversial figure during his entire political career. Thus, the author fails to highlight the portion in Khan's life when he was elected by the masses from the constituency of Sialkot. Consequently, the research will try to intricate the entire role of Khan in the freedom movement of Pakistan, and also the behavior of the Muslim rulers towards him. It will discuss that Khan

was not always opposed by the masses, neither people lost their reputation when they supported Khan. The research then relates the relationship of Khan with Jinnah.

Shashi B. Sahai in his book, *South Asia: From Freedom to Terrorism* (1998) explains the origin of Pakistan and its drifting into terrorism. The author tries to defend the argument that the creation of Pakistan seems to be for the encouragement of terrorism. The author also tries to illustrate that those who sought peace were sidelined in Pakistan. And besides discussing the issue of Kashmir, the author highlights the role of Khan, that while defending the case of Kashmir for Pakistan in UN against Krishna Menon from India, the Pakistanis were raising the slogans that he (Khan) was trying to get Kashmir for Qadianis. The writer argues that the one who did much for his country was under fire at abode for the reason of his religious identity as being an Ahmadi. The research tries to defy the misinformation that Pakistan was fashioned to sponsor terrorism, additionally the research will argue that Pakistan always tried to litigate for peace. The research will also discuss the role of Khan that he played as being the Foreign Minister of Pakistan. Moreover, the research also tries to highlight that, if on one hand Khan was criticized by the masses, then on the other hand, he was supported by the government and it was because of the support from the government that Khan was able to acknowledge his successes.

Wali Khan's book, *Facts are Facts: The Untold Story of India's Partition*, trans. Sayeda Saiyidain Hameeda (1987), narrates such events that were kept unknown to the commoners in Pakistan. The argument of his book is based on a chauvinistic perspective, aimed at criticizing the actions and policies of the government. By highlighting the role of Khan for the Indian Muslims, he also criticizes the All India Muslim League for forbidding him from screening his name anywhere in the movement, whether it be the case of Round Table Conferences (1930-32) in London, or the drafting of Lahore Resolution 1940 or any other event. This book only covers

few dealings related to Khan and its squabble is based on criticizing the Muslim League and its cream of the crop. The research not only covers the role that was played by Khan in the entire epoch of freedom movement, but also discusses its religio-political uniqueness in the history of Pakistan. The research will also counter the aim of the book that Pakistan was created because of Khan, who was an Ahmadi, thus Pakistan failed to be an Islamic state. The research will focus on the role of the leaders of freedom movement who were involved in making of Pakistan. Furthermore, the research will draw attention to the role of Afghanistan in opposing the creation of Pakistan and underscore the claim of the author of the book that Pakistan was created to be a non-Islamic state.

Hypothesis

The research shows that the leadership of Pakistan Movement did concede the services of Khan which he rendered for the creation of the country, irrespective of Khan's religious identity as being an Ahmadi. It was the leadership of the Pakistan Movement especially Jinnah, who judged the abilities and competence of Khan, and appointed him as the Foreign Minister of Pakistan. Additionally, Jinnah gave him the task to defend the country in the international world. However, the case for the masses was totally beyond understanding as they not only criticized Khan for his religious identity but also forced him to resign from his position.

Methodology

The research will be descriptive cum analytical. Facts would be dug out and then analyzed in orientation to the accessible literature. Moreover, the facts will be described at length so as to give a clear depiction of the proceedings and of the concepts for making the research qualitative and quantitative clear enough to be understood easily. Primarily, the research will be library

oriented research, but it will also use other tools of research such as interviews and surveys. The methodology used in the research will be according to the Turabian Manual.

Organization of the Study

The research is divided into five chapters. The first chapter discusses the origin of the Ahmadiyya Community and its beliefs, and elaborates how Khan became a member of Ahmadiyya Community. Why the religio-political role of Khan is to be studied? How was he serving his Community before his entry into the politics? Subsequently, second chapter highlights the role of Khan in the freedom movement of Pakistan as a politician, a judge and a representation of the Indians; this era covers the time period from 1926 till 1947. It will try to highlight the impacts of Khan's religious distinctiveness upon his political vocation. It discusses that how effectively Khan played his political role during the freedom movement for the creation of Pakistan. Did his religious identity posed difficulties in his way during the freedom movement? What was the retort of the Muslim ruling elite and the hoi polloi towards Khan in terms of his religious identity? And, third chapter focuses on the role of Khan while he was presenting the Indian Sub-Continent in the global world, and asking the members of the international world to lend a hand to India for winning independence. What idiosyncratic position was he holding in the British India, and how his position helped him to defend the case of a sovereign state for the Muslims of the Sub-Continent? Whether the portfolios that Khan held were because of his affiliation with his community? Was he an agent of the British and gratifying their scheme of divide and rule? Fourth chapter will converse the role of Khan as the Foreign Minister of Pakistan (1947-54) and the role he played for the newly created state. How he pleaded the case of the Arab World in the UN? Whether his religious identity was affecting his role as the Foreign Minister of Pakistan? Whether he was forced to resign from the post of his

Foreign Ministry because of his religious identity? The Fifth Chapter will be dealing with the role of Khan as an icon of the international world. How he was able to present his country when he was elected as the President of the UN? Furthermore, how did he lend a hand to his community when he was the President of the UN? How was he elected as the President of the ICJ and how was he able to disseminate the views of his Community while serving on the top portfolios of the international world? What was the response of Khan, when his Community was declared as non-Muslim in Pakistan? Whether such a decision had impinged his loyalties for his country? How was he treated when he came back to Pakistan during the last days of his life?

Chapter 1

The Origin of Ahmadiyya Movement and Zafrulla Khan

This chapter explores the origin of the Ahmadiyya Movement as a distinct Community (distinct in the sense that they have different beliefs as compared to mainstream Islam). This chapter will also elucidate the doctrines and beliefs of the Ahmadiyya Community, and will explain the viewpoint of other sects regarding the Ahmadiyya Community. Additionally, this chapter will explain the verity that how Khan joined the Ahmadiyya Community, and became an Ahmadi.

1.1. British Rule in the Indian Sub-Continent and the Origin of the Ahmadiyya Movement

The Muslims hold the belief that Islam is a universal religion, and at the end of every century, it (Islam) is revived through reformers (*Mujadids*)¹. The appearance of the reformers started from 712 A.D.² and will continue till the coming of Jesus (i.e. the time when the Day of Judgment will be near). The Holy Prophet Muhammad PBUH is reported to have said, “Allah shall raise for this *ummah*³ at the head of every century a man who shall renew (or revive) for the *ummah*, its religion.”⁴ The reformer who appeared in the first century, i.e. of the Islamic calendar, not only revived the teachings of the Islam, but also solved the challenges that were faced by the Muslim

¹ “Renewer of Religion” in Edward E. Curtis, IV, *Black Muslim Religion in the Nation of Islam, 1960-1975* (North Carolina: University of North Carolina Press, 2006), 47.

² The *Mujadids* of 1st century were Umar bin Abd al-Aziz and Abu Hanifa. For the list of *Mujadids*, see appendix I.

³ The term, Muslim *ummah* “refers to the concept of a global Islamic community which transcends the concept of citizenship in sovereign nations” in A.H. Jaffor Ullah, “My Problems with the Concept of Ummah” ed, Kim Ezra Shienbaum, and Jamal Hasan, in *Beyond Jihad: Critical Voices from Inside Islam* (Bethesda: Academica Press, 2006), 157.

⁴ Sunan Abu Dawood, *Kitab-al-Malahim (Battles)*, Book 37, Hadith # 4278.

ummah at that time.⁵ The efforts of the reformers were to unite the Muslim *ummah* and to prove that Islam is the advanced religion in the whole world. It is quite fascinating that at the closing stage of every century, the Muslim *ummah* seemed not only to be wandering away from the fundamental teachings of the Islam; but it also witnesses new challenges; state of absolute perplexity, and various impenetrable problems, and was in an ominous want of a reformer.⁶

It is not an exclusive phenomenon that initially the reformers were opposed, but later on they were accepted as the *Mujadids* of that time. The achievements of the European nations after the Industrial Revolution of 1700s⁷ enabled them to instigate their policy of expansion across the globe. Such expansions were in progress at a time when the Muslim world was witnessing its breakdown. Consequently, the European nations emerged as a challenge for the Muslim world.

With the materialization of imperialism (between 15th to 18th century)⁸, the Western countries started exploring the world in hunt of natural resources, i.e. in the shape of raw materials. The first one to appear on the soil of the Indian Sub-Continent were the Portuguese (1500s)⁹, who were followed by the Dutch (1600s)¹⁰, then the latter were succeeded by the British, who later on colonized the Indian Sub-Continent in post 1857, and, the last one to step

⁵ Hakikat Kitabevi, *Islam's Reformers*, (Istanbul: Waqf Ikhlas Publications, 2000), 56.

⁶ Prophet Muhammad PBUH said, "Should I inform you of the importance of this night? From this night onwards, right up to the end of 100 years, that person who is alive on the earth (presently) will not be alive." *Sahih-Bukhari*, Book 3, Hadith # 1, 116.

⁷ N.F.R. Crafts, "Industrial Revolution in England and France: Some Thoughts on the Question 'Why Was England First?'" ed. Joel Mokyr, *The Economics of the Industrial Revolution* (Maryland: Rowman and Littlefield Publishers, 1985), 128.

⁸ "Imperialism is a state policy, practice, or advocacy of extending power and dominion, especially by direct territorial acquisition or by gaining political and economic control of other areas. Because it always involves the use of power, whether military force or some subtler form, imperialism has often been considered morally reprehensible, and the term is frequently employed in international propaganda to denounce and discredit an opponent's foreign policy," Accessed on 11-4-2014, <http://www.britannica.com/EBchecked/topic/283988/imperialism>.

⁹ Frederick Charles Danvers, *The Portuguese in India: Being a History of the Rise and Decline of Their Eastern Empire, Vol. I* (New Delhi: Asian Educational Services Publication, 2003), 1.

¹⁰ Nelly Hanna, *Making Big Money in 1600: The Life and Times of Isma'il Abu Taqiyya, Egyptian Merchant* (New York: Syracuse University Press, 1998), 76.

on, on the soil of the “Golden Sparrow”¹¹ were the French.¹² At that time, the British not only started utilizing the resources of the Indian Sub-Continent for its development,¹³ but it also started its Missionary activities in the Indian Sub-Continent. Such Missionary activities were designed to converting the masses into Christianity, so as to make them the loyal subject of the British Empire.¹⁴

In 1813, the Christian Missionaries started their activities in the locality of the Punjab, because it was an area where the people used to hail new ideas.¹⁵ But at the same time, the people of the Punjab were emotional and sensitive in terms of their religion.¹⁶ So, the Punjab became the leading target of the Christian Missionaries. Thus, it considerably suffered at the hands of the Christian Missionaries. Interestingly, at the same time, the Punjab also proved to be the mushrooming ground of the Ahmadiyya movement.¹⁷

Mirza Ghulam Ahmad¹⁸ (b.1835 d.1908), the founder of Ahmadiyya Community, has traced his descent from Persia. The Ahmadiyya sources narrates that the ancestors of Ahmad hailed from Persia, and it was during the reign of Mughal Emperor Babur (r. 1526-30), that the forefathers of Ahmad migrated to India and settled at the fringes of Lahore. The place where

¹¹ The British used to call the Indian Sub-Continent as a “golden sparrow (jewel of the East)” for its resources in, Gopal, *Politics of Convenience: Upset the Balance of Power* (Bloomington: Author House, 2011), 1.

¹² Sukanya Gupte, “Colonizing the Mind: Education and Literacy in Colonial India” ed., in Silvia Nagy, and Chantal J. Zabus, *Colonization or Globalization? Postcolonial Explorations of Imperial Expansion*, (Plymouth: Lexington Books, 2010), 57.

¹³ GoPal, *Politics of Convenience*, 1.

¹⁴ Penelope Carson, “Christianity, Colonialism, and Hinduism in Kerala: Integration, Adaptation, or Confrontation?” ed. Robert Eric Frykenberg, in *Christians and Missionaries in India: Cross-Cultural Communication Since 1500* (Cambridge: WM. B. Eerdmans Publication, 2003), 154.

¹⁵ Sewa Singh Kalsi, *Religions of the World: Sikhism* (New York: Chelsea House Publishers, 2005), 80.

¹⁶ Ayesha Jalal, *Self and Sovereignty: Individual and Community in South Asian Islam Since 1850* (London: Routledge, 2000), 281.

¹⁷ Muhammad Ali, *The Founder of the Ahmadiyya Movement: A Short Study of the Life of Hazrat Mirza Ghulam Ahmad* (Wemblay: Ahmadiyya Anjuman Lahore Publications, 2008), 7.

¹⁸ Later in the thesis Mirza Ghulam Ahmad will be written as Ahmad, because of his sir name.

Ahmed's forefathers settled, it was named as Islampur.¹⁹ Ahmad's forefathers were allotted fiefs, and were given administrative powers²⁰ in their locality i.e. Islampur. Due to the high position of Mirza Hadi Beg²¹ as *Qazi* of that area, the village (Islampur) "was known as Islampur Qadi Majjhi, which was later on abbreviated as Qadi, and then it was named as Qadian."²² So, Qadian became the place where Ahmad's birth took place.²³

In 18th century, when the Sikhs captured the power, they confiscated the lands of Ahmad's family, and forced them to leave that area.²⁴ With the relocation, the family of Ahmad had to suffer a lot in terms of finances, but their affliction did not last for long, because shortly in 1846, the British uprooted the Sikhs.²⁵ Ahmad's family welcomed that change, i.e. the rule of the British, and so, during the war of 1857, they saved the lives of many British people and were rewarded a handsome pension.²⁶ So Ahmad's father always tried to get their land back but failed to produce any written records.²⁷ Ahmad had defined the act of his father in the following words:

The disappointment with its consequent sorrow and grief made a maelstrom life of my father and the sight of the same helped me to work a holy change in my own life, because the misery of his life reminded me of that immaculate life which was free from all worldly turmoil. He still remained master of few villages and received an amount from the British government in reward of good services, beside the pension of certain post he had held...if he had taken the same pain for the religion to make him a saint.²⁸

¹⁹ The ancestors of Ahmad "settled on a vast and fertile sub-Himalayan plain known by the name of Majjha, which was 70 miles away from Lahore. There the ancestors of Ahmad built a village, which was named as Islampur." Ali, *The Founder of the Ahmadiyya Movement*, 8.

²⁰ Ahmad's forefathers were appointed as *Qazi*. *Qazi* is "A magistrate or judge appointed by the ruler of a Muhammadan country. He should be an adult, a free man, a Muslim, a sane and un-convicted of slander." See Thomas Patrick Hughes, *Dictionary of Islam* (New Delhi: Asian educational Services, 2001), 225.

²¹ Hadi Beg was a Turk, so Ahmad also traces his ancestry with the Turks. See Spencer Lavan, *The Ahmadiyya Movement: A History and Perspective* (New Delhi: Manohar Publication, 1974), 22.

²² Ali, *The Founder of the Ahmadiyya Movement*, 8. After some time, Qadian was declared as an independent *jagir*, but when the Sikhs established their rule, they deprived Ahmad's family from their lands. *Ibid.*

²³ *Ibid.*, 7.

²⁴ Jalal, *Self and Sovereignty*, 291.

²⁵ Erik Goldstein, *Wars and Peace Treaties: 1816 to 1991* (London: Routledge, 1992), 84.

²⁶ Ali, *The Founder of the Ahmadiyya Movement*, 9.

²⁷ Lavan, *The Ahmadiyya Movement*, 26.

²⁸ *Ibid.*, 27-28.

But the efforts made by his father to acquire the land continued, till the responsibility of acquiring the lands came on the shoulders of Ahmad, (because he was the eldest son of his father).²⁹ Ahmad tried to get their land back, but found it a hard nut to crack, because the British asked him to produce written records-which he did not have and it was not possible without fabricating fake documents.³⁰ Ahmad also considered it as a wastage of time; because he used to spend most his time in reviewing the teachings of different religions.³¹ Likewise, he had acquired the basic education of the Holy Quran and the *Sunnah*³² of the Prophet Muhammad PBUH.

Ahmad's tendency of spending most of his time in studying religious literature worried his father, because Ahmad did not try to find a job to earn his livelihood. To obey his father, Ahmad (at the age of forty one) went to Sialkot and joined the British court.³³ It is to be noted that at that time, the language of the court was Urdu, but in 1920s and 1930, Urdu was stated as non Indian by Hindu extremists.³⁴ The death of his father bothered him, because he had to face the financial burden of his family. According to his writing, it was at that time when he received a revelation, "Is God not all sufficient for his servant?"³⁵

²⁹ Mirza Tahir Ahmad, *Absolute Justice, Kindness and Kinship: The Three Creative Principles* (Surrey: Islam International Publications, 2008), 232.

³⁰ Ibid.

³¹ Hafiz Sher Muhammad, *The Ahmadiyya Case*, trans. Zahid Aziz (Newark: Ahmadiyya Anjuman Ishaat Islam, 1987), 297.

³² *Sunnah* can be defined as "A word spoken or an act done or a confirmation given by the Holy Prophet Muhammad PBUH," in Muhammad Taqi Ussmani, *The Authority of Sunnah* (New Delhi: Kitab Bhavan, 1998), 6.

³³ Hasanat Ahmad Syed, *The Second Coming of Jesus Christ* (Bloomington: iUniverse, 2009), 81.

³⁴ Robert j. Stephens, "Hinduism in Independent India: Fundamentalism and Secularism" ed., in Robin Rinehart, *Contemporary Hinduism: Ritual, Culture, and Practice* (California: ABC-CLIO, 2004), 323.

³⁵ *Holy Quran* (39:36), "Is not Allah enough for his Servant? But they try to frighten thee with other [gods] besides Him! For such as Allah leaves to stray, there can be no guide." For the Claims made by Ahmad, see, Muhammad, *The Ahmadiyya Case*, 115.

Ahmad assured himself of a Divine help and directed his energies towards his religious errands. At that time, Ahmad was an anonymous person in the town of Qadian.³⁶ He started to become a public figure when he encountered Pandit Kharak Singh, who later became a Christian,³⁷ and Pandit Shiv Narain Agnihotri of Brahma Samaj³⁸ in Lahore. Maulvi Muhammad Hussain Batalvi (b. 1840, d. 1920)³⁹ was his closest friend as both were having the same views about Islam.⁴⁰ With the passage of time, Ahmad got recognition among the Muslims and became famous for his acts of countering the opponents of Islam by his arguments and wittings. Few people even started considering him as the reformer of the Fourteenth Century.⁴¹

In 1882, when Ahmad claimed to be the reformer of the Fourteenth Century⁴², his claim was welcomed by the Muslims of that time.⁴³ It was because of the fact that he had been shielding Islam against the opponents.⁴⁴ It went on, until, in 1891, he made the claim that he is the *Mahdi*⁴⁵ and the Promised Messiah.⁴⁶ Before his claim of 1891, the Christians Missionaries

³⁶ Mirza Masroor Ahmad, *The Essence of Islam: Extracts from the Writings, Speeches, Announcements and Discourses of the Promised Messiah Hazrat Mirza Ghulam Ahmad of Qadian, Vol. III*, (Surrey: Islam International Publication, 2005), 430.

³⁷ He was a Sikh, but when he encountered Dr. Henry Martyn Clark, he not only became a Christian, but also started attacking Arya Samaj. See Kenneth W. Jones, *Arya Dharm: Hindu Consciousness in 19th-Century Punjab* (Berkeley: University of California, 1976), 143.

³⁸ “Brahmo Samaj was a quasi-Protestant, theistic movement within Hinduism, founded in Calcutta in 1828 by Ram Mohun Roy. The Brahmo Samajist did not accept the authority of the Vedas, and discards the Hindu rituals and adopts some Christian practices in its worship. Influenced by Islam and Christianity, they denounce polytheism, idol worship, and the caste system prevailing in Hinduism.” Accessed in 13-04-2014, <http://www.britannica.com/EBchecked/topic/77198/Brahmo-Samaj>.

³⁹ Batalvi was a 19th century, religious scholar of *Ahl e Hadith* in British India. See Ayesha Jalal, *Partisans of Allah: Jihad in South Asia* (New York: Harvard University Press, 2008), 159.

⁴⁰ Lavan, *The Ahmadiya Movement*, 31-32.

⁴¹ *Ibid.*, 10.

⁴² Kenneth W. Jones, *Socio-Religious Reform Movements in British India, Volume III* (Cambridge: Cambridge University Press, 1989), 116.

⁴³ Kambiz GhaneaBassiri, *A History of Islam in America* (New York: Cambridge University Press, 2010), 208.

⁴⁴ *Ibid.*

⁴⁵ “In Islamic eschatology, *Mahdi* is a messianic deliverer who will fill the earth with justice and equity, restore true religion, and usher in a short golden age lasting seven, eight, or nine years before the end of the world.” Accessed on 13-04-2014, <http://www.britannica.com/EBchecked/topic/358096/Mahdi>.

⁴⁶ J. Norman D. Anderson, *Islamic Law in Africa*, (New York: Frank Cass and Company, 2005), 357. “Messiah is the title of Jesus of Nazareth, indicative of the principal character and function of his ministry. More loosely, the

were menacing Islam, and at that time, it was Ahmad who encountered them by arguments through his writings.⁴⁷ In order to prove the superiority of Islam, Ahmad wrote a book known as *Barahain-e-Ahmadiyya*⁴⁸. Regarding *Barahain-e-Ahmadiyya*, Maulvi Muhammad Hussain Batalvi wrote:

In our opinion, from the point of view of the modern age, this book stands unique in the history of Islam. No book has ever been published like it in the past, and we cannot say anything about the future, which is known only to God. The perseverance of the author in the service of Islam, through his life, his energy, pen, tongue, and every form of activity is almost unprecedented amongst Muslims. This should not be taken as Asiatic exaggeration. We challenge anyone to show us the like of this book.⁴⁹

Maulvi Muhammad Hussain Batalvi did not stop but went to the extent by saying that if anyone was the *Mahdi* of Fourteenth, then he was Ahmad.⁵⁰ Regarding *Mahdi* of Fourteenth Century, Ahmad quoted the tradition of the Holy Prophet Muhammad PBUH, which says that “there is no *Mahdi* but the Messiah.”⁵¹ Thus Ahmad started to claim that “he was also the Messiah”, and as a reaction to his claim, the *ulama* questioned the validity of the traditions quoted by Ahmad.⁵²

1.2. Series of Claims by Ahmad

In 1882, when Ahmad claimed to have received the first Divine Revelation confirming his claim to be the *Mahdi*, then in 1891, he made another claim that “Jesus son of Mary is dead and he (Ahmad) is the Jesus (the Promised Messiah).”⁵³ After pronouncing this claim, Ahmad was

term messiah denotes any redeemer figure; and the adjective messianic is used in a broad sense to refer to beliefs or theories about an eschatological improvement of the state of humanity or the world.” Accessed on, 13-04-2014, <http://www.britannica.com/EBchecked/topic/377146/messiah>.

⁴⁷ Andrew Rippin, *Muslims: Their Religious Beliefs and Practices* (New York: Routledge, 2012), 302.

⁴⁸ Mirza Ghulam Ahmad, *Barahain-e-Ahmadiyya*, trans. Mirza Masum Beg (Lahore: Ahmadiyya Anjuman Ishaat-i-Islam, 1955).

⁴⁹ Accessed on 9-4-2014, <http://www.youtube.com/watch?v=ocK9I7BAE1w>.

⁵⁰ Ali, *The Founder of the Ahmadiyya Movement*, 24.

⁵¹ Muhammad Ali, *The Founder of the Ahmadiyya Movement: A Short Study of Life of Hazrat Mirza Ghulam Ahmed* (Wembley: Ahmadiyya Anjuman Lahore Publications, 2008)31. See also, Antonio R. Gualtieri, *Conscience and Coercion: Ahmadi Muslims and Orthodoxy in Pakistan* (Quebec: Guernica Editions Inc, 1989), 18.

⁵² Accessed on 10-04-2014, <http://www.ilaam.net/Brochures/Brochure-30.html>.

⁵³ Syed, *The Second Coming of Jesus Christ*, 93. To explain how Ahmad is, he said that he is the metaphoric coming of Jesus. Jesus refers to those qualities that were attributed to Jesus, such as the opposition of Jesus by his nation, Jesus attempt to bring justice and so on. To fully understand the concept related to Jesus, see, Mirza Ghulam

looked upon by the *ulama* as an evil figure in the British Empire. When his claim spread across the Sub-Continent, it boosted the hostility against him. Ahmad was not only criticized by the Muslims, but interestingly, the Christians, the Jews, the Hindus, and the Sikhs also started criticizing him.⁵⁴ Despite severe opposition, Ahmad did not impede to pull out his claims of *Mahdi*; rather he used to say that such oppositions were a mark of his prophecy.⁵⁵

1.3. Beliefs of the Ahmadis⁵⁶ and the Conditions of *Baiat*⁵⁷

The Ahmadis belief (as was claimed by Ahmad) that Ahmad was the reformer, the *Mahdi* and the Promised Messiah of the Fourteenth Century, whose appearance was foretold by the Holy Prophet Muhammad PBUH.⁵⁸ The claims by Ahmad were inimitable in their nature⁵⁹ so, when he tried to propagate them, he was exposed to such an opposition that endangered his life. His attempt to present Islam as a rational religion was not an innovation. Such efforts were also done by Sir Syed Ahmed Khan, and Maulvi Muhammad Hussian Batalvi, and it was said that ideologically their attempts had fragmented the Muslim Community into different sections.⁶⁰

Ahmad, *Jesus in India: Jesus' Deliverance from the Cross & Journey to India* (London: Islam International Publication, 2003), and Asad Farooq, *Jesus and Moses in India* (Bloomington: iUniverse, 2011).

⁵⁴ Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change* (New Jersey: Princeton University Press, 2002), 11.

⁵⁵ "This has also been fulfilled because every group in this land has tried its best to oppose and destroy me, but they have failed and no one nation can say that they have no person among them who have not taken any part in the effort to destroy me, but God almighty have honored me against their efforts and expectations." See, Hazrat Mirza Ghulam Ahmad of Qadian, *Lecture Lahore 1904 (Islam and Other Religions of the Sub-Continent)*, 24, accessed on 13-04-2014, <http://www.aaiil.org/text/books/mga/lecturelahore/lecturelahore.shtml>.

⁵⁶ Ahmad named his community as Ahmadiyya Community, and declared his followers as Ahmadis, but the *ulama* used to call the Ahmadis as Qadiyan or Mirzai or Ahmadi Qadiani. It is on the argument that Ahmad is the name of the Holy Prophet PBUH and Ahmadis are apostates, so they are not to be called as Ahmadis. See Marzia Balzani, "An Ethnographer Among the Ahmadis: Learning Islam in the Suburbs" ed. in Gabriele Marranc, *Studying Islam in Practice* (New York: Routledge, 2014), 123.

⁵⁷ *Baiat* means to show religious allegiance to someone.

⁵⁸ Wajid Mahmud Ibn Bashir, *Ten Reasons Why Israel Will Fail* (Bloomington: iUniverse, 2008), ix.

⁵⁹ The beliefs propagated by Ahmad were unique, because they were not accepted by the majority of the Muslims.

⁶⁰ Lavan, *The Ahmadiya Movement*, 2.

Sir Syed Ahmad Khan negated the authority of Caliph of Turkey and the same view was also held by Ahmad.⁶¹ At that time (19th century), the Ahmadiyya Movement was more associated to the ideology of Sir Syed Ahmed Khan and to that of Ahl-e-Hadith. It was in the sense that, both the Ahl-e-Hadith and Sir Syed Ahmed Khan denounced *Jihad* with sword, and so do Ahmad. But after some time, Ahmad started criticizing Sir Syed Ahmed Khan for being apologetic while representing Islam.⁶² When Ahmed made different prophecies to prove himself as the Promised Messiah, then his ideology broke away with every existing ideologies, and thus he was exposed to criticism by other groups. The ideas/beliefs propagated by Ahmad are enumerated as below.

i. Belief about Jesus

The Ahmadis hold the belief that Jesus son of Mary did not ascend to heaven with his physical body, rather his spirit was taken to the heaven, as it was done with spirits of every prophet after their physical death.⁶³ Furthermore, they argue that the Jesus survived the crucifixion and then left the Holy Land of Israel, wandering from Damascus to Afghanistan till he reached the valley of Kashmir.⁶⁴ The Ahmadiyya Community traces the tomb of Jesus in Srinagar Kashmir, popularly known by the name of “Rozabal Shrine” or the shrine of “Yus Asaf”.⁶⁵ The shrine got hype, when in 1899 Ahmad claimed that it was the tomb of Jesus.⁶⁶ Hence, he repudiated the

⁶¹ Ibid., 8.

⁶² Ibid., 12.

⁶³ Arif Humayun, *Connivance by Silence* (Bloomington: Xlibris Corporation, 2010), 66.

⁶⁴ Robert Sibley, *Jesus Secret: The Unknown Life of Jesus* (Trafford: Trafford Publishing, 2012), 274.

⁶⁵ Holger Kersten, *Jesus Lived in India: His Unknown Life Before and After the Crucifixion* (New Delhi: Penguin Books, 2001), 271.

⁶⁶ J. Gordon Melton, *The Encyclopedia of Religious Phenomena* (Canton: Visible Ink Press, 2008), 377.

beliefs of the Muslims that Jesus of Bani Israel was ascended to heaven with his physical body and will return as the *Mahdi* or as a Prophet.⁶⁷

Ahmad claimed that as the Jesus of Bani Israel is dead⁶⁸, so he cannot come back, so, the Muslims must accept him as the Jesus, i.e. in the metaphoric sense.⁶⁹ By declaring Jesus dead, Ahmad not only infuriated the Muslims but also compelled Christians to talk against him. But it was through his claim that the missionary work of Christians in the Sub-Continent was put to a halt.⁷⁰ For the Muslims, it gave birth to a basic question that how Ahmad would justify his claim that he was also the son of Mary⁷¹ even if he claimed to be Jesus in the metaphoric terms? The Ahmadis quote the verse of Holy Quran that states:

He it is who has sent down to thee the book; in it there are verses that are decisive in meaning-they are the basis of the book-and there are others that are susceptible of different interpretation. But those in whose heart is perversity pursue such thereof as are susceptible of different interpretations, seeking discord and seeking wrong interpretation of it. And none knows its right interpretation except Allah and those who are firmly grounded in knowledge; they say, 'we believe in it; the whole is from our Lord.' And none heed except gifted with understanding.⁷²

Ahmadis justify their argument by giving the answer that the example of a *Momin* (true follower of Islam) is defined in the Holy Quran by relating two such personalities. One is Bibi Asiya, (wife of Pharaoh) and the second one is Mary (mother of Jesus).⁷³ These are the two examples through which a *Momin* can be judged in terms of his/her piety and holiness.

ii. Belief About the Finality of the Prophet Muhammad PBUH

⁶⁷ Hank Hanegraaff, *Resurrection: The Capstone in the Arch of Christianity* (Tennessee: word Publishing, 2000), 9.

⁶⁸ Regarding the death of Jesus, see Mahmud Shaltut, *The Ulama of Egypt on the Death of Jesus Christ: A Fatwa* (Lahore: Anjuman Ishaat-i-Islam, 1947).

⁶⁹ Gualtieri, *Conscience and Coercion*, 19.

⁷⁰ Mohamed Arshad Ahmedi, *Rushdie: Haunted by His Unholy Ghosts: Edict on Freedom of Speech* (Bloomington: Author House, 2006), 32. See also, Mirza Ghulam Ahmad, *Four Questions by Mr. Siraj-ud-Din, a Christian, and their Answers* (Surrey: Islam International Publication, 2009).

⁷¹ Mirza Ghulam Ahmad, *Lecture Lahore: Islam in Comparison with Other Religions of India*, (Surrey: Islam International Publication, 2008), 49.

⁷² *Al-Quran*, 3:7.

⁷³ Accessed on 14-04-2014, <https://alislam.org/books/3in1/chap2/index.html>.

The interpretation for the term, *Khatim un Nabiyyen*⁷⁴ is interpreted by the Muslims as the last of the prophet, and they (Muslims) hold the argument that Prophet Muhammad PBUH is the last of the prophet, and after him no prophet can come.⁷⁵ But the Ahmadiyya Community interprets the term, *Khatim un Nabiyyen* in a sense in which it means “the seal of the prophets”, “the best of the prophets”, “the final and the last prophet.”⁷⁶ Last in the sense that “all the qualities and attributes of prophethood, found their most perfect and complete consummation and expression in him.”⁷⁷ For the Ahmadis, it means that no new prophet can come with a new *shariah*⁷⁸, but it does not mean that no prophet can come from within the Muslim *ummah*. They further argue that to deny the coming of any Prophet from within the Muslim *ummah* is against the sayings of the Holy Prophet Muhammad PBUH.⁷⁹ Furthermore, no one can claim prophethood, if he did not have the seal of the Prophet Muhammad PBUH upon his prophethood verifying his claim, i.e. he must be from the *ummah* of the Prophet Muhammad PBUH. Coming of a prophet from within the *ummah* of the Holy Prophet PBUH means the continuation of the spiritual succession of the Prophet Muhammad PBUH.⁸⁰ The Ahmadis argue that the claim made by Ahmad was never based on the concept that he had brought a new religion or had altered the laws of the Holy Quran.⁸¹ Moreover, Ahmad had claimed to have been divinely inspired in order to revive and establish the religion of Muhammad PBUH in the entire universe.⁸²

⁷⁴ There is a Difference in interpretation, done by the Muslims and by the Ahmadiyya Community.

⁷⁵ Maulana Wahiduddin Khan, *The Prophet Muhammad: A Simple Guide to His Life*, trans. Farida Khanam (New Delhi: Goodword Books, 2014), 189.

⁷⁶ Muhammad, *The Ahmadiyya Case*, 11, 185, and 319.

⁷⁷ *Ibid.*, 303.

⁷⁸ Islamic laws (both spiritual and moral), see Sohaib Sultan, *The Koran for Dummies* (New Jersey: Wiley Inc, 2004), 255.

⁷⁹ Rizvi, *Muhammad is the Last Prophet*, 50.

⁸⁰ Farzana Hassan, *Prophecy and the Fundamentalist Quest: An Integrative Study of Christian and Muslim Apocalyptic Religion* (North Carolina: McFarland and Company Inc, 2008), 55.

⁸¹ Peter Clarke, ed. *Encyclopedia of New Religious Movements* (New York: Routledge, 2006), 19.

⁸² *Ibid.*, 20.

The Ahmadis quote certain examples to justify the claims of Ahmad. The Holy Prophet PBUH used to call “Hazrat Ali Rz as *Khatim ul Auliya*, and his uncle Abbas Rz as *Khatim ul Muhajireen*.”⁸³ “Physicians have been called as *Kahatim ul Tibah*, the meaning of the word *Khatim* was clear among the Arabs, and it was used as a proverb.”⁸⁴ *Khatim* means reaching at its excellence. Regarding Prophet Muhammad PBUH, *Khatim* also means “the last Law Giver Prophet.”⁸⁵ Prophet Muhammad PBUH is also reported to have said that in the later days a prophet will come but he will be his subordinate, and that prophet was no one except, the Jesus.⁸⁶

a. Second Coming of the Jesus and the Finality of the Prophet Muhammad PBUH

Ahmad in order to justify his claim and to defy the belief of the Muslims regarding the finality of the Prophet Muhammad PBUH quoted to the example of Jesus by questioning different aspects of Jesus’ status and position. He argued that “if Jesus is still alive and is in the heaven then what is his status there?”⁸⁷ “Who witnessed the death of other? Whether Jesus saw Holy Prophet Muhammad PBUH dying or vice versa?” How unfortunate it is that when the time for coming of a prophet arrives then Jesus of Bani Israil has to come back to the world to reform the Muslim *ummah*.⁸⁸ On the other hand, the *ummah* of Prophet Muhammad PBUH will not be having any

⁸³ Ali, *The Founder of the Ahmadiyya Movement*, 71. For detail see, Ghulam Ahmad, *The Essence of Islam: Volume II* (Surrey: Islam International Publication, 2004). See, accessed on 14-04-2014, <http://www.al-islam.org/muhammad-the-last-prophet-sayyid-akhtar-rizvi/khatam-dictionaries-and-usage#abbas-khatam-ul-muhajireen>.

⁸⁴ Accessed on 14-04-2014, <http://ahmediorg.yuku.com/topic/741/KHATAM-As-used-by-Mirza>.

⁸⁵ Accessed on 14-03-2014, Ibid.

⁸⁶ Ya'Oco, *Concepts of Messiah*, 21.

⁸⁷ Accessed on 14-04-2014,

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=video&cd=5&cad=rja&uact=8&ved=0CEwQFjAE&url=http%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DRLTr_wet04I&ei=ceZLU-7MAeix4wTV54CwDw&usg=AFQjCNE7dyq9z7dOM0ydnZLBxEY-dEhEdA&sig2=0keg9iXC-ODOS2MSOg2y6w&bvm=bv.64542518.d.ZGU.

⁸⁸ Accessed on 14-04-2014,

such person to guide his *ummah*.⁸⁹ Under this condition, who will teach Holy Quran to Jesus if he ascends to the earth from the heaven? If Jesus will receive revelation directly from the God Himself, then why Prophet Muhammad PBUH did not receive any such revelation? If Jesus will receive revelation through Gabriel then the *ulama* are of the view that after Prophet Muhammad PBUH, the doors of *wahy*⁹⁰ are closed forever.⁹¹ So where does go the superiority of the prophet's *ummah* if they would not be guided by Allah.⁹² Where is the continuation of blessings of Prophet Muhammad PBUH, when he has neither physical successor nor any spiritual one?⁹³ “When Jesus will come (who so ever he be), would not he be a prophet? If he would be a prophet and *ulama* agrees on this point, then why to disagree? Muslims believe that if Jesus would come, his status would be that of a prophet.”⁹⁴

iii. Concept of Hog and Magog⁹⁵ vs Dajjal⁹⁶

The Ahmadis try and had tried to give a rational interpretation to Islam, and to make it compatible with modernity.⁹⁷ The attempt of presenting Islam as a modern religion was not a new attempt, because such attempts were made by Sir Syed Ahmed Khan, Sir Allama Iqbal (b.

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=video&cd=6&cad=rja&uact=8&ved=0CFcQtwIwBQ&url=http%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DtbxvDf5uOG4&ei=a_1LU5GbFuKq4ATs7YH4CQ&usq=AFQjCNHRafn1_qJYkyG78Dxxd1bQDTw6JA&sig2=d56PooC1tmZ8BhMne9Qg_Q&bvm=bv.64542518,d.ZGU.

⁸⁹ Ibid.

⁹⁰ “Divine Revelation”, see, Mohammad Hashim Kamali, “The Shariah: Law as the Way of God” in ed. Vincent J. Cornell, *Voices of Islam* (Westport: Praeger Publishers, 2007), 149.

⁹¹ Accessed on 14-04-2014, https://www.alislam.org/library/books/revelation/part_7_section_3.html.

⁹² Accessed on 14-04-2014, Ibid.

⁹³ Mirza Tahir Ahmad, *An Elementary Study of Islam* (Surrey: Islam International Publication, 1996), 31.

⁹⁴ Accessed on 14-04-2014,

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=video&cd=2&cad=rja&uact=8&ved=0CDoQtwIwAQ&url=http%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DPWxtlepcw4c&ei=ceZLU-7MAeix4wTV54CwDw&usq=AFQjCNEXpwwE9H8JTX5PbTtK4oUs54wdmw&sig2=7puok3xXLgdBOmeBOpQLAQ&bvm=bv.64542518,d.ZGU>.

⁹⁵ Mysterious people hidden in the land of ice, see Douglas Berner, *The Silence is Broken! God Hooks Ezekiel's Gog & Magog* (California: Lockman Foundation, 2006), 40.

⁹⁶ Evil figure in Islamic eschatology, see Joel Richardson, *Antichrist: Islam's Awaited Messiah* (Enumclaw: Pleasant Word, 2006), 91.

⁹⁷ N. Hanif, *Islam and Modernity* (New Delhi: Sarup and Sons, 1997), 113.

1877 d.1938), and by Abdul Kalam Azad (b. 1888 d. 1958. Later on, in the twentieth century Ghulam Ahmad Perviaz (b. 1903 d.1985) also made an attempt to give a new interpretation to Islam. So, the Ahmadis when describing the concept of Hog and Magog and *Dajjal*, hold the belief that there is no such monstrous figure on whose forehead, the word *Kufr*⁹⁸ is written.⁹⁹ And there are no Hog and Magog who are trapped behind a wall and escape till the Day of Resurrection.¹⁰⁰ As far as the concept of Hog and Magog is concerned, it symbolizes the nations that use fire.¹⁰¹ Hog and Magog are the political power that will support the *Dajjal* against the Muslims.¹⁰² As far as the *Dajjal* is concerned, the founder of Ahmadiyya Community declared the Christian Missionaries as the *Dajjal*.¹⁰³ The Christian Missionaries were dubbed as *Dajjal* because they had disguised their identity in a false covering of deception.¹⁰⁴ The deception was that, Christianity was a religion that was only for a selected nation, and it was never a universal religion, but the Christian Missionaries had tried to take over the world through their teachings.¹⁰⁵ They were trying to make Christianity a worldwide religion against Islam. They had tried to lead Islam through Christianity-limited, and outdated.¹⁰⁶ The unrest in the present world is due to the efforts of the Western Powers trying to dominate the world by attacking Islam and Islamic countries.¹⁰⁷

⁹⁸ “No real belief” see, Toshihiko Izutsu, *The Concept of Belief in Islamic Theology: A Semantic Analysis of Imam and Islam* (Jalan Othman: Islamic Book Trust, 2006), 25.

⁹⁹ I. H. Shaykh, *An Islamic View of Gog and Magog in the Modern Age* (N.A: Privately Published, 2009), 70.

¹⁰⁰ Ibid.

¹⁰¹ Accessed on 15-04-2014, <http://aaiil.org/text/books/mali/gog/sgmnt1.shtml>.

¹⁰² Accessed on 15-04-2014, <https://www.alislam.org/books/invitation/arg2.html>.

¹⁰³ Accessed on 15-04-2014, <http://tahirregion.weebly.com/1/category/mirza%20tahir%20ahmad/1.html>.

¹⁰⁴ Ibid.

¹⁰⁵ M. Reza Pirbhai, *Reconsidering Islam in a South Asian Context* (Leiden: Hotei Publishing, 2009), 256.

¹⁰⁶ Ibid.

¹⁰⁷ Jonathan Fox, and Shmuel Sandler, *Bringing Religion into International Relations* (New York: Palgrave MacMillan, 2005), 100.

Regarding one eye of the *Dajjal*, Ahmadis hold the belief that the Western Nations have two eyes, one is the eye of reason, and i.e. their worldly knowledge, and the other is their religious knowledge, i.e. their religious/blind eye.¹⁰⁸ The Western Nations have advanced in terms of their former eye and hence it is related that *Dajjal* has one eye. Regarding religious knowledge, the West is in the darkness and has turned towards Atheism¹⁰⁹. It proves that the religious eye of the West is blind. The concept of *Khar e Dajjal*¹¹⁰ was related to the technology and it was related to train, ships, submarines, space rockets and airplanes. So the Ahmadis argue that such an interpretation will answer the prophecy that the donkey of the *Dajjal* will feed itself on fire, and the human beings will sit inside its belly, and will travel long distances in a short interval of time.¹¹¹

iv. Concept of Jihad

The word *jihad* means to struggle for an object or a phenomenon.¹¹² Jihad has many forms and the greatest *jihad* is against the self, and the lesser Jihad is by pen.¹¹³ The Muslims hold the belief that the Jesus will wage war against the infidels, break the cross, kill the *Dajjal*, and thus bring the supremacy to Islam in the entire world.¹¹⁴ Such an attempt was made by the *Mahdi* of

¹⁰⁸ Accessed on 15-04-2014,

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=7&cad=rja&uact=8&ved=0CGMQtwIwBg&url=http%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DfbRHnvZYtdk&ei=2xhMU9HkEYOK7AbnrICoBA&usg=AFQjCNFr4JCzpkcnIxxdZYSHm2QVeY6CA&sig2=GeyI_jr6pGcyRmUEq3MADg&bvm=bv.64542518.d.ZGU.

¹⁰⁹ Mirza Tahir Ahmad, *Christianity: A Journey from Facts to Fiction* (Surrey: Islam International Publication, 2006), xii.

¹¹⁰ Donkey of *Dajjal*, i.e. means of transportation, accessed on 15-04-2014,

<https://www.google.com.pk/url?sa=t&rct=j&q=&esrc=s&source=video&cd=1&cad=rja&uact=8&ved=0CDQQtwIwAA&url=http%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DfbRHnvZYtdk&ei=HB9MU86pNobpywPGOI CACg&usg=AFQjCNFr4JCzpkcnIxxdZYSHm2QVeY6CA&sig2=UdOCMrNOUJqdsctX2kyTIA&bvm=bv.64542518.d.bGE>.

¹¹¹ Ibid.

¹¹² Syed Kamran Mirza, "An Exegesis on Jihad in Islam" ed. in Kim Ezra Shienbaum, and Jamal Hasan, *Beyond Jihad: Critical Voices from Inside Islam* (Bethesda: Academica Press, 2006), 76.

¹¹³ Jalal, *Partisans of Allah*, 69.

¹¹⁴ Richardson, *Antichrist*, 76.

Sudan¹¹⁵, i.e. Muhammad Ahmad (b.1844 d. 1885) raised a force and started war (in the name of *jihad*) against the British regime, and was killed. However, Ahmad used to hold the belief that at present the concept of *jihad fi Saif* (war with sword), was out of question.¹¹⁶ The possible *jihad* at present was *jihad fil Qalam*.¹¹⁷ *Jihad fi Saif* was done by the Ahmadis when their third Caliph asked them (the Ahmadis) to resist the Dogra forces and Indian Army, who were suppressing the Muslims of the Kashmir.¹¹⁸ The Ahmadis's that fought in Kashmir was known by the name of the *Furqan* Force.¹¹⁹ Besides, Ahmadis had hardly indulged themselves in any act of physical *jihad*, i.e. *jihad fi Saif*

Ahmad argued that the mission of the *Mahdi* was to bring an end to religious wars¹²⁰, and to spread the true message of Islam, i.e. the message of peace, and thus the motto of Ahmadiyya was adopted as “love for all, hatred for none.”¹²¹ As far as the breaking of the cross and killing of pig were concerned, so Ahmad made the claim, that he has done that by his arguments that Jesus was dead, and thus he had broken the cross.¹²² In the same way, pig is an animal that is hated by most of the nations except the Christians.¹²³ Pigs also symbolize ignorance in terms of religious knowledge.¹²⁴ So, Ahmad had symbolized the Christians as the pigs of the world.¹²⁵

¹¹⁵ For detail, see, Haim Shaked, *The Life of the Sudanese Mahdi* (New Jersey: Transaction Publishers, 2008).

¹¹⁶ Hassan, *Prophecy and the Fundamentalist Quest*, 55.

¹¹⁷ Saiyed Jafar Reza, *The Essence of Islam* (New Delhi: Concept Publishing Company, 2012), 262.

¹¹⁸ Simon Ross Valentine, *Islam and the Ahmadiyya Jama'at: History, Belief, Practice* (London: Hurst Publishers, 2008), 204.

¹¹⁹ Ibid.

¹²⁰ Mansur Khalid, *War and Peace in Sudan: A Tale of Two Countries* (New York: Routledge, 2010), 11.

¹²¹ Gualtieri, *Conscience and Coercion*, 27.

¹²² Paul Varo Martinson, *Islam: An Introduction for Christians* (Minneapolis: Augsburg Fortress, 1990), 190. See also, Mirza Masroor Ahmad, *The Blessed Model of the Holy Prophet Muhammad PBUH and the Caricatures* (Surrey: Islam International Press, 2006), 40.

¹²³ Graham Langtree, *One World Many Issues*, (Cheltenham: Nelson Thomes, 2001), 147.

¹²⁴ Ibid.

¹²⁵ Paul Charles Merkley, *Christian Attitudes towards the State of Israel* (Quebec: McGill-Queen's University Press, 2001), 112.

Making the Christians aware about their religious ignorance and worldly status was the act of killing of the pigs.¹²⁶

Regarding the killing of the *Dajjal*, Ahmad had referred it as an attempt by the Messiah to curtailing the religious power of the Christian Missionaries in the world.¹²⁷ It also means stopping the Christian Missionaries to preach their religion around the world.¹²⁸ Regarding *jizya* or poll tax, Ahmad propagated the claim that it will be no longer implemented during the time of the Messiah, and thus it was evident that during his time there was no concept of *jizya* in the prevailing Muslim societies.

Conditions for *Baiat*¹²⁹

To become an Ahmadi, believe in Ahmad as the Promised Messiah is not enough, rather one has to take *baiat*.¹³⁰ The conditions of *baiat* are ten in numbers. From 1889 onwards, Ahmad asked his followers to take *baiat* on his hand. The conditions of the *baiat* are as follows:

1. He/she should not indulge in the practices of shirk (associating partners with God).
2. He/she shall keep away from falsehood, fornication, adultery, trespasses of the eye, debauchery, dissipation, cruelty, dishonesty, mischief and rebellion; and will not permit himself/herself to be carried away by passions, however strong they might be.
3. He/she should offer his/her prayers five times a day in accordance with the teaching of the Holy Prophet PBUH. He/she also tries to offer *tahajud* (prayer before dawn), and

¹²⁶ Martinson, *Islam*, 190.

¹²⁷ Richard Wolff, *The Popular Encyclopedia of World Religions* (Oregon: Harvest House Publishers, 2007), 31.

¹²⁸ Shyamala Bhatia, *Social Change and Politics in Punjab, 1898-1910* (New Delhi: Enkay Publishers, 1987), 196.

¹²⁹ "Initiation that binds a student to the master, or oath of allegiance", see Greg Fealy, and Sally White, *Expressing Islam: Religious Life and Politics in Indonesia* (Pasir Panjang: ISEAS Publishing, 2008), 55.

¹³⁰ Mirza Masroor Ahmad, *Conditions of Baiat and Responsibilities of an Ahmadi* (Surrey: Islam International Publications, 2006).

recite *durood* (blessings on the Holy Prophet Muhammad PBUH). He/she should also ask for forgiveness of his/her sins.

4. He/she shall not harm anyone with his/her tongue or hand or by any other mean.
5. In every situation or in any condition, he/she should remain thankful to Allah. He/she should be ready to face hardship in the way of Allah.
6. He/she should avoid un-Islamic practices, and try to follow the Islamic principles in every aspects of their life.
7. He/she should never be proud of his/her actions; rather he/she should display the examples of humble and kindness.
8. He/she should keep the cause of Islam dearer to him/her than his/her property, family and honor.
9. He/she should use his/her abilities and power for the beneficial cause of Islam.
10. He/she shall enter into a bond of brotherhood with the servants of God, pledging obedience to me in everything good, for the sake of Allah, and remain faithful to it till the day of his/her death; that he/she shall exert such a high devotion in the observance of this bond as is not to be found in any other worldly relationship and connections demanding devoted dutifulness.¹³¹

It is said that those who do not believe Ahmad as the Promised Messiah are to be declared as *Kafir*. So an objection was raised that why Ahmad used to call other Muslims (non-Ahmadis) as *Kafirs*? The reply was given by the Ahmadiyya Community explaining the term *Kafir*¹³². *Kafir* is the one who denies and did not accept an idea, belief etc. Ahmadis quoted the

¹³¹ Ibid.

¹³² "Every non-Muslim is a *Kafir*, see Asghar Ali Engineer, *Islam in Contemporary World* (New Delhi: New Dawn Press, 2007), xvi.

saying of the Prophet Muhammad PBUH that “If a *Muslim* charges a fellow *Muslim* with *kufr*, he is himself a *Kafir*, if the accusation should prove untrue.”¹³³ So keeping in view the saying of the Holy Prophet PBUH, Ahmad had declared the non-Ahmadis as *Kafirs*.¹³⁴

1.4. Prophecies by Ahmad and the Justification to be the Awaited *Mahdi*¹³⁵

The claim to be the *Mahdi* was to be justified by the prophecies of the Prophet Muhammad PBUH. Such prophecies were to be proved divinely. According to Ahmad, the following proves that he was the Promised Messiah.

a). Hadith of Holy Prophet Muhammad PBUH Regarding Salman Farsi’s Lineage

Narrated Abu Huraira: While we were sitting with the Prophet Surat Al-Juma¹³⁶ was revealed to him, and when the Verse, ‘And He (Allah) has sent him (Muhammad) also to other (Muslims)’ (6 2.3) was recited by the Prophet, I said, ‘Who are they, O Allah’s Apostle?’ The Prophet did not reply till I repeated my question thrice. At that time, Salman Al-Farisi was with us. So Allah’s Apostle put his hand on Salman, saying, ‘If Faith were at (the place of) Ath-Thuraiya (Pleiades, the highest star), even then (some men or man from these people (i.e. Salman’s folk) would attain it.’ Further narrated Abu Huraira: The Prophet said. Then some men from these people would attain it.¹³⁷

The above tradition of the Prophet Muhammad PBUH has been interpreted by Ahmad that, the *Mahdi* would be a non-Arab, but he would be of a Persian descent, and thus the example of

¹³³ M. Th. Houtsma, ed. *E. J. Brill’s First Encyclopedia of Islam, 1913-1936, Vol. IV* (Leiden: E. J. Brill, 1993), 619.

¹³⁴ “From the beginning, I have been of the view that no one becomes a *Kafir* or a *Dajjal* by rejecting my claim. Such a one would certainly be in error and astray from the right path. I do not call him faithless but he who rejects the truth which God Almighty has disclosed to me would be in error and astray from the straight path. I do not designate anyone who believes in the *Kalimah* as a *Kafir*, unless by rejecting me and calling me a *Kafir*, he himself becomes a *Kafir*. In this matter, my opponents have always taken a lead. They called me *Kafir* and prepared *fatwas* (religious verdict) against me. I did not take the lead in preparing *fatwas* against them. They would be prepared to confess that if I am a Muslim in the estimation of God Almighty, then by calling me a *Kafir*, they themselves become one according to the *fatwa* of the Holy Prophet^{sa}. Thus I do not call them *Kafir*, but they themselves fall within the purview of the *fatwa* of the Holy Prophet^{sa}.” Accessed on 15-04-2014, <https://alislam.org/books/3in1/chap9/index.html>.

¹³⁵ For detail see, Mirza Ghulam Ahmad, *Lecture Ludhiana* (Surrey: Islam International Publications, 2003).

¹³⁶ *Al Quran*, 62: 2-5, “It is He who has sent among the unlettered a Messenger from themselves reciting to them His verses and purifying them and teaching them the Book and wisdom-although they were before in clear error. And [to] others of them who have not yet joined them. And He is the Exalted in Might, the Wise.”

¹³⁷ *Sahih Bukhari*, Vol.6, book 60, Hadith # 6, 421-22.

Salman Farsi represents such a person who is a non-Arab.¹³⁸ Additionally, Ahmad has explained this in the following words:

It is known from the history of my ancestors that a grandmother of mine belonged to the noble family of Saadaat and the Bani Fatima. The Holy Prophet PBUH also confirmed this, and said to me in a dream: "Salman is from the people of my house, having the disposition of Hasan." He named me Salmaan (a companion of the Holy Prophet, of Persian descent), which means "two salm." Salm in Arabic means reconciliation, and thus it is destined that two kinds of reconciliation will take place at my hands. One internal which will remove the internal enmity and discord, and the other is external which, by eliminating the causes of external opposition and demonstrating the greatness of Islam, shall incline the followers of other faiths towards Islam. It appears that by the Salman mentioned in Hadith is also meant myself, for the prophecy of two reconciliations was not fulfilled by Salman himself. I say, having received revelation from God that I am of Persian descent and according to the Hadith in *Kanz al ummal* the Persians are from among the Israelites and the holy prophet's household. In a vision, Hazrat Fatima put my head upon her lap, and showed me that I was from her lineage.¹³⁹

Then at that time, there appeared five handsome, pleasing and beautiful persons, namely the messenger of Allah PBUH, Ali, Hassan, Husain, and Fatima may Allah be Pleased with them. One of them, and I seem to remember that it was Fatima, with tremendous love and affection, like a kind mother put my head upon her lap. After this I was given a book which was stated to be a commentary on Quran by Ali which now he wish to be given to me.¹⁴⁰

It is interesting that Ahmad in order to justify his claims has given new interpretations to most of the traditions of the Holy Prophet Muhammad PBUH and to the verses of the Holy Quran. On the other hand, *Ulama* in order to counter the claim of Ahmad declared the dream of Ahmad as an act of impiety.¹⁴¹

Seventy Two Sects and One *Jammat* (Community)

Ahmad in order to further justify his claim to be the Promised Messiah quoted the following saying of the Holy Prophet Muhammad PBUH in which Abdullah bin Amar Rz is reported to have said that the Holy Prophet Muhammad PBUH said the following words:

Surely this thing will happen to my people as happened to Israelites, they will resemble each other like one shoe in a pair resembles the other to the extent that if anyone among the Israelites has openly committed adultery to his mother there will be some who will do this in my *ummah* as well, verily the Israelites were

¹³⁸ Accessed on 15-04-2014,

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=9&cad=rja&uact=8&ved=0CGcQtwIwCA&url=http%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DDeuOMEHXMx-E&ei=IU9MU-LoHsv_ygO5kYCoAg&usg=AFQjCNHPIOjan5WGhHuHP8etLiV8a-mzcA&sig2=mqiXtCKC-Q6ji0Tnh42HxA

¹³⁹ Mirza Ghulam Ahmad, *Correction of an Error*, trans. Zahid Aziz (Wemblay: Ahmadiyya Anjuman Lahore Publication, 2011), 15-16.

¹⁴⁰ Lavan, *The Ahmadiya Movement*, 170.

¹⁴¹ Ibid.

divided into 72 sections, but my people will be divided into 73 sections, all of them will be in fire except one. The companions asked, who are they “O Messenger of Allah.” Holy prophet PBUH said, “They are those who will be like me and my companions.”¹⁴²

Ahmad claimed that he has attained the level of *Burooz*¹⁴³ in the love of Prophet PBUH, and has become the shadow of Holy Prophet Muhammad PBUH, thus he called himself as *Zilli Nabi* (shadow of the Holy Prophet Muhammad PBUH).¹⁴⁴ At the same time, The Ahmadis have used the sayings of the Holy Prophet Muhammad PBUH in their defense when they were declared as non Muslims in 1974.¹⁴⁵ They have claimed that it was the only time when the majority of the sects of Islam were united against the Ahmadiyya Community and had declared them as non Muslims.¹⁴⁶ They (the followers of different sects within Islam) were never united before and will never be united again.¹⁴⁷ The Ahmadis then claimed that it shows that it was only the Ahmadiyya Community that was on the right path. The *ulama* countered the claim of Ahmadis by saying that how could Ahmadis claim to be among “those who will be like me (Holy Prophet Muhammad PBUH) and my companions,”¹⁴⁸ when the Ahmadis refute the finality of Holy Prophet Muhammad PBUH, they (Ahmadis) can only be apostates, and nothing else.¹⁴⁹ Additionally, Ahmad also made the following claims as enumerated below.

1. Eclipse of the Sun and the Moon.¹⁵⁰

¹⁴² *Sunan Abu Dawud*, Book, 40, Hadith# 4579.

¹⁴³ “*Burooz* *Nubuwwat*. The word *Burooz* means ‘to be a manifestation.’ Since the light of the Holy Prophet Muhammad is manifested in the person of the saints, they are called the *Burooz* of the Holy Prophet. A term coined by the Sufis (saints).” See, Muhammad, *The Ahmadiya Case*, 161.

¹⁴⁴ Ahmad, *Correction of an Error*, 17.

¹⁴⁵ Accessed on 15-04-2014, <http://ahmadiyyatimes.blogspot.com/2011/09/pakistan-anniversary-of-sep-7-1974.html>.

¹⁴⁶ Hassan, *Prophecy and the Fundamentalist Quest*, 168.

¹⁴⁷ *Ibid*.

¹⁴⁸ Ahmad, *The Blessed Model of the Holy Prophet Muhammad PBUH and the Caricatures*, 91.

¹⁴⁹ Naveed Khan, *Muslim Becoming: Aspiration and Skepticism in Pakistan* (North California: Duke University Press, 2012), 92.

¹⁵⁰ It is narrated by Hazrat Imam Baqar Muhammad bin Ali the Holy Prophet Muhammad PBUH said: For our *Mahdi*, there are two signs which have never appeared before since the creation of the heavens and the earth, namely the moon will be eclipsed on the first night in Ramazan (i.e. on the first of the nights on which a lunar eclipse can occur) and the sun will be eclipsed in its middle (i.e. on the middle day of the days on which a solar eclipse can occur), and these signs have not appeared since the God created the heavens and the earth. Accessed on 13-04-2014,

2. Plague.
3. Challenges to the Claimants (J. Alexander Dowie, Lekhram etc).
4. Supremacy of Islam.¹⁵¹

1.5. The Split Within the Ahmadiyya Community

With the demise of Ahmad, the mission of propagation of his religious philosophy was carried out by his successors who were known as the caliphs.¹⁵² They were to be the spiritual/religious head of the Ahmadiyya Community and obedience to them was and is must. When Hakeem Noor-ud-Din (r. 1908-14)¹⁵³ was about to be elected as the first caliph of the Ahmadiyya Community, at that time Maulvi Muhammad Ali and Khuwaja Kamal-ud-Din, who were close associates of Ahmad, had tried to oppose his election as the caliph but finding the position of Noor-ud-Din stronger in the community as against theirs they remained silent. Furthermore, they (Maulvi Muhammad Ali and Khuwaja Kamal-ud-Din) also took the oath of allegiance at the hands of Noor-ud-Din.¹⁵⁴ The opposition to Noor-ud-Din was caused by the fact that Maulvi Muhammad Ali and Khuwaja Kamal-ud-Din misunderstood the position of the caliph in terms of the power and finances of that position.¹⁵⁵

<http://ahmadiyyatzindabad.wordpress.com/author/fazishona/page/3/>. In the Islamic calendar, lunar eclipses consistently take place on or about the 14th day of the month and solar eclipses around the 28th day. Hence considering the dates as 13, 14 and 15 for the lunar eclipse and 27, 28 and 29 for the solar eclipse for interpreting the prophecy in 1894, at the time of the claimant, is quite reasonable. The purpose of the prophecy is to help people to recognize the Promised Divine Reformer and the prophecy has served the purpose very well. See, F. Richard Stephenson, *Historical Eclipses and Earth's Rotation* (Cambridge: Cambridge University Press 1997), 436.

¹⁵¹ For details related to the claims of Ahmad, see, accessed on 13-04-2014,

<http://www.reviewofreligions.org/tag/prophecies-by-mirza-ghulam-ahmad/>.

¹⁵² "Spiritual successors of the Promised Messiah." see, Gualtieri *Conscience and Coercion*, 40.

¹⁵³ First Caliph of the Ahmadiyya Community. See, Lavan, *The Ahmadiya Movement*, 78.

¹⁵⁴ Lini S. May, *The Evolution of Indo-Muslim Thought After 1857* (Long Beach: Privately Published, 1970), 157.

¹⁵⁵ Rafiq, *The Muslim Herald* (Monthly) (Rabwah: December 1972),

After the death of Noor-ud-Din, Maulvi Muhammad Ali invited few members of the Community and asked them to elect him as their new caliph¹⁵⁶ and he was elected. That act of Maulvi Muhammad Ali was criticized by Mirza Bashiruddin Mahmud Ahmad (son of Ahmad) for secretly conducting a meeting and trying to hijack the community.¹⁵⁷ Then, Mirza Bashiruddin invited the members of the Community and asked them to elect the new caliph.¹⁵⁸ The community elected Mirza Bashiruddin as their caliph.

Maulvi Muhammad Ali, who was already elected by a few as the caliph of the Ahmadiyya Community, objected to the election of Mirza Bashiruddin as the caliph. For this, he argued that Mirza Bashiruddin was young and inexperienced and thus unfit to become the caliph of the community.¹⁵⁹

To oppose Mirza Bashiruddin and prove him wrong, Maulvi Muhammad Ali published an article and propagated his views regarding the founder of the community.¹⁶⁰ His views were: a) Mirza Ghulam Ahmad was the *Mahdi* of the fourteenth century; b) Mirza Ghulam Ahmad never claimed to be a prophet in any sense.¹⁶¹ Furthermore, Maulvi Muhammad Ali accused Bashiruddin of propagating the concept that Ahmad claimed to be a prophet. With such an article and differences in the belief, the community got divided into two sections.¹⁶² One headed by Maulvi Muhammad Ali known as the Lahori Jamat and the other headed by Bashiruddin,

¹⁵⁶ Ali, *The Founder of the Ahmadiyya Movement*, 63.

¹⁵⁷ Lewis Bevan Jones, *The People of Mosque: The Study of Islam* (New Delhi: ISHA Books, 1932), 215.

¹⁵⁸ Noor-ud-Din on his death bed wrote the name of the next caliph on a piece of paper, and asked the members of the Community to open it after his death. When the page was opened, the name of Mirza Bashiruddin was written on it, and thus he was elected as the new caliph.

¹⁵⁹ Muhammad Zafrulla Khan, *The Head of the Ahmadyah Movement* (London: Privately Published, 1944), 13. At that time the age of Bashiruddin was 25. Ibid.

¹⁶⁰ Imtiaz Isakh, *The Islamic Sunrise (Official Magazine of the Ahmadiyya Anjuman Ishaat-e-Islam Lahore)*, Vol. V, No. 8, USA, 2009, 15.

¹⁶¹ Isakh, *The Islamic Sunrise*, 15.

¹⁶² The split took place in 1914. Zahid Aziz, *A Survey of the Lahore Ahmadiyya Movement: History, Beliefs, Aims and Work* (Wemblay: Ahmadiyya Anjuman Lahore Publication, 2008), 40.

known as the Ahmadiyya Jammāt. The division in the community led to the emergence of differences in the doctrines regarding the claims and position of Ahmad.¹⁶³

1.6. Khan and Ahmadiyya Community

Khan was born in 1893 and belonged to an agriculturist family-settled in a town named as Daska.¹⁶⁴ Daska was some sixteen kilometers away from the district of Sialkot in the Province of Punjab. Except Nasrullah Khan (the father of Zafrulla Khan), who was a lawyer, the whole family of Zafrulla was agriculturist. His father used to deal with civil cases, particularly those cases that were associated to land. His father was amongst the top ranking lawyers of his time.¹⁶⁵ From the very beginning, Zafrulla had a certainty that the dreams of his mother were at all times true. According to Zafrulla, his mother saw a dream, in which she was told that, Ahmad was the Promised Messiah and she must take allegiance from him. In 1904, when Ahmad came to Sialkot for delivering a lecture,¹⁶⁶ at that time the family of Zafrulla took *baiat* from him¹⁶⁷ and thus became Ahmadi.

When Zafrulla was studying in Government College Lahore, and staying at the hostel, at that time, he was the only Ahmadi in the entire campus.¹⁶⁸ In September 6, 1907, he went to Qadian and directly took *baiat* from Ahmad.¹⁶⁹ After the demise of Ahmad, Zafrulla took *baiat*

¹⁶³ Muhammad Ahmad, *A Mighty Striving: Biography of Maulana Muhammad Ali* (Wembley: Ahmadiyya Anjuman Lahore Publication, 2011), 219.

¹⁶⁴ Surjit Singh, *From Punjab to New York: A Reflective Journey* (New Delhi: A. P. H. Publishing Corporation, 1999), 122.

¹⁶⁵ A. H. Batalvi, ed. *The Forgotten years: Memoirs of Sir Muhammad Zafrullah Khan* (Lahore: Vanguard Books, 1991), 1-2.

¹⁶⁶ Mirza Ghulam Ahmad, *Lecture Sialkot* (Surrey: Islam International Publications, 2007).

¹⁶⁷ Muhammad Zafrulla Khan, *Tehdis-e-Naimat* (Zia-ul-Islam Press, Qadian, 2009), 5.

¹⁶⁸ *Ibid.*, 8.

¹⁶⁹ Accessed on 17-04-2014, <http://www.alislam.org/library/zafar1.html>.

at the hands of the first caliph.¹⁷⁰ In 1911, relating to advance studies in England, Zafrulla seek guidance from the first caliph and was given the permission to proceed to England.¹⁷¹

1.7. Zafrulla Khan and the Indian Sub-Continent

In 1914, after graduating from King's College, London¹⁷², Khan returned to the Indian Sub-Continent to start his professional vocation as a lawyer. He was known among the leading lawyers of that time because of his father's reputation. Unlike his father, Khan used to deal with criminal cases.

In 1916, at Patna, Khalil Ahmad who was a respected person and *imam* of the mosque of that area became an Ahmadi.¹⁷³ After his conversion, he was declared as heretic and was not allowed to lead the prayers as the *imam* but was allowed to offer his prayer individually. Consequently, the case was taken to the local court, which refused to admit the case as it was purely a religious issue and beyond the jurisdiction of the court¹⁷⁴. Subsequently, the case was taken to the High Court of Patna. At that time, Khan was nominated as the lawyer from the side of Ahmadiyya Community.¹⁷⁵ The case proceeded and at last the verdict came in favor of the Ahmadiyya Community in the sense that they were acknowledged as Muslims.¹⁷⁶

¹⁷⁰ Khan, *Tehdis-e-Naimat*, 27.

¹⁷¹ Ibid., 26. At that time, Zafrulla came into contact with Bashiruddin (later on as the second caliph of Ahmadiyya Community).

¹⁷² He did his Barrister-at-Law from Lincoln's Inn, and also received the following honorary degrees. "Hon. Bencher Lincoln's Inn; Hon. Fellow of London School of Economics; Hon. LL.D, Cambridge; Hon. Fellow, delegacy of Kings College, London; Hon. LL.D, Universities of Columbia, Denver, California (Berkley), Long Island; Hon. D.C.I. Beaver College Penn." See, Pervez Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement-1926 to December 25, 1947* (Lahore: Nia Zamana Publications, 2011), 9-10.

¹⁷³ Khan, *Tehdis-e-Naimat*, 169.

¹⁷⁴ In India, the British did not interfere in the Muslim personal law, see Mrinalini Sinha, *Specters of Mother India: The Global Restructuring of an Empire* (North Carolina: Duke University Press, 2006), 187.

¹⁷⁵ Dost Mohammad Shahid, *Taareekhe-Ahmadiyya, Vol. IV* (Qadian: Nazarat Nashro Ishaat, 2007), 193. Khan wrote that he was having only the practice of 2 years and he feared to fail, but he was helped by Inamulla Shah in religious aspect of that case.

¹⁷⁶ Ibid. It is to be noted that the Chief Justice Khursheed applauded the ability of Khan, the way he presented and defended the case for his Community. See, Khan, *Tehdis-e-Naimat*, 171-90.

In 1917, when Montague came to India and started meeting with the deputations of different communities, to discuss the features of the future constitution of India,¹⁷⁷ at that time, it was Khan who headed the delegation of the Ahmadiyya Community before the British.¹⁷⁸ However, they were never recognized as a political party in the Indian Sub-Continent, but still they went to represent the demands of the Muslims. The main points put forwarded by the delegation of Ahmadiyya Community were as follows:

1. Maltreatment shown by the English towards their subjects.
2. A discriminatory policy adopted by the Europeans against the Indians in the sphere of social life such as railway journey, possession of arms, court trails, etc.
3. Socio-economic problems caused by population growth.
4. Lack of education especially technical education.¹⁷⁹

According to Khan, the Secretary of State (Montague) was not only overwhelmed by the political awareness of the Ahmadiyya Community but the Secretary of State asked for clarification on certain points. Then, Montague carefully noted down the suggestions put forward by the Ahmadiyya Community and promised to include them in the final draft of the constitution of 1919.¹⁸⁰ Moreover, Khan opined that the approving response from the Viceroy was because of the “Khalifatul Masih’s debut in the field of politics and public life.”¹⁸¹ It was the contribution of Bashiruddin’s political perceptiveness that enabled the Ahmadiyya Community to point out such issues that were genuine, and needed attention. It was the first time when Khan stepped into the Indian politics and started his political training¹⁸²; on the other hand, it is interesting to note that

¹⁷⁷ Brij Kishore Sharma, *Introduction to the Constitution of India* (New Delhi: Pentice Hall Pvt, 2005), 5.

¹⁷⁸ Wayne Wilcon and Aislie T. Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan* (Ontario: Oriental Publishers, 2004), xi. It is to be noted that the Ahmadiyya Community was declared as a distinct Community by the British during the time of Ahmad.

¹⁷⁹ Accessed on 02-05-2014, http://alhafeez.org/rashid/British-jewish/bjc_6.htm.

¹⁸⁰ Khan, *Tehdis-e-Naimat*, 194-5.

¹⁸¹ Muhammad Zafrulla Khan, *Ahmadiyyat: The Renaissance of Islam* (Rabwah: Tabshir Publications, 1978), 238-9.

¹⁸² Regarding his political career, Khan said, “In the mean time I had begun to take an interest in public affairs. I think I have not been, at any time, much of a politician in the strict sense of the word and my career is enough to bear testimony to it. However, I made my debut in public life by leading a delegation in the autumn of 1917.” See, A.H. Batalvi, ed., *The Forgotten Years*, 4.

the Ahmadiyya Community had kept on claiming that it was a religious Community and had nothing to do with the politics.¹⁸³ But during its entire history, it was seen as participating in the politics and claiming to be representing the Muslims.

When the Chelmsford Reforms¹⁸⁴ ensured the protection of the minorities in its act-which was also claimed by the Ahmadiyya Community-it was regarded to be a success of the Ahmadiyya Community because at that time the Ahmadiyya Community considered the success of the Muslims as their success. However, there was little doubt that the Community was more active in political participation. For further elucidating the role and contribution, Bashiruddin had defined the stance of his Community in these words:

Ahmadiyya Community is a religious community, and its aim is to propagate Islam. Directly it has no connection with the politics but when the political situation changes in a country, it affects all the groups within its territory, and the same is the case with the Indian politics. Whatsoever be the situation, the critics do not allow us to sit quietly. Members of political parties say that why the Ahmadiyya Community did not take part in Indian politics? But when our community started taking part in politics, then they said why your community is against the congress? Those who say why we take part in politics, I (Bashiruddin) have three answers for them, 1). We were aloof from politics; you people criticized us for not taking any part in the politics, so we were forced to make our view point known to you. 2). our community is spread in different parts of the world, so every member of our community cannot visit Qadian, we have to inform them regarding political situation in our country. 3). we are preachers and we will tell the world what seems to be true for us. As no one can ask a doctor that why he treats the patients, because it is his duty, so in the same way, no one can ask us why we preach or criticize.¹⁸⁵

During his (Khan's) untimely line of business, before his active participation into mass politics, Khan was a dynamic member of his Community.¹⁸⁶ He was acting as a multi-feature personality, representing his religion, acting as a lawyer, as a politician, and as a representative of the British.¹⁸⁷

¹⁸³ Anke Bentzin, "Islamic Tv Programmes as a Forum of a Religious Discourse" in ed., Stefano Allievi, and Jorgen S. Nielsen, *Muslim Networks and Transnational Communities in and Across Europe* (Leiden: Koninklijke, 2003), 174.

¹⁸⁴ Sharma, *Introduction to the Constitution of India*, 5-6.

¹⁸⁵ Shahid, *Taareekhe Ahmadiyyat*, Vol. 4, 197-98. "If we are wrong then our opponents should not worry because people will judge us by themselves, but we will struggle for independence of Indian," For detail see, Ibid.

¹⁸⁶ Om Gupta, *Encyclopaedia of India, Pakistan and Bangladesh* (Delhi: Isha Books, 2006), 1631.

¹⁸⁷ It was also claimed by Khan that he was representing the Muslims, and he was.

In 1919, in the region of Malabar, a case was filed against the Ahmadiyya Community in the Madras High Court. A married man became an Ahmadi and was dubbed as a heretic by the local *Qazi* and his marriage was declared as null and void.¹⁸⁸ The new convert (Ahmadi) filed a case against the *Qazi*, his wife, and her family. At that time, again it was Khan, who pleaded the case of his Community. The court gave the same judgment that the Ahmadis were Muslims, and thus the marriage was to remain intact.¹⁸⁹

1.8. Khan, the British and the Ahmadiyya Community

To comprehend the religious and political career of Khan, his life is to be at odds into two sections. One facet will be focusing on his local career, i.e. his role in the Indian Sub-Continent, whereas the other segment will be focusing on his international career, i.e. as a representative of the British (and India) in the Indian Sub-Continent.

There is no uncertainty that during its entire history, the Ahmadiyya Community remained politically loyal to the British regime.¹⁹⁰ So, the same was to be applied in case of Khan when his relations with the British were to be analyzed. Here, it is to be noted that at that time, the Muslim Community was alienated into poles apart. Some were favoring the British,¹⁹¹ and others were criticizing them, i.e. the British¹⁹², but the Ahmadiyya Community was the only

¹⁸⁸ Khan, *Tehdis-e-Naimat*, 215.

¹⁸⁹ *Ibid.*, 215-20.

¹⁹⁰ Accessed on, 27-05-2014, <https://www.alislam.org/library/khalifah-election.html>.

¹⁹¹ Crispin Bates and Marina Carter, "Holy Warriors: religion as Military Modus Operandi" ed. in Crispin Bates, and Gavin Rand *Mutiny at the Margins: New Perspectives on the Indian Uprising Of 1857* (New Delhi: SAGE Publication, 2013), 44.

¹⁹² Ira M. Lapidus, *A History of Islamic Societies* (Cambridge: Cambridge University Press, 2002), 638.

Community that remained loyal to the British regime and due to their integral loyalty towards the government, they were stated as agents of the British Raj.¹⁹³

1.9. Khilafat Movement 1919

Khilafat Movement that was started after World War I was aimed at protecting the institution of the Khilafat.¹⁹⁴ On one hand, the Ahmadiyya Community supported the cause of the Khilafat Movement. On the other hand, they rejected it. They supported the stance of the Khilafat Committee that the holy places should remain within the jurisdiction of the Ottoman Empire but rejected the authority of the Ottoman Caliph over the Ahmadiyya Community. They were of the view that after the appearance of Promised Messiah the institution of Khilafat was no more valid.¹⁹⁵

Moreover, Bashiruddin opposed the concept of the *Hijrat Movement*¹⁹⁶ and questioned the sagacity of the *ulama* of that time.¹⁹⁷ He was of the view that the Muslims should remain loyal to the British instead of considering them as their adversary.¹⁹⁸ Such marginalized stance of the Ahmadiyya Community made them the mark of the *ulama*. It must be kept in mind that the views of his Community were also accepted and apprehended by Khan. So, the politics of Khan was the politics of the Ahmadiyya Community.

¹⁹³ Yohanan Friedmann, "Jihad in Ahmadi Thought" ed. in Mose Saron, *Studies in Islamic History and Civilization: in Honour of Professor David Ayalon* (Jerusalem: E. J. Brill, 1986), 233.

¹⁹⁴ Shabnum Tejani, *Indian Secularism: A Social and Intellectual History, 1890-1950* (Bloomington: Indiana University Press, 2008), 145.

¹⁹⁵ M. Reza Pirbhai, *Reconsidering Islam in a South Asian Context* (Leiden: Koninklijke Brill, 2009), 317-18.

¹⁹⁶ Migrating from India to Afghanistan, see Gail Minault, *The Khilafat Movement: Religious Symbolism and Political Mobilization in India* (New York: Columbia University Press, 1982), 106.

¹⁹⁷ Chitralkha Zutshi, *Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir* (London: C. Hurst & Co. 2004), 166.

¹⁹⁸ Gerhard Böwering, Patricia Crone, and Mahan Mirza, ed., *The Princeton Encyclopedia of Islamic Political Thought* (New Jersey: Princeton University Press, 2013), 26.

Khan was also designated as the *ameer* of the Ahmadiyya Community in Lahore,¹⁹⁹ and it became clear that how active he was for his Community. In 1922, when the Prince of Wales visited India, Bashiruddin authored a book in Urdu, which was translated into English by Khan. The book was to be gifted to the prince.²⁰⁰ It was aimed at unfolding the beliefs of the Ahmadiyya Community and was also an annotation on other religions.²⁰¹

¹⁹⁹ Khan, *Tehdis-e-Naimat*, 240. The duties of *Ameer* are, “The *Ameer* heads the National *Aamila* or Executive Body, which consists of National Secretaries of various departments. These departments include: finance (*Maal*); education and religious training (*Talim-o-tarbiyyat*); preaching activities (*Tabligh*); social services (*Khidmate-Khalq*); properties (*Jaidad*); matrimonial affairs (*Rishta-nata*); public relations (*Ta'allaqaate-aama*); census (*Tajneed*); wills (*Wasaya*) and the department of General Secretary. The National *Aamila* directs the activities of the *Jamaat* at the local (*Muqaami*) level of that country. A local *Jamaat* may be set up with the permission of the *Ameer* where three or more subscription paying members reside. Each *Jamaat* elects a local President and a local executive body.” Accessed on 27-05-2014, <http://www.alislam.org/books/pathwaytoparadise/LAJ-chp7.htm>.

²⁰⁰ Bashiruddin Mahmud Ahmad, *A Present to His Royal Highness the Prince of Wales from the Ahmadiyyah Community* (Memphis: General Books LLC, 2010). Original version was published in 1922, in Qadian.

²⁰¹ Shahid, *Taareekh-e-Ahmadiyya*, Vol. IV, 292-3. Khan also represented his community in the international world, see section, 2.4 a.

Chapter 2

Zafrulla Khan and the Freedom Movement

This chapter will be dealing with the achievements of Khan within the Indian Sub-Continent. At the same time, it will explain how Khan rose to a distinct position within the British Empire in the Indian Sub-Continent. How far his religious identity helped him in securing a discrete position for himself in the British Empire? Was he at all times opposed by the Indian Muslim masses for his religious identity? Had he ever contributed something for the making of Pakistan? What was the guiding principle of Ahmadiyya Community towards the creation of Pakistan and how Khan came into contact with Jinnah; and how reliable their association was?

2.1. Khan and the Politics in the Punjab

In 1923, Bashiruddin asked Khan to take part in the politics for interacting with the ordinary masses and gaining knowledge of the principles of politics widespread in the Indian Sub-Continent.¹ During that time, the elections for the Punjab Council were to be contested and on that occasion Chaudhry Sahabuddin² approached Bashirududin and requested him to withdraw the name of Khan from the constituency of Sialkot. When Bashirududin invited Khan and told him about the appeal of Chaudhry Sahabuddin, Khan withdrew his name from the constituency of Sialkot. But he (Khan) continued to contest from the constituencies of Lahore, Amritsar, Gurdaspur and Ferozpur. In Lahore, Khan was asked by Sheikh Muhammad Sadiq not to contest in his constituency, and he (Sheikh Muhammad Sadiq) also requested Bashiruduin to barricade

¹ Muhammad Zafrulla Khan, *Tehdis-e-Naimat*, (Qadian: Zia-ul-Islam Press, 2009), 237.

² A profile, accessed on 27-05-2014,

<http://www.thefridaytimes.com/beta2/tft/article.php?issue=20111118&page=20>.

Khan as an aspirant from Lahore. In the same way, in Amritsar, the *ulama* displayed poster in which Khan was declared as a *Kafir*, and an appeal was made from the masses not to vote for Khan.³ To cut it short, Khan did not accomplish any success throughout the elections of 1923.⁴

In 1926, Khan contested from the constituency of Sialkot. His political contender was Chaudhry Jahan Khan, who had lost much of his possession in the election of 1923, contested against Shahabududin. Thereby, he was geared up to come to conformity in terms of nominating the aspirants for election from the constituency of Sialkot. It was also due to the fact that in Sialkot Khan had an influence and that influence was because of the esteem of Khan's father, who was a reputed lawyer, and there were ample possibilities that Khan would effortlessly succeed from his constituency.⁵ As a result, Shahabududin agreed to move towards a pronouncement and it was decided that the names of the contestants would be held through a draw and the one who would get his name announced would contest from the constituency of Sialkot.⁶ The result of the draw came in favor of Khan and he started his election campaign. When the result of the election was announced, Khan became victorious and was elected as a member of the Punjab council.

Then in 1926, Khan joined the Unionist Party⁷ and was instructed by Bashiruddin to utterly oblige to Sir Fazle Hussain.⁸ Khan was acknowledged as an associate of Unionist Party because of its opus as there was no other such party of which Khan can become a member.⁹

³ Khan, *Tehdis-e-Naimat*, 237.

⁴ Ibid.

⁵ Ibid., 262.

⁶ When they (Khan and Chaudhry Jahan Khan) told Mr. Heren, DC, about their draw, he invited them on his bungalow. He wrote their names on a piece of paper and put them in two different empty boxes, then he called his servant to pick a paper from the boxes. The name of was Khan, thus Jahan Khan withdrew. See Ibid., 262.

⁷ "The founder and principal mover behind the Unionist Party was Mian Fazli Husain (1877-1936)", see J. Henry Korson "Introduction" ed., J. Henry Korson in *Contemporary Problems of Pakistan* (Leiden: E.J. Brill, 1974), 9.

⁸ For detail, see, accessed on 27-05-2014, <http://www.dawn.com/news/1069712>.

⁹ Paul R. Brass, *Language, Religion and Politics in North India* (Lincoln: iUniverse, 2005), 358.

Regarding the ability of Khan, Hussain said “He is intelligent but mostly do what he wants.”¹⁰ But soon Khan became one of the trustees of Hussain. There was no uncertainty that Khan was an able man but he was introduced into the politics and into the top key positions by Fazle Hussain. Here, it can also be seen that Khan was not opposed by the common masses rather he was elected by them from the constituency of Sialkot and even without the support of his Community, i.e. the Ahmadiyya Community.

2.2. Role in Indian Sub-Continent

After becoming a member of the Unionist Party, Khan became one of the confidants of Sir Fazle Hussain.¹¹ Here, one thing is interesting to note that the point of view held by the Ahmadiyya Community were almost the same as that of the Unionist Party. After joining the politics, Khan became marginalized from his religious activities as he became more active in politics than that of the issues of his Community, i.e. like dealing with the cases of his community in the courts. Here, he started his political career as a politician, and primarily his political accomplishment was because of Sir Fazle Hussain.

a. Simon Commission 1927

In 1927, when the Simon Commission¹² visited India, it was boycotted by the Indians.¹³ At that time, Bashiruddin not only asked the Muslims to cooperate with the members of the Commission but also asked the non-Muslims to do so. He was of the view that if the Muslims boycott the Commission then the aim of the Hindus would be fulfilled, and i.e. the transfer of power to the

¹⁰ Khan, *Tehdis-e-Naimat*, 272.

¹¹ Muhammad Zafrulla Khan, *Servant of God: A Personal Narrative* (Surrey: Unwin Brothers Ltd., 1983), 57.

¹² For detail, see, M G Agrawal, *Freedom Fighters of India* (Delhi: ISHA Books, 2008), 136-8.

¹³ Ramacandra Kshirasagara, *Dalit Movement in India and its Leaders, 1857-1956* (New Delhi: M.D. House, 1994), 144.

majority.¹⁴ He added that in England parties were made on the basis of politics, but in India, they were made on the basis of religion.¹⁵ If the Indians did not lend a hand to the Commission, then the Hindus cannot be subjugated. Bashiruddin put forward his demands that were to be presented before the Commission. In addition, he asked Khan to present his (Bashiruddin's) points before the Commission, on behalf of the Ahmadiyya Community. The demands put forward by Bashiruddin were as enumerated below.

1. Separate electorate should be made a permanent clause of the future Constitution.
2. Punjab and Bengal be given such a representation that they remain Muslims majority area.
3. N.W.F.P. should be made a separate province.
4. Sindh should be separated from Bombay.
5. Religious freedom should be ensured.
6. Language is the prime factor for development of any nation, so Muslims must be allowed to learn Urdu.¹⁶

Prior to the advent of the Commission in India, the Unionist Party was determined to send an important person to England who would present the Muslim's point of view before the Commission and thus they selected Khan to accomplish that task.¹⁷ Two features were emphasized that were to be presented before the Commission, i.e. "weightage in the legislatures of the provinces where they (the Muslims) were in a minority so that they could play an

¹⁴ Dost Mohammad Shahid, *Taareekhe-Ahmadiyya*, Vol. V (Qadian: Nazarat Nashro Ishaat, 2007), 5-6.

¹⁵ Ibid.

¹⁶ Accessed on 27-05-2014, <https://www.alislam.org/egazette/category/updates/page/13/>. Titled as, *Musalmanan-e-Hind Kaliye Imtihan Ka Waqt*

¹⁷ Wayne Wilcon and Aislie T. Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan* (Ontario: Oriental Publishers, 2004), 19.

effective role; and continuation of the system of separate electorate.”¹⁸ When the Commission arrived in India, the Unionist Party formed a committee and Khan was included in it.¹⁹ The Unionist Party understood that a policy of criticism, persuasion and cooperation leads to independence, and same was followed by Ahmadiyya Community.²⁰

b. Delhi Conspiracy Case

This case shows the support that Khan got from Fazle Hussain and it was the opening for Khan to demonstrate his abilities to the British.²¹ A few people were detained under the accusation of terrorism. They were found culpable of assembling explosives and attacking government servants and also made an effort to blow the cantonment.²² When the government asked Sir Fazle Hussain to recommend a name on behalf of the Imperial Crown, then he recommended the name of Khan.²³ Khan had to plea the case before a special tribunal which he thought would be the wastage of the time. Thus, he suggested that the accused must be trialed in ordinary courts which would not only decrease the economic load on the government but would help the case to move efficiently.²⁴ His proposal was declined, but after a year, the special tribunal was dissolved and the case was referred to an ordinary court.²⁵

¹⁸ A. H. Batalvi, ed., *The Forgotten Years: Memoirs of Sir Muhammad Zafrullah Khan* (Islamabad: Vanguard Books, Pvt, 1991), 20-1.

¹⁹ *Ibid.*, 22.

²⁰ Syed Nur Ahmad, ed., Craig Baxter, *From Martial Law to Martial Law: Politics in the Punjab, 1919-1958* (Lahore: Vanguard Books Pvt., 1985), 77-8. For the view point of the Ahmadiyya Community, see, Shahid, *Taareekhe-Ahmadiyya*, Vol. V, 5-6.

²¹ Khan, *Servant of God*, 54.

²² Shalini Sharma, *Radical Politics in Colonial Punjab: Governance and Sedition* (New York: Routledge, 2010), 24-5.

²³ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 24.

²⁴ Batalvi, ed., *The Forgotten Years*, 30.

²⁵ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 28.

c. Round Table Conferences 1930-32

With the failure of the Simon Commission, and sustained impasse between the All India Muslim League and All Indian National Congress regarding framing the future constitution of India, the British Government decided to hold talks in London.²⁶ Selected numbers of delegates were invited to London in order to discuss the clauses of the future constitution of India. Khan was also among the delegates who were to visit England but at that time he was a junior member as compared to the other members of the delegation. During First Round Table Conference, he came into contact with the leaders of different political parties and of different caliber.

It was during the First round Table Conference, when Khan came into contact with Jinnah and was inspired by his leadership.²⁷ At the same time, he was also enthused by the persona of Sir Agha Khan.²⁸ In the First Round Table Conference, Khan only kept on listening but at some stage in the Second and the Third Round Table Conferences, he let others know that he was a man of comprehension.

During the Second Round Table Conference, when Gandhi came to visit the leadership of Muslims League,²⁹ there Khan asked him different questions in order to reveal his (Gandhi's) mind to the members. The questions asked by Khan were related to Dr. Ansari³⁰, who was to decide the issue of separate electorate for the Muslims.³¹ For Khan, separate electorate was

²⁶ Prakash Chande, *India: Past and Present* (New Delhi: A.P.H., 2003), 43-4.

²⁷ Accessed on 27-05-2014,

<http://muslimsunrise.wordpress.com/2008/01/12/sir-muhammad-zafullah-khan-services-to-islam-and-the-muslim-ummah/>.

²⁸ Batalvi, ed., *The Forgotten Years*, 32-3.

²⁹ Jad Adam, *Gandhi: Naked Ambition* (London: Bloomsbury, 2010), 241.

³⁰ An active politician of both Muslim League and the Congress, and held a leading role. See, Nikhat Ekbal, *Great Muslims of undivided India* (Delhi: Kalpaz Publications, 2009), 82-3.

³¹ Khan asked a series of question to reveal the ill intentions of Gandhi by using Ansari as a shield for his views. Batalvi, ed. *The Forgotten Years*, 33-5.

something that was not to be compromised as it was supported by Bashiruddin and also by the Unionist Party.

It was during the Third Round Table Conference when Khan was given a choice by the Viceroy to represent the Indian Government before the Capitation Rates Tribunal,³² or to attend the Third Round Table Conference in London. Khan was willing to attend the Third Round Table Conference but the C-n-C of the Armed Forces wished that Khan should represent the Indian Government before the Capitation Tribunal. At that time, it was the Viceroy who took the side of Khan as against the yearning of the C-n-C, and kept on insisting that Khan must be permitted to be present at the Third Round Table Conference. Thus, the C-n-C accepted the consent of the Viceroy. During that Conference, Khan had to defend the stance of his party (Unionist Party) in the Punjab.

During the Third Round Table Conference, the numbers of members were limited to five while the Congress remained absent. A committee³³ was constituted to discuss an assortment of the future constitution of India. During that Conference, Khan got the opportunity to lead the Muslim's delegation in London.³⁴ Pundit Nanak Chand, a Hindu Lawyer from Punjab raised the issue that the Ministry of law and order must be transferred to the centre instead of giving that department to the provinces.³⁵ Here the difference became eminent, because the Muslims sought a weak federation in order to safeguard their interests in those provinces in which they were in a

³² For detail, see, Accessed on 25-05-2015, <http://www.allahabadhighcourt.in/event/SirShahMSulaimanRSPathak.doc>.

³³ The Committee was named as Federal Structure Committee.

³⁴ It is worthy of noticing that Agha Khan remained behind the scene but helped the Muslims a lot. Batalvi, ed., *The Forgotten Years*, 54.

³⁵ He talked particularly about the Punjab, where the Muslims were in majority, and criticized the Unionist Party by rejecting its claim to be a non communal party. Ibid., 55.

majority,³⁶ whereas the Hindus wanted a strong federation as they were able to form their majority in the centre.³⁷ To support his demand, Nanak Chand said to the Chairman (Lord Sankay) of the Committee, “My Lord, you are a judge. You will be surprised to know that one of their members (member of the Unionist Part) was tried seven times for murder, seven murders to his credit, My Lord!”³⁸

After the Conference, Chand inquired from Khan if the latter would like to answer him the next day. The reply of Kahn was “I am afraid I shall not be able to gratify you... My dear Nanak, if I were to answer you then what would be the difference between you and me?”³⁹ The next day, Khan answered Chand’s remonstrations by issuing the subsequent testimonial.

My lord, yesterday we heard a long speech urging that an exception be made in the case of Punjab with respect to the transfer of law and order to popular control. All I wish to say is that if any such distinction is made, it will wreck the whole scheme altogether. Thank you, Lord Chairman... Lord at once said, I entirely agree.⁴⁰

In most of the pondering, Khan seemed to be in complete terms with Jinnah’s fourteen points as Jinnah’s fourteen points included the same demands which were demanded by Bashiruddin during his address of 1927.⁴¹ From the three Round Table Conferences, Khan’s qualities and competence was acknowledged by the influential leaders of the Muslim League, although they knew the fact that Khan was an Ahmadi.⁴² It showed that the top leadership of Muslim League had nothing to do with one’s religious identity but the situation was topsy-turvy in case of the

³⁶ Anil Chandra Banerjee, *Two Nations: The Philosophy of Muslim Nationalism* (New Delhi: Concept Publishing Company, 1981), 223.

³⁷ Abbas Hoveyda, *Indian Government and Politics* (Noida: Dorling Kindersley, 2011), 90.

³⁸ Batalvi, ed., *The Forgotten Years*, 55-6. Khan opines that the member about whom Chand was taking was a Hindu, he was sitting besides Chand and asked him, “was this gentleman who is being referred to, a Hindu or a Muslim?” Chand replied, “never mind who he was; he sat on your side of the House.” Ibid., 56. It enraged the lord because indirectly it was criticizing the British government for its injustices, i.e. it failed to punish someone who was from a pol. Party, and it was not true. See, William Hook Morley, *The Administration of Justice in British India: Its Past History and Present State* (London: Williams & Norgate, n.d), 17. It can also be accessed from, <https://archive.org/details/administrationof00morluoft>.

³⁹ Batalvi, ed., *The Forgotten Years*, 56.

⁴⁰ Ibid.

⁴¹ Ahmad, ed., Baxter, *From Martial Law to Martial Law*, 79.

⁴² For detail, see Round Table conferences, and Zafrulla’s meeting with the members of the Muslim League.

ulama.⁴³ During the Round Table Conferences, Khan had opined that he had got bounty of instances to learn from the great personalities of the Muslim Leadership, especially from Jinnah, who was at the pinnacle of them.⁴⁴

d. President of All India Muslim League⁴⁵

Sir Fazle Hussain considered Khan as one of the best candidates. And due to the support from the former, Khan was elected as the President of Muslim League in 1931. But Fazle Hussain had miscalculated one thing that Khan was an Ahmadi and the Muslims considered them as non-Muslims and it was suffice to oppose Khan as the President of the League.⁴⁶ In December 1931, when Khan was about to preside the annual session of the Muslim League, a mob of the Muslims was determined to barricade Khan from Chairing the annual session of the League. At last, the session of the League had to be held in the house of Nawab Ali at Delhi.⁴⁷

Fascinatingly, the Muslims masses elected Abdul Aziz as the President of the League and asked him to Preside the annual session of 1931. Subsequently, Abdul Aziz delivered his speech as the President of the Muslim League and his vocalization was renowned as the Presidential address of Muslim League in 1931. Furthermore, it was propagated that the session of the Muslim League Presided by Khan was not the annual session of the Muslim League instead it was another party intended to deviate the Muslims in the name of Muslim League. But “there is

⁴³ Munir D Ahmed, “The Dream of an Islamic State” ed., in *Carlo Caldarola Religion and Societies: Asia and the Middle East* (Berlin: Walter De & Co., 1982), 279.

⁴⁴ Khan, *Tehdis-e-Naimat*, 311.

⁴⁵ Here it need not be confused that how a member of Unionist Party became the president of Muslim League. To quote Syed Nur Ahmad, “the fact is that when Sir Sikandar went to Lucknow to attend the Muslim League session he was still a member of the Muslim League. This may sound strange, but this was actually the position under the Muslim League constitution at the time. There was no ban on a member of the League being also a member of another political party. He would not cease to be a member of the League, even if he fought the League in an election, unless the Muslim League council too, according to a prescribed procedure, disciplinary action against him and expelled him from the party.” See, Ahmad, ed., Baxter, *From Martial Law to Martial Law*, 417.

⁴⁶ Azad Bin Haider, *Tareekh-E-All India Muslim League: Sir Syed Se Quaid-E-Azam Tak* (Lahore: Fazli Sons Pvt., 2013), 487.

⁴⁷ Batalvi, ed., *The Forgotten Years*, 38.

no doubt that Khan was from the Qadiani sect but his religious identity was never a threat for the political interest of the Muslims.”⁴⁸ When Khan found himself like a fish out of troubled water, he resigned from the Presidency of the League. However, fifteen resolutions were passed during that session, i.e. 26-27 December 1931, which were as below.

1. The deaths of the Muslim leaders (Mualana Muhammad Ali Jhohar, Muhammad Ali Khan Mahmoodabad, and Mualana Abdul Majid) were affirmed as the loss for the nation.
2. Muslim demands allied with the statement of Ramsay Macdonald were discussed and it was proposed that no future constitution will be accepted by the Muslims until and unless it protects the rights of the Muslims.
3. No complete provincial autonomy should be given to the provinces until a constitution is framed.
4. Sindh should be immediately separated from Bombay.
5. The future constitution should ensure, religious, and cultural freedom for the minorities.
6. Suggestions of the Frontier Regulations Inquiry Committee would be implemented.
7. Muslims were to show their solidarity with the people of the Kashmir.
8. Muslims were to be given due representation in the Government departments located in Delhi.

In the second sitting of the League, the constitution of Muslim League was amended. The amendments were as follows.

1. Self rule in India to be achieved peacefully but also protecting the interest of the Muslims.

⁴⁸ Haider, *Tareekh-E-All India Muslim League*, 489.

2. Annual membership fee of Muslim League was fixed as one rupee and every adult Muslim who can agree with the terms of the League can be its member.
3. The tenure of the president of Muslim League was fixed as one year. It was to end dictatorship in the party.
4. Quorum for annual session was reduced from 75 to 50.
5. Council of League was prearranged to nominate the president of the League.⁴⁹

In his presidential speech, Khan emphasized the fourteen points of Jinnah particularly the form of the future constitution of India in which separate electorate for the Muslims was demanded as the Muslims were a majority but a minority in India. It was said that the British has shown frivolity in addressing the issues prevailing in India. In that context, Kashmir can be quoted as a prime example of the slackness of the British administration in India. Violence should not be adopted as a mean to achieve Independence. For the reason that, violence is terrorism and the Muslims should try to get independence by adopting peaceful measures.⁵⁰

e. Jinnah in England 1932

Subsequent to the Round Table Conferences, Jinnah became so dishearten by the role of Muslims leaders that he left India for ever and started living in England.⁵¹ Here, according to the Ahmadiyya sources, it was from side to side of the Ahmadiyya Community, who insisted Jinnah to come back to the Indian Sub-Continent and lead the Muslims. They frequently quote the speech of Jinnah, which he delivered in the London Mosque of the Ahmadiyya Community. The wordings of the speech were, “The eloquent persuasion of the imam left me no escape.”⁵² The

⁴⁹ Ibid., 491-5.

⁵⁰ Ibid., 495-500.

⁵¹ Sankar Ghose, *Jawaharlal Nehru: A Biography* (New Delhi: Allied Publishers, 1993), 123.

⁵² Zahid Hussain Anjum, *Encyclopedia Quaid-e-Azam* (Lahore: Maqbool Academy, n.d.), 780. “It was Mr. Liaquat Ali Khan and Maulana Abdur Rahim Dard, an Imam of London Mosque, who persuaded M.A. Jinnah to change his

Ahmadiyya sources elaborating the speech elucidate, that it was the *imam* of Ahmadiyya Community in London, named as Abdul Rahim Dard, who following the instructions of Bashiruddin, went to Jinnah and won over him to come back to India.⁵³ Besides, the Ahmadiyya sources also quoted the examples of leaders like Liaquat Ali Khan who were repeatedly visiting Jinnah and persuading him to come back to India.⁵⁴ So, such endeavors from the side of the Ahmadiyya Community build a bridge between Jinnah and the leadership of the Ahmadiyya Community. At the same time, it helped the members of the Ahmadiyya Community to expand their contacts with Jinnah. It also provided an opportunity to Khan to get close to Jinnah but Jinnah was not a person to be prejudiced by such incidents. Conversely, the fact cannot be shorn of that Jinnah had already seen how dependable Khan was when he was presenting his political party throughout the Round Table Conferences.⁵⁵

f. Viceroy's Executive Council⁵⁶

In 1932, due to his ailing health, Fazle Hussain had to take a leave from the Viceroy's Executive Council for four months, i.e. from June 1932 to October 1932.⁵⁷ He had to seek someone on whom he has full confidence and Khan was the only individual on whom Hussain could easily

mind." See, Muhammad Nasrulla Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammat Ahmadiyya Ka Misaali Kirdar* (London: Privately Published, 2010), 86. See, Muhammad Zafrulla Khan, *Ahmadiyyat: The Renaissance of Islam* (Rabwah: Tabshir Publications, 1978), 242.

⁵³ Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammat Ahmadiyya Ka Misaali Kirdar*, 86.

⁵⁴ Ibid.

⁵⁵ Khan, *Tehdis-e-Naimat*, 309-10.

⁵⁶ At that time, the members of Viceroy's Executive council were given the knighthood of Sir, and during the last year of their tenure, they were titled as Knight Commanders of the Star of India (K.C.S.I). The head of the Ahmadiyya Community did not like the Ahmadis to hold any title from the British. The Viceroy told Bashiruddin that it has been a tradition to give title to the members of the Viceroy's Executive council, so then he showed his assent and Khan was given the title. Anwar Ahmad Khalon, *Zafrulla Khan: My Mentor* (London: Privately Published, 2014), 64.

⁵⁷ Batalvi, ed., *The Forgotten Years*, 40.

rely on. Thereby, Hussain⁵⁸ convinced the Viceroy to admit the recommendation of Khan as a member of the Viceroy's Executive Council in his place.⁵⁹ When Khan approached Hussain for advice, the latter said "it is all up to you, either sink or swim."⁶⁰ Hussain added that he had failed to convince the Viceroy on an appointment related to his policy of Indianization. It was the policy of Hussain that whenever it was feasible he had tried to support Indianization on superior posts.⁶¹ It was to make the Indians experienced and proficient, of enchanting responsibilities.⁶²

The first meeting in the Viceroy's Executive Council that was to be attended by Khan was related to the question of Communal Representation.⁶³ Taking an advantage of the absence of Hussain, the members of the Executive Council had made an effort to revise the bill. For Khan, it was a test to impede any modification in the bill in opposition to the wishes of all the other members. At that moment, Khan became so offended that he offered his resignation to the Viceroy, i.e. (Lord Willingdon).⁶⁴ The Viceroy told him not to resign, to a certain extent, they can oppose any amendment in the bill and the Viceroy further told him that the amendment in the bill was proposed by the Secretary of the State as he was instructed by Prime Minister, Mr. Ramsay MacDonald.⁶⁵ In the meeting, the process went as elaborated.

⁵⁸ Under Dyarch System, his portfolios included: health; education; lands; archaeology; Indian overseas and surveys of India. Ibid., 45.

⁵⁹ Muhammad Zafrulla Khan, *My Mother* (London: The London Mosque, 1981), 48. "Members of Viceroy Executive council was having absolute authority over the vast domain which included the entire Indian Sub-Continent". Ibid., 43

⁶⁰ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 74.

⁶¹ Ibid., 39.

⁶² Batalvi, ed., *The Forgotten Years*, 42.

⁶³ "In Muslims minority provinces, the Muslim representation might be increased by a seat here, a seat there, which means practically no benefit to the Muslims because they were to still remain in minority. It was further proposed that the Muslim representation should be reduced by two or three seats in the Punjab and Bengal, the two majority provinces where the Muslims were in a majority. This would have deprived us of our majority of one or two seats that the government of India had recommended and in Bengal we would have gone lower than the recommended 48 percent." Ibid., 47.

⁶⁴ Ibid., 45.

⁶⁵ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 44.

The Viceroy asked, well what does he propose with regard to madras? The secretary of state has proposed two extra seats for the Muslims in madras but no reason had been given for the change. The Viceroy asked me, 'do you want these two extra seats for the Muslims in madras?' I replied that I did not want the extra seats provided no reduction was made in the number of our seats elsewhere. All of us agreed on that. Of the four women seats in madras, one was proposed to be embarked for Muslim women. All of us agreed on that too... in the Punjab the council was committed to the position that the Muslims would not have any extra seats in the Hindu majority provinces with the corollary that their representation in the Muslim majority provinces would not be disturbed... the Muslims in Bengal had to get 40 percent representation. The proposal was accepted and came to be known as the Communal Award.⁶⁶

The next meeting was related to "the Military Dispatch" where none of the members spoke except Khan as his suggestions were time-honored by the Commander-in-Chief of armed forces (Sir Phillip Chetwood). The C-n-C said that the suggestions projected by Khan were quite acceptable to them and they regarded it as an improvement.⁶⁷

The next subject was associated with the appointment of the Indian officers on Superior Positions in the Indian Medical Service against the British officers. And here it was again Khan who supported the nomination of the Indians on Superior Positions and was successful.⁶⁸

In 1934, when Hussain was about to complete his term, at that time, it was Sir Samuel Hoare (Secretary of State) who asked Khan to take the place of Hussain in the Viceroy's Executive Council.⁶⁹ It was because of the talent of Khan, that Hoare considered him to be fit for the appointment. Regarding Khan, Hoare had opined, "We take the best man from wherever we can find him."⁷⁰ Khan was pleased with the offer of membership in the Viceroy's Executive Council but he pointed out some possible objections related to his appointment.

⁶⁶ Batalvi, ed., *The Forgotten Years*, 48.

⁶⁷ Khan, *My Mother*, 48-9.

⁶⁸ Batalvi, ed., *The Forgotten Years*, 50-1.

⁶⁹ On Khan's appointment, a group of *ulama* went to Fazle Hussain and asked him "why he always favoured Khan? Hussain asked them have not Khan always defended and protected the cause of the Indian Muslims? The answer was yes. Then Hussain asked then why we should question his (Khan's) personal beliefs? Then the *ulama* said that Khan was a follower of Mirza Ghulam Ahmad-who was an apostate. Hussain brought a book written by Ahmad, titled as *Darr-e-Sameen* (Mirza Ghulam Ahmad, *Darr-e-Sameen*, Qadian: Nazarat Nashro Ishaat, 2002), and said anyone who has read this book should tell me, in past 1300 years had any one ever showed the love for the Prophet Muhammad PBUH than Ahmad. See, Khalon, *Zafrulla Khan* 47.

⁷⁰ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 68.

1). Till this point of time, four members have been appointed as member of the Viceroy's Executive council. Sir Syed Ali Imam was from Bihar, Sir Muhammad Shafi was from Punjab, Sir Muhammad Habibulla was from Madras, and Sir Fazle Hussain also from Punjab. So two of the members were from Punjab, if again a member was elected from Punjab, then the members of Bengal, U.P. and Bombay would object. The Secretary of the State told Khan that they were not bound to consider it and they pick men from where they wish for and the members of Viceroy's Executive Council symbolizes the entire India.⁷¹

2). Khan elaborated that the Secretary of State must not close his eyes to the issue that he (Khan) belonged from the Ahmadiyya Community and due to his religious identity his appointment as a member in the Viceroy's Executive Council would not be acceptable to most of the Muslims. When 1932, Khan worked in place of Hussain and his appointment was criticized on the ground that he was not a Muslim. While Answering to Khan, the Secretary of State said "Well, I must say, I am surprised to hear that the Muslims should be so unmindful of the great service that you have done to the Muslim cause. But if they are likely to adopt that attitude that is not something that should operate with the Viceroy and me to deprive them of the services of the best Muslim that we can find for them to uphold their interests."⁷² Thus, Khan was appointed as a member in the Viceroy's Executive Council. Khan was to take the portfolios of Education, Health, and Lands. When Sir Joseph Bhole would complete his tenure, then Khan was to take the charge of Commerce and Railways from him. But when Bhole was retired and Khan went to take the portfolios of the railways, the Europeans members objected to his appointment and had tried to merge the railways with the department of Telegraphs and Post offices.

⁷¹ Khan, *Tehdis-e-Naimat*, 410.

⁷² Wilcox, and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 68.

Khan was asked by the Viceroy to confer the matter with the anxious members.⁷³ When Khan met James Grigg, he told Khan that “I am told that you are Sir Fazle Hussain’s protégé. Hussain was a Communalist.⁷⁴ Railways is our most valuable asset and I do not want it to be given to a communalist, who could appoint as many Muslims as he can, and thus destroy our financial asset.”⁷⁵ Khan said that “it is true that Fazle Hussain has been very kind to me and in a sense you can call me his political pupil or protégé, but I repudiate the charge that he was a communalist. Moreover, fighting for the Muslim cause does not mean he was a communalist.”⁷⁶

Still, as far as that point was apprehensive, that Hussain would dictate him that it was not true because in 1932 when he was appointed for four months in the place of Hussain, the latter told Khan “I cannot be standing over your shoulder all the time. You sink or swim on your own.”⁷⁷ Then how can such person be dictating him at all times? Furthermore “I am not the type of man who lets others do things for him.”⁷⁸

Then James told Khan about his apprehensions in terms of appointments in Railways. So, Khan made it clear to him, that as far as the superior appointments were concerned they were done through Competitive Examinations⁷⁹ and the members of Viceroy’s Executive Council could hardly do anything. As far as the appointments for gazettes services were concerned, they

⁷³ Sir James Grigg (Minister of the Finance department), Sir Joseph Bore (Minister of the Commerce and Railways), and Sir Frank Noyce (Minister of the Telegraph and Post offices), Batalvi, ed., *The Forgotten Years*, 73.

⁷⁴ When Fazle Hussain was blamed to be a communalist, he said “it is not true to say that the recruitment of government servants on a communal basis was started in my ministerial period. Recruitment was in the hands of the governor, and Muslims had a higher ratio in Punjab.” See Ahmad, ed., Baxter, *From Martial Law to Martial Law*, 78.

⁷⁵ Batalvi, ed., *The Forgotten Years*, 74.

⁷⁶ Wilcox, and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 74.

⁷⁷ Khan, *My Mother*, 49.

⁷⁸ Batalvi, ed., *The Forgotten Years*, 74.

⁷⁹ Judith E. Walsh, *A Brief History of India* (New York: Infobase Publishing, 2006), 155.

were done on the basis of Communal representation. Then James dyed the issue of transfers and promotions, and suspected hanky-panky in them.⁸⁰ In reply to that, Khan said:

Do you think that I would have been selected by the secretary of state and the Viceroy to be a member of the council if they thought that I was the kind of man who would insist upon the railway board transferring an assistant engineer from NWR to Assam-Bengal railways as chief engineer? Do you think anybody lacking a sense of proportion to that extent would have been selected by Sir Samuel Hoare? He selected me on his personal knowledge, and you can disagree, but he has known me fairly well for some years and you have seen me only today.⁸¹

At last, James Grigg agreed with Khan and so the other members. After that, Khan went to the Viceroy and told him that why he (Khan) was insisting for having the portfolio of Railways. It was because of the propaganda in the Hindu press that stated “a mere youngster” was going to promote Communalism but it was clear from Khan’s preceding vocation that he promoted Indianization and not Communalism.⁸² In the meeting of the members, the Viceroy disseminated a paper saying “that there would be no change in the portfolio till after his successor had time to look round and it would be for him to make proposals to his colleagues.”⁸³

g. Portfolios 1935-39

After becoming a member of the Viceroy’s Executive Council, Khan held different portfolios from 1935 till 1939⁸⁴ and subsequently joined the Federal Court of India as a judge.⁸⁵ How his performance in the ministries and how he promoted Indianization can be easily marked when his tenure during that period is analyzed. Here, it is worth consideration that at that time Khan did not receive any instruction from his Community, i.e. how to work or in which way to work, rather he was performing his duties as a member of the Viceroy’s Executive Council.

⁸⁰ Batalvi, ed., *The Forgotten Years*, 75.

⁸¹ Ibid.

⁸² Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 79.

⁸³ Batalvi, ed., *The Forgotten Years*, 78.

⁸⁴ Khan, *Servant of God*, 111.

⁸⁵ He preferred to be appointed as a judge because of his ailing health, as he was suffering from diabetes, and doctors advised him not to put burden of work on his health, rather “go slow.” Khan, *Tehdis-e-Naimat*, 520.

i. Railways 1935-36.

Railway was such a department in which the budget always exceeded the entire budget of India including the defense budget and consequently the portfolio was mainly held by the British officers.⁸⁶ When Khan took over the charge of the railway, he opined that being an ordinary citizen he had a personal experience of travelling in the trains of the railways in the Indian Sub-Continent. The association of the members of the railways was held at Simla and there Khan addressed a gathering of the officers⁸⁷. The address which he gave was:

I want to say one thing which might appear rather strange to you, but it is true. I claim that I have more experience of the passengers' trials and tribulations than any one of you so far as railway travel India is concerned. I know many of you are Indians, but from the very first day when you joined the railways you were entitled to first class passes and many of you could arrange to travel in saloons. You have no idea of what the ordinary passengers, particularly, the third class passengers, suffers on the railways. Of course you realize that railways are a common carrier, but they are not being administered as a common carrier for the benefit or convenience of the passenger or the safety of the freight they carry... the lack of courtesy, the lack of attention, the lack of sympathy, the lack of helpfulness that an average passenger experienced on our railways, and the misery of the Third Class passenger who being illiterate could not read signboards and did not know the platform his train would be leaving from, while the ordinary railway employees such as booking clerks and ticket collectors behaved like officials showing off their authority rather than helping the poor passenger.⁸⁸

Actually Khan wanted to break the tradition that railway was only for the benefit of the government and its employees rather it was also for the common people.⁸⁹ The project of long distance air conditioned trains was started during the period of Khan.⁹⁰ Later on, Khan vacated the portfolio of the railways as he was holding that portfolio in order to silent the Hindu press.

⁸⁶ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 89.

⁸⁷ Excluding the stenographers and the secretarial staff of the railway department.

⁸⁸ Batalvi, ed., *The Forgotten Years*, 81.

⁸⁹ *Ibid.*, 83.

⁹⁰ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 92.

ii. Commerce 1935-8

Commerce was a department which was encircled by perplexing problems. By and large, the commerce minister had to deal with the issue of the Ottawa Trade Agreement⁹¹ which was meant to stimulate the trade within the Commonwealth. In the Indian Sub-Continent, the Ottawa Trade Agreement was frequently questioned, criticized, and rejected but the Governor General at all times superseded the resolutions passed by the Indian Government. The Indian assembly approved a resolution in which it was projected that the government should find a way through which India should be enabled to trade with the other countries of the world. Such a proposal was put forward as previous India was allowed to trade only with the countries of the Europe and of the Commonwealth.⁹² So Khan, being the Commerce Minister, was asked to proceed to England in order to negotiate the terms of the Ottawa Trade Agreement with the Board of Trade.⁹³ Khan with a panel of six members⁹⁴ proceeded to England. The issue that was discussed by Khan before the Board was:

Our main anxiety was not preferences on articles like spices and the like: it was to get a commitment from the United Kingdom to take much larger quantities of Indian cotton than they were taking at that time. They, on their side, were anxious to obtain more favorable preferences for Lancashire cotton textiles, because Lancashire was beginning to feel the competition from Japan and India itself. That ultimately became the crux of the matter.⁹⁵

Colonel Oliver Stanley-the President of the Board of Trade refused to oblige in terms of amending the agreement. During that time, it was the Prime Minister, Neville Chamberlain who intervened and said “I know Zafrulla and if he says that this is the utmost they can do and you

⁹¹ “Indo-British trade for preference in tariff rates for Indian and British goods entering markets in other countries.” see N. Jayapalan, *Foreign Policy of India* (New Delhi: Atlantic Publishers, 2001), 24.

⁹² Tapan Raychaudhuri, Irfan Habib, and Dharma Kumar, ed., *The Cambridge Economic History of India, Volume II 1970 to 1757* (Melbourne: Cambridge University Press, 1983), 869.

⁹³ Raymond Streat, *The Diary of Sir Raymond Street* (Manchester: Manchester University Press, 1987), 554.

⁹⁴ The members were; G.D.Birla, Kusturbhai Lalbhai, Parshotam Das Thakar Das, Liaquat Ali Khan, Datar Singh, and Edward Benthal. Birla and Lalbhai told Khan that their motive of accompanying Khan was to know whether the government was serious in amending the agreement. See Batalvi, ed., *The Forgotten Years*, 86.

⁹⁵ *Ibid.*, 87.

may be sure we cannot get anything more out of them. We have enough trouble outside the Commonwealth: I do not want to have more trouble inside, if I can help it. In this matter, we are the bigger partner and we should be generous.”⁹⁶ The features of the amendment were proposed in the following words:

The principal concession given to United Kingdom on the part of the cotton textile mill owners in India, in the shape of reduced preferential custom duties on Lancashire goods and the major benefit resulting from the agreement was that Lancashire bound itself to take larger quantities of short staple Indian cotton.⁹⁷

When Khan came back to Indian Sub-Continent, he met with Jinnah and told him about the improvement; and Jinnah esteemed the efforts of Khan.⁹⁸ Then, in the Indian assembly, when Jinnah delivered a speech in which he said that the new agreement was immeasurably better than the previous one and he must pay his personal compliment to Khan.⁹⁹ The Viceroy Lord Linlithgow appreciated the efforts of Khan by saying, “A good Job, well done!”¹⁰⁰

iii. Ministry of War Supply 1939-41

The Ministry of War Supply was created at the beginning of the World War II. The Viceroy was its president and Khan was appointed as its chairman. The department was meant to organize the supplies from all over the British territories, including the Dominions, the Colonies, the South and East of Suez and the Indian Sub-Continent.¹⁰¹ The responsibilities attached to that Ministry were allied with the war. Consequently, it required frequent travelling to England in order to get latest updates related to war. It was because of the ministry of war supply and due to which Khan came to know about India’s contributions in the war, which were aimed at defending the British Empire and its colonies. In 1945, due to India’s war effort in WWII, Khan was able to speak for

⁹⁶ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 98-9.

⁹⁷ *Ibid.*, 98.

⁹⁸ Batalvi, ed., *The Forgotten Years*, 91.

⁹⁹ Accessed on, 29-05-2014, <http://www.humsafar.info/1938.php>.

¹⁰⁰ Madhushree Mukerjee, *Churchill's Secret War* (New Delhi: Tranquebar Press, 2010), 1-2.

¹⁰¹ Batalvi, ed., *The Forgotten Years*, 99.

the freedom of the Indian Sub-Continent in the Commonwealth Relations Conference held in London.

Khan's membership in the Viceroy's Executive Council was about to expire in May 1940 but he was re-appointed by the Viceroy for another full term. It was a unique example as none of the members was ever re-appointed once they had completed their first term.¹⁰² But Khan did not accept the offer of Viceroy and preferred to join the Federal Court of India.

h. Memorandum by Khan and Lahore Resolution

It is said that the Lahore Resolution, better known as Pakistan Resolution, was passed on 23rd March 1940, and became the Magna Carta¹⁰³ for the creation of Pakistan was actually drafted by Khan when he was a member of the Viceroy's Executive Council, but "being a Qadiani", he was not allowed to claim its authorship.¹⁰⁴ If he had ever claimed the authorship of the Pakistan Resolution, so the Muslims might have been enraged and would have disregarded the idea of Pakistan.¹⁰⁵ The passage quoted by Khan Wali Khan was actually an extract from a letter that was dispatched by Lord Linlithgow to the Secretary of State (Hoare).

Upon my instruction Zafarullah wrote a memorandum on the subject: Two Dominion States. I have already sent it to your attention. I have also asked him for further clarification, which, he says, is forthcoming. He is anxious, however, that no one should find out that he has prepared this plan. He has, however, given me the right to do with it what I like, including sending a copy to you. Copies have been passed on to Jinnah, and, I think, to Sir Akbar Hydari. While he, Zafarullah, cannot admit its authorship, his document has been prepared for adoption by the Muslim League with a view to giving it the fullest publicity.¹⁰⁶

¹⁰² Wali Khan, *Facts are Facts: The Untold Story of India's Partition* Trans. Syeda Saiyidain Hameed (Uttar Pradesh: Vikas Publishing House, 1984), 41.

¹⁰³ "The presumed Magna Carta of the proposed association of Muslim majority province in India." See Ayesha Jalal, *Democracy and Authoritarianism in South Asia: A Comparative and Historical Perspective* (Cambridge: Cambridge University Press, 1995), 184.

¹⁰⁴ Khan, *Facts are Facts* Trans. Hameed, 40. "Was Wali Khan intended to show that Khan was the architect of Pakistan, which means Pakistan was not created for the Muslims? So as to continue his policy of criticizing the creation of Pakistan?" see, Pervez Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement-1926 to December 25, 1947* (Lahore: Nia Zamana Publications, 2011), 96.

¹⁰⁵ Khan, *Facts are Facts* Trans. Hameed, 40.

¹⁰⁶ Ibid.

However, Pervez Perwazi gave another elucidation to the above text. He was of the view that it was not because of Khan's religious identity that he could not assert the authorship of his memorandum, rather it was caused by the fact that Khan was a member of the Viceroy's Executive Council, so being a member of the council, Khan could claim its authorship.¹⁰⁷ If his religious identity had been an issue, he would never have been appointed as a member of the Viceroy's Executive Council.¹⁰⁸ However, in order to access, whether the memorandum¹⁰⁹ drafted by Khan was the same that was publicized by the Muslim League for the making of Pakistan. To corroborate it, analysis of both the text is obligatory. The most important points of Lahore Resolution are enumerated.

1. The form of federation given in the Indian Act of 1935 would not be acceptable to the Muslims of Indian sub-Continent.¹¹⁰
2. Declaration of 18th October 1939 made by the Viceroy that the Act of 1935 would be reconsidered and would be approved by the consent of different parties in India.¹¹¹
3. No constitution would be acceptable to the Muslims if its effects geographical location of the Muslims of North West and Eastern Zones areas, and did not consider them as "independent States".¹¹²
4. Safeguard must be given to the minorities in terms of their religion, culture, political rights, economic rights and interests.¹¹³

¹⁰⁷ Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 33.

¹⁰⁸ Ishtiaq Ahmed, "Religious Nationalism and Minorities in Pakistan: Constitutional and Legal Bases of Discrimination" ed., Ishtiaq Ahmed, *The Politics of Religion in South and Southeast Asia* (New York: Routledge, 2011), 86.

¹⁰⁹ For the complete memorandum drafted by Khan, see, Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 34-86.

¹¹⁰ Rajendra Prasad, *India Divided* (New Delhi: Penguin Books, 2010), 280.

¹¹¹ *Ibid.*

¹¹² Gyanesh Kudaisya, and Tan Tai Yong, *The Aftermath of Partition in South Asia* (London: Routledge: 2000), 100.

5. Constitution must be framed on the basis of above principal, and further it would define the policy of the government on defense, foreign affairs, communication, and customs.¹¹⁴

Comparing point 1 of Lahore Resolution with the idea of federation printed in the memorandum, drafted by Khan. “Federal scheme as set out in the 1935 Act would have to be radically modified before it can possibly afford even a basis of discussion so far as the Muslims are concerned.”¹¹⁵ “Federation must be a federation¹¹⁶ of all the Indian peoples and that the people of India, whether British or State, must find representation in the federation”¹¹⁷

Regarding the approval of the Muslims in point 2 of the Lahore Resolution, the memorandum says, “we are told that this Constituent Assembly¹¹⁸ will represent all communities and interest in India,... and will give satisfaction to all communities and interest in the country.”¹¹⁹ “we fear that the problem of framing a constitution for India is not so simple¹²⁰ as even some British statesmen appear to imagine...we, on the other hand, are convinced that from the point of view of the Muslims that the implications of the Viceroy’s speech are such that the position could scarcely be worse and it, therefore, behooves the Muslims to take careful stock of the position and to make their own attitude clear lest their case should go by default.”¹²¹

Regarding Muslim majority areas (point 3 of Lahore resolution), Khan wrote the following:

¹¹³ Sugata Bose, *His Majesty's Opponent: Subhas Chandra Bose and India's Struggle Against Empire* (England: Belknap Press, 2011), 174.

¹¹⁴ Yuvraj Krishan, *Understanding Partition: India Sundered, Muslims Fragmented* (New Delhi: Alpha Publication, 2002), 75.

¹¹⁵ Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 58.

¹¹⁶ Regarding the kind of Federation, see appendix II.

¹¹⁷ Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 60.

¹¹⁸ Hans Raj Khanna, *Making of India's Constitution* (Lucknow: Eastern Book Company, 2008), 7-9.

¹¹⁹ Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 39.

¹²⁰ David E. Ludden, ed., *Contesting the Nation: Religion, Community, and the Politics of Democracy in India* (Philadelphia: Pennsylvania University Press, 1996), 13.

¹²¹ Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 40-1.

...there should be a North-Eastern federation consisting of the present provinces of Bengal and Assam, and a North-Western Federation consisting of the Punjab, Sind, North-West Frontier Province, Baluchistan and the Frontier tribal areas.... The North-Eastern and North-Western Federations will be in direct relation with the Crown and so will be the Federation or Federations constituted by the rest of India. If Burma can be constituted into a separate Dominion, apart from India, there should be no inherent impossibility or impracticability in setting up the North-Eastern and North-Western Federations.¹²²

As far as the question related to the issue of minorities (point 4 of Lahore Resolution) was concerned, the memorandum states that “the communal safeguard embodied in the 1935 constitution proved to be a dead letter.”¹²³ There should be safeguard in terms of language, religion, culture and so on.

By analyzing the points of the memorandum with that of Lahore Resolution, it became clear that Khan was the architect of the Lahore Resolution, but such points written by Khan were not new. The concept seemed to have been borrowed from the fourteen points of Jinnah (1929) and from Iqbal’s Allahabad address (1930). However, it should be kept in mind that copies of that memorandum were given to Jinnah, and Sir Akbar Hydari. In addition to that, the letter of the Viceroy which he wrote to the Secretary of State confirmed that Lahore Resolution was drafted by Khan.¹²⁴

i. Federal Court of India 1941-47

Sir Shah Sulaiman was a Muslim judge on the Federal Court of India died in March 1941.¹²⁵ At that time, Bashiruddin wrote to Khan that the death of Sulaiman was a great loss for the Muslims, and to fill that gap, Khan should take his place.¹²⁶ At that time, in the Federal Court of India, there was a Chief Justice, and two judges. One used to be a Hindu and the other was a

¹²² Ibid, 53.

¹²³ Ibid, 67.

¹²⁴ Khan, *Facts are Facts*, Trans., Hameed, 40.

¹²⁵ Maurice Linford Gwyer, *Convocation and Other Addresses* (Cambridge: Cambridge Printing Press, 1942), 333.

¹²⁶ Khan, *Servant of God*, 111.

Muslim.¹²⁷ The working period of judiciary was limited for few months. It had four month vacation in the summer that could be extended to six or eight weeks.

The Chief Justice of Federal Court of India, Sir Maurice Gwyer, requested the Viceroy to recommend the name of Khan as a judge in the Federal Court of India. The members of the Executive Council had a weekly meeting with the Viceroy, and during that meeting with the Viceroy, the following tête-à-tête took place between them.

On Sir Shah Sulaiman's death the Chief justice and I could not agree upon his successor on the court. As a Muslim had to be appointed, the Chief justice told me he would not recommend anyone except you. I maintained I could not spare you from the cabinet as I rely on your advice in many matters.... Now the court is about to go into vacation, and the Chief Justice insists that he must know who will be his new colleague on the reopening of the court. We still do not agree; so we have decided to abide by your choice.... If you should prefer to go the court, I must reconcile myself to the loss. Think over the matter and let me know next week.

I (Khan) do not need a week to think over the matter.

Ah! I am so happy; you do not wish to go.

No Sir, I would rather go.

I am disappointed.... But do tell me why do you wish to go to the court. You will have still four years of your second term on the council; and at your age you can look forward to almost anything in the new set up in the country. Then why you wish to go and bury yourself in the backwater of the court?

Wee sir, maybe it is a matter of temperament.¹²⁸

Khan had barely regretted on his decision for the reason that his health was ailing and Bashiruddin had expressed his aspiration to Khan that he should join the court.¹²⁹ But prior to joining the court as a judge, Khan was able to persuade the Viceroy to extend the number of his council by including more Indians.¹³⁰

¹²⁷ Norman Schofield, and Gonzalo Caballero, *Political Economy of Institutions, Democracy and Voting* (Heidelberg: Springer, 2011), 126.

¹²⁸ Khan, *Servant of God*, 112-13.

¹²⁹ *Ibid.*, 113.

¹³⁰ The names of two new members were: Sir Syed Sultan Ahmad and Sir Homi Modi-the first Parsi member of the council, and the expansion took place on the day, when Khan joined the court. See *Ibid.*, 113-114.

j. Elections of 1945-6

The elections of 1945-6 were to decide the doom of Pakistan.¹³¹ When the elections of 1945-6 were announced, a prominent dissection was seen in the Muslim community, some were favoring the creation of Pakistan¹³² and others were criticizing it.¹³³ At that time, the policy of the Ahmadiyya Community was worthy of noticing because it was going to effect the proceedings and labors of Khan in terms of the conception of Pakistan. Here, one thing was interesting to note that during the elections of 1945-6, the Ahmadis were allowed to become a member of the Muslim League.¹³⁴ With the announcement of the elections¹³⁵, Bashiruddin wrote a pamphlet titled as *Ainda Electionu kay Mutaliq Jammāt Ahmadiyya ki Policy*¹³⁶, the key points of that pamphlets were:

I suggest every Ahmadi to help the members of the Muslim League and to cast their vote in favor of them. The Ahmadis should also persuade others to support the Muslim League. If in a constituency where there would be no member of the Muslim League, and from that constituency, an Ahmadi would be contesting the elections, then he must co-operate with the League or he should join the League. Regarding the number and influence of the Ahmadis, they can work well in Sindh, U.P. Bengal, and Bihar.¹³⁷

Here, the question arises that Khan, who got an identity because of the Unionist Party, and it was that party which favored the Ahmadiyya Community. So why didn't they support the Unionist Party?¹³⁸ The answer to this question was given by Bashiruddin: "Until and unless the Unionist Party did not explain its policy regarding the Muslim League and if it did not cooperate with the

¹³¹ Jinnah said, "The problem ahead of us is the elections because it will decide that what Indian Muslims want, Pakistan or united India... I came to know that certain powers are conspiring with the congress and trying to detract the Muslim masses. Regarding them, I regret to say that those Muslims are not with us, rather they are with our opponents. These Muslims are tamed birds of congress and are only Muslims in their physical appearance." See, Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 89-90.

¹³² Aziz Ahmad, "Activism of the Ulama In Pakistan" in ed., Nikki R. Keddie, *Scholars, Saints, and Sufis: Muslim Religious Institutions in the Middle East Since 1500* (California: University of California, 1972), 257.

¹³³ Ibid.

¹³⁴ Dost Mohammad Shahid, *Taareekhe-Ahmadiyya, Vol. IX* (Qadian: Nazarat Nashro Ishaat, 2007), 366.

¹³⁵ For Jinnah's speech on election, see, Bidyut Chakrabarty, *The Partition of Bengal and Assam, 1932-1947: Contour of Freedom* (New York: Routledge, 2004), 28 (end note 14).

¹³⁶ *Alfazl Daily*, (Rabwah: 22 October 1945).

¹³⁷ Shahid, *Taareekhe-Ahmadiyya, Vol. IX*, 353-4.

¹³⁸ Ahmed, "Religious Nationalism and Minorities in Pakistan: Constitutional and Legal Bases of Discrimination", 87.

League, I think no Ahmadi should contest for the tickets from the Unionist Party.”¹³⁹ With that statement, another issue was raised that why the Ahmadis started supporting the creation of Pakistan? The answer to this question seems to be related to the stance of the Congress because it did not fully explain its stance on religious issue, i.e. the religious freedom,¹⁴⁰ but Muslim League was clear in terms of its policies, i.e. to protect the rights of the minorities and the Ahmadis used to rely on Jinnah in comparison to any other political leader in India.¹⁴¹

At Sialkot, Nawab Muhamamd Din-an Ahmadi stood against Mumtaz Daulatana, a member of the Muslim League, who lost the election as the Ahmadis did not support him instead they casted their vote in favor of Daulatana. While narrating the position of the religio-political parties, Shaukat Hayat Khan says that when he was departing for Pathankot, Quaid-e-Azam told him to meet Maududi and convey his message to him. When Hayat Khan conveyed the message of Jinnah to Maududi, he said, “How can he pray for na-Pakistan?”¹⁴² Furthermore, Pakistan can only be created when every person in India accept Islam and become a Muslim.”¹⁴³

The Ahmadiyya Community had been supporting the creation of Pakistan and Khan had become their leading member in the Indian politics.¹⁴⁴ On the other hand, certain pro-Congress

¹³⁹ Shahid, *Taareekhe-Ahmadiyya*, Vol. IX, 355.

¹⁴⁰ William Gould, *Hindu Nationalism and the Language of Politics in Late Colonial India* (Cambridge: Cambridge University Press, 2004), 132.

¹⁴¹ Here it is worthy of noticing by Sardar Shaukat Hayat Khan, “one day I received a message from Quaid-e-Azam that I (Jinnah) have heard you are going to Batala which is five miles away from Qadian. You should go there and convey my message to Hazrat sahib, i.e. he should help us for creation of Pakistan from his prayers and support. I (Hayat Khan) reached Qadian round about 12 o, clock, and at that time, Hazrat Sahib was sleeping. I conveyed my message to him that I have been sent by Quaid to you, within a moment he came down, and I told him what Quaid-e-Azam had told me. He said that from the beginning he has been praying for the cause of Pakistan, and regarding Ahmadis he assured me that no Ahmadi would stand against Muslim League and if any one does so, then he will be not get any support from his Community. See, Sardar Shaukat Hayat Khan, *Ghum Shuda Qoam* (Lahore: Jhang Publishers, 1995), 195. Reference from, Shahid, *Taareekhe-Ahmadiyya*, Vol. IX, 363-4.

¹⁴² Irfan Ahmad, “Genealogy of the Islamic state: Reflections on Maududi’s Political Thought and Islamism” in ed., Filippo Osella, and Benjamin Soares, *Islam, Politics, Anthropology* (New Jersey: Wiley-Blackwell, 2010), 147.

¹⁴³ See, Shahid, *Taareekhe-Ahmadiyya*, Vol. IX, 363-4.

¹⁴⁴ Accessed on 29-05-2014,

<http://www.reuters.com/article/2011/07/15/us-pakistan-ahmadis-idUSTRE76E15T20110715>.

ulama opposed the creation of Pakistan and termed it to be a British policy of “divide and rule”¹⁴⁵ and Jinnah was termed as Kafir-e-Azam¹⁴⁶ and pamphlet *Mulsim League aur Mirzaiyun ki Aank Macholi par Tabsara* were published and circulated.¹⁴⁷ It was because of such antagonism, Khan was stated to be an agent of the British.¹⁴⁸ Condemnation on Khan became more relentless when he was asked by Jinnah to defend the case of Muslim League before the Boundary Commission.¹⁴⁹

k. Indian Independence Bill 1947 and Resignation of Sir Khizr Hayat Khan

When the Cabinet Mission Plan of 1946 became unsuccessful, then the Prime Minister of England, Atlee was left with no alternative but to pronounce the partition of the Indian Sub-Continent. The proposal that he drafted for partitioning the Indian Sub-Continent was named as the Partition Plan of 1947.¹⁵⁰ The foremost initiative behind the scheme was that the British government would transfer the power to the provincial governments that were in power, and through them, the scheme of the partition plan would be worked out.¹⁵¹

At that time, Khan was acting as a judge in the Federal Court of India and was detached from the Indian political opinions.¹⁵² According to him, the partition scheme bothered him considerably as Sir Khizr Hayat Khan was becoming an obstacle for the Muslim League in the

¹⁴⁵ Burjor Avari, *Islamic Civilization in South Asia: A History of Muslim Power and Presence* in the Indian Sub-Continent (New York: Routledge, 2013), 206.

¹⁴⁶ Accessed on 29-05-2014, <http://tribune.com.pk/story/523784/jinnahs-pakistan-a-rebuttal/>.

¹⁴⁷ Shahid, *Taareekhe-Ahmadiyya*, Vol. IX, 370-1.

¹⁴⁸ Accessed on 29-05-2014, <http://tribune.com.pk/story/350941/our-internal-censors/>.

¹⁴⁹ *Ibid.*, 250.

¹⁵⁰ Commenting on the Bill, Lord Listowe-Secretary of State for India said, “This is a bill unique in the history of legislation in this country. Never before has such a large portion of the world population achieved complete independence through legislation alone.” S. N. Sen, *History of the Freedom Movement in India (1857-1947)* (New Delhi: New Age International Publishers, 2003), 339.

¹⁵¹ For other clauses of the scheme, see, V P Malhotra, *Security and Defence Related Treaties of India* (New Delhi: Vjj Books, 2010), xix-xx.

¹⁵² Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 12.

Province of Punjab.¹⁵³ Jinnah had tried to persuade Khizr Hayat Khan to join the Muslim League, but he was indisposed and was in a mood to continue the Jinnah-Sikandar Pact of October 1937.¹⁵⁴ According to that pact, the Muslim members of the Unionist Party were given a membership in the All India Muslim League and that was to protect the rights of the Muslims in India.¹⁵⁵

As Khan had been a member of the Unionist Party for a long time and was the trustee of Hussain, so he had known Khizr Hayat Khan not as a member of the Unionist Party but as his friend. At that time, Khan did his best to persuade Khizr Hayat Khan to resign and allow the Muslim League to form its government in the province of the Punjab.¹⁵⁶ That act of Khan became vibrant from the letter of Bashiruddin which he wrote to Jinnah.

Dear Mr. Muhammad Ali Jinnah

AoA

As I told you when we met at Delhi, it has been my impression all along that the proper time Sir Khizr Hayat Khan could be persuaded to join the League, but unfortunately certain events spoiled our attempt. After the announcement of the partition scheme, Sir Zafrulla Khan met with Sir Khizr and Nawab Muzaffar Ali Khan and told them not to betray their nation at that critical time. Both of them agreed to resign, and their resignation would be published tonight or tomorrow.

Yours Sincerely

Mirza Bashiruddin Mahmood Ahmad Imam Jammah Ahmadiyya¹⁵⁷

According to the Ahmadiyya Sources, when Abdul Rahim Dard met Jinnah, the latter thanked the Ahmadiyya Community for their efforts and said that “I can never Forget it.”¹⁵⁸ It became clear that the resignation of Khizr Hayat Khan was because of the efforts of Khan. The Punjab

¹⁵³ Khan, *Tehdis-e-Naimat*, 601.

¹⁵⁴ Khan opined, “No doubt Khizr Hayat Khan supported the idea of Pakistan which was an idea related to the center, but at the same time, he was following the principles of Unionist Party. In his party the influence of Muslims were decreasing and non-Muslims were emerging as the new power in the party, and moreover, the partition scheme was related to the provinces, so Hayat Khan had to left the ground open for Muslim League. The Muslim League had also tried to pass a bill of no-confidence against Hayat Khan Government but it failed.” Batalvi, ed., *The Forgotten Years*, 137-8.

¹⁵⁵ Stanley Wolpert, *Jinnah of Pakistan* (Karachi: Oxford University Press, 1999), 150-1.

¹⁵⁶ Accessed on 29-05-2014, <http://www.dawn.com/news/1069712>.

¹⁵⁷ Z.H. Zaidi, ed., *Jinnah Papers, Prelude to Pakistan, (20Feb-2June 1947), Vol.I, P.II*, (Islamabad: National Archive of Pakistan, 1993), 164.

¹⁵⁸ Shahid, *Taareekhe-Ahmadiyya, Vol. IX*, 425.

was one of the most imperative areas to validate the demand of Pakistan¹⁵⁹ and if Khizr Hayat Khan had not resigned, and would have not been replaced by the non-Muslims, then the history of Pakistan would have been somewhat unusual.¹⁶⁰

Khan had opined that Khizr Hayat Khan had done a great job by resigning and leaving the field open for the Muslim League. However, sorry to say that his efforts had never been admired because of the reason that he did not join the Muslim League and it was only for the reason that he did not want to get the name that he was “still hankering after an office.”¹⁶¹ Khan explained the efforts of Khizr Hayat Khan in the following words:

...Khizr was in full sympathy with the ideal of Pakistan and would continue to support it but he would rather not do anything that might take. I have always admired him for what he did at that time. He did not consider his own position, he had no thought of any personal benefit and he did what he considered to be right under all circumstances.¹⁶²

It was because of the acquiescence of Khizr Hayat Khan which “gave tremendous boost to the Muslim League in the Punjab and greatly strengthened Mr. Jinnah’s hands in the ensuing negotiations.”¹⁶³

I. Legal Adviser to Nawab of Bhopal

On 3rd June 1947, when the scheme for the partition of India was announced, Khan sent his resignation to the Chief Justice of India, which was to take effect in the following one week; he had no intention of staying in India because the head of the Ahmadiyya Community has decided to migrate to Pakistan.¹⁶⁴ The Nawab of Bhopal came to know about Khan’s resignation, and

¹⁵⁹ Izhar Ahmad Khan Azhar, *Overseas Migration and Its Socio-economic Impacts on the Families Left Behind in Pakistan: A Case Study in the Province of Punjab, Pakistan* (Kassel: Kassel University Press, 2007), 47.

¹⁶⁰ P. Hard, *The Muslims of British India* (London: Cambridge University Press, 1972), 235.

¹⁶¹ Batalvi, ed., *The Forgotten Years*, 140.

¹⁶² Khan, *Tehdis-e-Naimat*, 605.

¹⁶³ Muhammad Zafrull Khan, *The Agony of Pakistan* (Oxford: Kent Publications, 1974), 37.

¹⁶⁴ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 146. At that time, Nehru asked him to come to India, where he would be their Chief Justice, but Khan rejected his offer, and said he preferred to stay in Pakistan. Ibid.

asked him instantaneously to become his Constitutional Advisor/Diwan/Prime Minister.¹⁶⁵ It was not only the Nawab of Bhopal (Hamidullah Khan) who asked Khan to proceed to him as his Constitutional Advisor, but the Nizam of Hyderabad (Osman Ali Khan) also requested Jinnah to send Khan to him as his advice-giver.¹⁶⁶ Khan had known the Nawab of Bhopal more closely than any other prince, and Hamidullah was the chancellor of the chamber of princes.¹⁶⁷ Mountabatten was of the view that “His Highness Bhopal struck the iron when it was hot and succeeded in getting Sir Zafrulla’s services.”¹⁶⁸ Why Khan was asked by Hamidullah to become his Constitutional Adviser, the answer to this question was given by his daughter and his heir, Abida Sultaan in the following words.

It was during this period that I became aware of his outstanding intellect, dedication, and humanity. Being a Qadiani, Zafrullah Khan was something of a rarity as we hardly ever came across Qadianis in Bhopal. Zafrullah Khan was working to achieve a strong Pakistan and one of the ways that he conceived a more equitable balance in the sub-continent was for a third bloc—a grouping together of the princely states—to emerge. Zafrullah Khan worked assiduously on this concept of “Rajasthan” and was HH’s principal advisor in giving this idea a coherent form and structure. Sir Zafrullah’s qualities of reasoning and persuasion saw a number of Hindu princely states, notably Jodhpur, Indore, Kashmir and Bikaner seriously consider, forming a third bloc of princely states. In Zafrullah’s view such a bloc would counter India’s overwhelming weight against Pakistan that had yet to emerge on the map but Zafrullah was already committed to its conception and to its strength.¹⁶⁹

Khan was asked by Hamidullah Khan to serve him in Bhopal but the former had hardly stayed in Bhopal as he had to go to England to get clarification about the status of the princes under the clause 8¹⁷⁰ of the Indian Independence Bill.¹⁷¹ Hamidullah Khan wanted to know that whether

¹⁶⁵ Masarrat Husain Zuberi, *Voyage Through History, Vol. II* (Karachi: Hamdard Foundation Press, 1984), 47.

¹⁶⁶ Perwazi, ed., *Sir Zafrulla’s Contribution to the Freedom Movement*, 190. Jinnah asked the Nizam of Hyderabad to give him a written statement that the Nizam would abide by the suggestions given by Khan, which he (Nizam) declined, thus Khan was not asked by Jinnah to go to him. See, *Ibid.*, 190.

¹⁶⁷ Batalvi, ed., *The Forgotten Years*, 143-5.

¹⁶⁸ Perwazi, ed., *Sir Zafrulla’s Contribution to the Freedom Movement*, 191.

¹⁶⁹ Abida Sultaan, *Memoirs of a Rebel Princess* (Karachi: Oxford University Press, 2013), 277.

¹⁷⁰ Clause 8 of the Indian Independent Bill states, “on the due date all treaties, engagements, etc., between His Majesty and the Indian Princes would lapse and suzerainty would disappear, which meant in fact, that the princes would be free to establish such relationship as they preferred with either or both Dominions.” Batalvi, ed., *The Forgotten Years*, 145.

¹⁷¹ Khan, *Servant of God*, 136.

they can remain sovereign or they had to accede to one or the other Dominion.¹⁷² In London, Khan met with the Lord Templewood (who was Sir Samuel Hoare, the then Secretary of State for India) and told him the purpose of his visit. In House of Lord when the Clause 8 of the Indian Independence Bill was discussed, Lord Templewood initiated a debate by asking questions. “May I assume that the clause seek to accede to either Dominion or to remain independent? Lord Listowell¹⁷³ nodded. Lord Templewood: I take it that the noble Lord’s nod confirms my assumption.”¹⁷⁴

Khan said that he was unable to do something for the Nawab of Bhopal for the reason that Patel was trying his best to merge the Princely States with India. And consequently, the implementation of the Constitution was out of question.¹⁷⁵ On 7th of August 1947, Hamidullah Khan wrote a letter to the Viceroy in which he stated that he had sent Khan to discuss the terms of accession with V.P.Menon but he (Hamidullah Khan) would wait for the decision regarding the accession of Kashmir and on Hyderabad.¹⁷⁶ Later on Hamidullah Khan was left with no choice but had to accede to India.¹⁷⁷

m. Redcliff Award and the Boundary Commission

When Khan was about to proceed to England for the clarification of the Clause 8 of the Indian Independence Bill; at that time, Jinnah asked him to represent the case of Muslim League before the Punjab Boundary Commission.¹⁷⁸ Khan told Jinnah that the former was going to England, on

¹⁷² Batalvi, ed., *The Forgotten Years*, 145.

¹⁷³ “Lord Listowell was the under Secretary of the State for India, and in charge of the bill in the House of Lords.” See, Nancy Cunard, *Essays on Race and Empire*, ed., Maureen Moynagh (Sydney: University of New South Wales Press, 2002), 129.

¹⁷⁴ Khan, *Servant of God*, 136.

¹⁷⁵ Batalvi, ed., *The Forgotten Years*, 146.

¹⁷⁶ Perwazi, ed., *Sir Zafrulla’s Contribution to the Freedom Movement*, 200.

¹⁷⁷ Sultaan, *Memoirs of a Rebel Princess*, 181.

¹⁷⁸ Zuberi, *Voyage Through History*, 45.

which Jinnah said that there was copiousness of time and told him that up till now the umpire has to not been nominated.¹⁷⁹ Furthermore, Jinnah told him that on his return to Lahore, the case of Muslim League would be ready; all he had to do is to “think out and settle his line of argument.”¹⁸⁰ Khan instigated about the umpire, and for that, Jinnah said that he has no idea about it and has asked him if he had any suggestion.¹⁸¹

When Khan came back to Lahore, he was received by a large crowd of people including the Nawab of Mamdot himself, who told the former that next morning he had to meet with Radcliff. In the same afternoon, Khan had to meet a group of lawyers at the Villa of Mamdot, who had been preparing the case of the Muslim League for the Punjab Boundary Commission.¹⁸² When Khan went to the Villa of Mamdot to meet the lawyers, followed by a formal introduction, he asked them that who was going to lend a hand to him in the case of the Boundary Commission. Shuja-ud-Din, a senior lawyer inquired from Khan “which case?” Khan replied that “the boundary case, of course. I was asked to meet the lawyers working on the boundary case this afternoon here.”¹⁸³

Khan was surprised to come across the fact that the lawyers had been invited to greet him because he was going to defend the case of the Muslim League before the Boundary Commission.¹⁸⁴ When Khan inquired from Mamdot about the lawyers who would be assisting him and had been preparing the case, instead of giving a sound reply, Mamdot kept on

¹⁷⁹ Khan, *Servant of God*, 136.

¹⁸⁰ Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 192.

¹⁸¹ Khan replied, “no specific suggestion, but I would strongly argue that you should insist on the appointment of a Lord of Appeal. Anyone can make a mistake, but a person of the training and eminence of a Lord of Appeal is not likely to be influenced by any extraneous suggestions. Jinnah said, I shall keep in mind.” *Ibid.*, 192.

¹⁸² Batalvi, ed., *The Forgotten Years*, 151.

¹⁸³ *Ibid.*, 152.

¹⁸⁴ The Commission comprised of Radcliff, two Hindu judges (Mehr Chand Mahajan, and Teja Singh). The two Muslims judges were Munir, and Din Mohammad. See, Mehr Chand Mahajan, *Looking Back* (London: Asia Publishing House, 1963), 113.

smiling.¹⁸⁵ It bothered Khan as he had no time to make contact with Jinnah and to narrate him about the state of affairs. At that time, Khan excused the jamboree of the lawyers and left the villa of Mamdot in order to find a way to complete the task assigned to him by Jinnah. In addition to that, he asked Mamdot to make available two stenographers to him on Friday morning at 7 a.m.¹⁸⁶ According to Khan, it was Khawaja Abdur Rahim who was the Commissioner of Rawalpindi and for the period of that time was staying at Lahore. When Khawaja Abdur Rahim came to know that Khan was going to defend the case of the Muslim League before the Boundary Commission, he came to him and hand over his assortment of statistical data on population, thinking that they might help Khan in preparing his case and it did.¹⁸⁷

Khan also received help from Bashiruddin who had ordered materials from England related to the geography of India; and at the same time, he had invited Professor Spat, a defense expert.¹⁸⁸ Bashiruddin asked Khan to meet Spat and get some guidelines from him, and after that Bashiruddin himself visited Khan and provided him the mandatory literature related to the demarcation of the boundaries of the Punjab, which proved helpful for him. Now Khan had to decide a unit in order to demarcate the majority areas. He had four choices before him either to choose district as a unit Sub-district (*tehsil*) as a unit, village as a unit, or a police station as a unit.

¹⁸⁵ Khan, *Tehdis-e-Naimat*, 611.

¹⁸⁶ Ibid.

¹⁸⁷ Zuberi, *Voyage Through History*, 45.

¹⁸⁸ Khan, *Tehdis-e-Naimat*, 617.

If district was to be opted as a unit, then the entire district of Gurdaspur would accede to Pakistan.¹⁸⁹ If a village was to be considered as a unit, then there would be a zigzag boundary line and it would not be possible to opt it because majority of the population in the villages ended on one side and started on the other side. Police station was too small to be used as a unit, so Khan used *tehsil* as a unit.¹⁹⁰ Sub-district was chosen as a unit because it gave Ferozepur and Zira *tehsils* of Ferozepur; Jullundur and Nakodar *tehsils* of Hoshiarpur; state of Kapurthala; whole district of Amritsar with *tehsil* Ajnala; Shakargarh; Batala, and Gurdaspur *tehsils* of Gurdaspur district.¹⁹¹ It was quite obvious that the decision was going to be taken by Radcliff as there was an ample probability of deadlock between the claims of Muslims and that of the Hindus.

When Khan accomplished his draft related to the demarcation of the boundaries, he presented the draft to the leaders¹⁹² of Muslim League. It was for the reason that Khan was acting on behalf of the Muslim League as he did not want to present a case that might be repudiated later.¹⁹³ On Friday morning, Khan kept on waiting for the stenographers that Mamdot had to send to him by 7 a.m. The stenographers never arrived, so by 8 a.m., Khan had to ask Abdur Rahim to send him two stenographers, and thus he completed his task.¹⁹⁴ Regrettably, Khan did not receive any help from Mamdot.¹⁹⁵

¹⁸⁹ Districts were based on administrative purpose, and if chosen as a unit, it would have “confirmed the notion partition that had already taken place”, but according to Khan “the risk was that if we confined our case to districts, it might be assumed that we are happy with the notional partition and our claim might be whittled down further to our serious prejudice.” Batalvi, ed., *The Forgotten Years*, 155.

¹⁹⁰ “This had the advantage of widening and enlarging Pakistan by avoiding district as a unit.” Zuberi, *Voyage Through History*, 45.

¹⁹¹ Khan, *Tehdis-e-Naimat*, 615.

¹⁹² Mumtaz Daulatan and Shaukat Hayat Khan.

¹⁹³ The draft was accepted by them. Batalvi, ed., *The Forgotten Years*, 154.

¹⁹⁴ Khan, *Servant of God*, 139-40.

¹⁹⁵ *Ibid.*, 140.

When Khan presented the case of the Muslim League before the Boundary Commission, at that time Bashiruddin was also present there.¹⁹⁶ Khan had been held responsible by certain group of people that he intentionally opted for *tehsil* as unit in order to give Kashmir to India¹⁹⁷ and an attempt was made to bring their centre-Qadian-to Pakistan. Justice Munir¹⁹⁸ has explained that how Khan had pleaded the case of Muslim League before the Commission.

Vile and unfounded charges have been leveled against the Ahmadis that the district of Gurdaspur was assigned to India by the Award of the Boundary Commission because of the attitude adopted by the Ahmadis and the arguments addressed by Chaudhri Zafrullah Khan who had been selected by the Quaid-i-Azam to present the case of the Muslim League before that Commission. But the President of this Court, who was a Member of that Commission, considers it his duty to record his gratitude to Chaudhri Zafrullah Khan for the valiant fight he put up for Gurdaspur. This is apparent from the record of the Boundary Commission which anyone who is interested may see. For the selfless services rendered by him to the Muslim community, it is shameless ingratitude for anyone to refer to Chaudhri Zafrullah Khan in the manner in which he has been referred to by certain parties before the Court of Inquiry.¹⁹⁹

There was no uncertainty that Khan pleaded the case of the Muslim League with his utmost abilities but the reason for his failure was because of the impartiality of Radcliff, who was predisposed by the commands of Mountbatten.²⁰⁰ The Muslim members of the Commission told Khan that they have been assured by Radcliff that “the *tehsil* of Ferozepur itself and Zira *tehsil* with rest of Muslim block will form Pakistan; however, regarding Gurdaspur nothing can be said.”²⁰¹ Regarding the impartiality of Radcliff, Muhammad Ali has written about his experience in the following words:

Liaquat Ali Khan told me that Quaid-i-Azam had received very disturbing reports about the likely decision on the Punjab Boundary, particularly in the Gurdaspur district. In the Amritsar and Jullundur districts contiguous Muslim majority were also in danger of being assigned to India. He asked me, to return to Delhi, and convey the message of Quaid to Lord Ismay-who was closest to Radcliff. When I conveyed the message of to Lord Ismay, he professed ignorance and stated that neither Mountbatten nor he had ever discussed the question with

¹⁹⁶ Mahajan, *Looking Back*, 114.

¹⁹⁷ “At that time, the issue of Kashmir was not raised, as it was a princely state. The issue came after Independence of Pakistan.” Munir Ahmed Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview” in *Atish Fishan Lahore*, (Lahore: Atish Fishan Publishers, 11 January 1981), 16.

¹⁹⁸ Mahajan says, “The Muslim League’s case was ably presented by Sir Muhammad Zafarull Khan.” Mahajan, *Looking Back*, 114.

¹⁹⁹ Government of the Punjab, *Report of the Court of Inquiry Constituted Under Punjab Act II of 1954 to Enquire into the Punjab Disturbances of 1953* (Lahore: Government of the Punjab, 1954), 197.

²⁰⁰ Saroja Sundararajan, *Kashmir Crisis Unholy Anglo Pak Nexus* (Delhi: Kalpaz Publications, 2010), 81.

²⁰¹ Batalvi, ed., *The Forgotten Years*, 156.

him. ... There was a map hanging in the room and I beckoned him to the map so that I could explain the position to him with its help. There was a pencil lie across the amp of Punjab. The line followed the boundary that had been reported to the Quaid-i-Azam. I said that it was unnecessary for me to explain further since the line, already drawn on the map, indicated the boundary I had been talking about. Ismay turned pale and asked in confusion who had been fooling with his map.²⁰²

When Khan had defended the case of the Muslim League before the Boundary Commission, he was asked by Jinnah to meet him before leaving for Bhopal. Then, Jinnah invited him on dinner and thanked him in the following manner, “I am very inspired by you because the task that I gave you, you have done it with great efforts and honesty.”²⁰³ So when the facts are analyzed, it become clear that Khan was not deliberate to craft any loss to Pakistan rather it was the British who with the Congress had tried its best to make Pakistan like a tent.²⁰⁴ To blame Khan for treachery would be a grave error because if he were such a person then Jinnah would have never chosen him to be the Foreign Minister of Pakistan.

It was because of the abilities of Khan and the expectation of Jinnah from the former, that in the later days, Jinnah asked him to serve Pakistan by accepting the portfolio of the Foreign Ministry. Khan was the only individual in the cabinet of Jinnah who was having formal training in the field of international relations and it was because of him that in the early days of the creation of Pakistan the country was able to purse the Foreign Policy of Jinnah.

²⁰² Chaudhari Muhammad Ali, *The Emergence of Pakistan* (Lahore: Research Society of Pakistan, 2012), 218-9.

²⁰³ Khan, *Tehdis-e-Naimat*, 621-22.

²⁰⁴ “Eventually the labour of the Commission was time wasted... Mountbatten was fiddling even with Radcliff’s Award and is handing over Gurdaspur to India.” Zuberi, *Voyage Through History*, 48.

Chapter 3

Zafrulla Khan Representing the Indian Sub-Continent

This chapter will throw light on the contributions of Khan and that will intricate the position of the former that how he was able to represent the Indians particularly the Muslims in the international world. This chapter will test the argument whether such an idiosyncratic position was an emblem of Khan's competence? Or he was an agent of the British. Additionally, this chapter will put in plain words that how Khan was able to serve his own Community at different levels. An effort will be made in this chapter to unearth the answer that how Khan was able to use his formal experience in building the foreign service of Pakistan.

a. Khan and the Religious Conference in London

The founder of the Ahmadiyya Community has claimed to symbolize Islam as a superior religion amongst all other religions of the human race; subsequently, he invited members of all other religions to come and argue with him.¹ Bashiruddin also followed the pattern of his precedents by attending religious conferences in order to show the superiority of Islam to the members of the other religions. In 1924, when the British organized Religious Conference in London², it was a hay-day for the Ahmadiyya Community as they got a chance to present their views to the world.

The invitation was gratefully acknowledged by Bashiruddin, who accompanied by his chosen clique³ went to England to attend the religious conference. The conference was organized

¹ See, Mirza Ghulam Ahmad, *Lahore Lecture 1904, Islam and other Religions of the Sub-Continent*.

² It was for the representatives of different religion within the British Empire. Muhammad Zafrulla Khan, *Tehdis-e-Naimat*, (Qadian: Zia-ul-Islam Press, 2009), 246.

³ Khan was one of the followers.

by the Imperial Institute.⁴ The topic to be read in the conference was selected by Bashiruddin, which was, *Ahmadiyyat Yani Haqeeqi Islam (Ahmadiyyat-the True Islam)*.⁵ The topic was written by Bashiruddin in Urdu and Khan was asked to translate it into English.⁶ At that time, when the Ahmadiyya delegate was in London, they received the news that their messenger in Afghanistan⁷ has been stoned to death.⁸ It was a great shock for the Ahmadiyya Community in reaction to that Khan not only wrote to the ambassador of Afghanistan criticizing the act of the latter's government, but also asked Bashiruddin to allow him to go to Afghanistan and preaching the doctrines of the Ahmadiyya Community.⁹

In London, Bashiruddin decided that he should not read the topic (*Ahmadiyyat Yani Haqeeqi Islam*) by himself in the conference¹⁰; thus, it was certain that someone else would read it. Three people from the Ahmadiyya Community were asked to read the topic of the conference before Bashiruddin; the one who was preferred to read the subject matter at the conference was, Khan.¹¹ According to Khan, the topic of the Ahmadiyya Community (*Ahmadiyyat Yani Haqeeqi Islam*) was rated as the best theme among all other topics.¹² Khan opined that it was the farsightedness of Bashiruddin who did not allow any opportunity to slip from his hand while

⁴ "It is at the heart of a district if London devoted precisely to museums. Albertopolis built with the profits from the great exhibition, contains the Victoria and Albert museum, devoted to human art and design, and the natural history and science museums, displaying the universe of nature." See, Denis Cosgrove, *Apollo's Eye: A Cartographic Genealogy of the Earth in the Western Imagination* (Maryland: The Johns Hopkins University Press, 2011), 232.

⁵ Khan, *Servant of God*, 49. This book was published by the Ahmadiyya Community titled as, Mirza Bashiruddin Mahmud Ahmad, *Ahmadiyyat Yani Haqeeqi Islam* (Surrey: Islam International Limited, 2007).

⁶ Khan, *Tehdis-e-Naimat*, 246.

⁷ Simon Ross Valentine, *Islam and the Ahmadiyya Jama'at: History, Belief, Practice* (London: HURST Publishers, 2008), 70.

⁸ The message sent to the Afghan king can be read online from, <https://alislam.org/books/invitation/content.html>, accessed on, 29-05-2014.

⁹ Khan, *Tehdis-e-Naimat*, 249-50.

¹⁰ It was not because, he did not know English. He could read and write but was not having mastery over it, and language was not a barrier, because in such conferences one could read it in any language and the translator with him would translate his message. The idea was that it was approved and read by the authority of Bashiruddin, so all responsibility lay on him.

¹¹ Accessed on 27-05-2014, <http://ahmadiyyaislam.webs.com/hazratkhalifatulmasihii.htm>.

¹² Khan, *Tehdis-e-Naimat*, 252.

representing his Community and the success and popularity of Ahmadiyya in the world was because of attending of such conferences.¹³

b. The Joint Select Committee 1933-34

The conclusion of the Round Table Conferences was the issuance of the “White Paper”¹⁴ by the British Government, which was forwarded to the British Parliament consisting of both the Houses to form a committee which should draft the future constitution for the Indian Sub-Continent. The committee¹⁵ constituted of all the ex-Viceroy of the Indian Sub-Continent,¹⁶ the Marquis of Salisbury, the Austen Chamberlain, the Archbishop of Canterbury, Dr. Coomo Lang and many other members; on the other hand, Sir Samuel Hoare-Secretary of State for India would be defending the White Paper from the side of the Indian Government.¹⁷ The Indian delegation was invited “to examine the witnesses while the committee records the evidence.”¹⁸

The witnesses came as an individual and in groups and the most significant among them was Mr. Winston Churchill.¹⁹ He was examined by the committee for four days and the Indian side for all time differed with him on every point but still his skills and abilities were admired by

¹³ At present their worldwide population is 170 Million, see, Jerry Stokes, *Changing World Religions, Cults & Occult* accessed on, 29-05-2014

(<http://books.google.com.pk/books?id=DTPJpanTizwC&printsec=frontcover#v=onepage&q&f=false>), 464.

And they are still participating in religious conferences. Accessed on 29-05-2014, See,

<http://www.worldreligionsconference.org>. and

<http://www.alislam.org/egazette/press-release/historic-conference-of-world-religions-held-at-guildhall-london/>.

¹⁴ Bakhshish Singh Nijjar, *History of the United Punjab, Volume 3* (New Delhi: Atlantic Publishers, 1996), 98.

¹⁵ It was named as Joint Select Committee. See Naoroji M. Dumasia, *The Aga Khan and His Ancestors: A Biographical and Historical Sketch* (New Delhi: Readworthy Publications, 2008), 258.

¹⁶ It consists of thirty two members. Prominent among them were: Lord Hardinge, Lord Reading and Lord Halifax. They were included among those who had a profound knowledge of the Indian sub-Continent, and they could not be bypassed by any other member. See, Jeremy Dobso, *Why Do the People Hate Me So?: The Strange Interlude Between the Two Great wars in the Britain of Stanley Baldwin* (Leicester: TJ International, 2009), 173.

¹⁷ A. H. Batalvi, ed., *The Forgotten Years: Memoirs of Sir Muhammad Zafrullah Khan* (Islamabad: Vanguard Books, Pvt, 1991), 58.

¹⁸ Mohinder Singh Pannu, *Partners of British Rule: Liberators or Collaborators?* (New Delhi: Allied Publishers, 2005), 477.

¹⁹ At that time, Churchill was not in office, and resisted India’s advancement towards a full Dominion Status. Batalvi, ed., *The Forgotten Years*, 58

everyone because of the way he defended his arguments.²⁰ It seemed to be a great test to trap Churchill on any point.²¹ Sir Samuel Hoare inquired from Khan with the intention of knowing the fact that why he did not put any question to Churchill; the reply was “I Dare Not.”²² Then Hoare gave the following suggestion to Khan:

Well I do not know whether you dare not, but let me tell you that most of the questions addressed to Mr. Churchill have been on general principles whether India should be accorded Dominion Status or not... you would have noticed that he has been reminded of some of his own speeches where he has advocated Dominion Status for India, and he has just waived that aside maintaining that status is one thing and function is another. India, he says, already got Dominion Status: India was signatory to the Treaty of Versailles, India is a member of the League of Nations, that is Dominion Status, but function is quite a different matter and India, he says, is not yet ready for it.²³

So Khan was determined to put questions to Churchill by drawing his attention towards specific issues as a replacement for asking him general questions. When Churchill was asked by Khan to answer the question that since India has got the Dominion Status, therefore at what time will it be able to get the status of the Self-Government for itself?²⁴ Churchill gave a vague answer, so Khan had to say, “Mr. Churchill, I am under a disadvantage. English is not my mother tongue and I have twice failed to make my meaning clear. Will you permit me to make another attempt?”²⁵ Khan was permitted to proceed and then he started asking questions by using the prefixes, “ifs” and “provided”, so that Churchill could answer him straightforwardly. The

²⁰ One prime example of his diplomacy was seen when he was caught on his own statement, but the way he escaped himself was remarkable. He was reminded of his statement by one of the members, in which Churchill had said that “a good deal of weight to be attached to the views and opinions of the men on spot, with experience of running the administration in India.” The member gave the example of Sir George Thompson—a distinguished civil servant—who fully supported the white paper in his speech. Churchill replied that “if you mean somebody of that name who had become Vice-Chairman of some organization set up for the express purpose of boosting these proposals on which the committee is engaged; surely, surely, I cannot be expected to attach much importance to the views of a person who is openly advocating one particular view.” Referring to Churchill’s reply, Archbishop of Canterbury said to the chairman that Churchill’s own viewpoints should not be considered at all, because he is an individual and propagating one point. On it Churchill said, “of course, the committee must pay attention to everything that is submitted to it what I said was that I could not be expected to attach much importance to such views.” Ibid., 60.

²¹ Rajendra Prasad, *India Divided* (New Delhi: Penguin Books, 2010), 257.

²² Wayne Wilcon and Aislie T. Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan* (Ontario: Oriental Publishers, 2004), 55.

²³ Batalvi, ed., *The Forgotten Years*, 60. Hoare also told Khan “to question Churchill on current situations in India, about which he had no idea. Churchill holds the view that India is the same as it was during his time when he served in the Indian Army. His knowledge is based on the opinion of O’Dowyer.” Khan, *Tehdis-e-Naimat*, 386.

²⁴ Ibid.

²⁵ Batalvi, ed., *The Forgotten Years*, 60.

answers by Churchill were, “I do not any idea.”²⁶ Such answer by Churchill enabled the committee to think that India has progressed considerably and was ready for Self-Government and such an effort was made possible by the questions of Khan.²⁷ When the meeting came to end, Churchill said, “My Lord Chairman²⁸, may I be permitted to say that I have not noticed that Mr. Zafrulla Khan suffers from any disadvantage from any lack of knowledge of English language.”²⁹

On the fourth day, when the evidences were accomplished, Churchill came to Khan, shook his hand and said, “You have given me the two most difficult hours before this committee.”³⁰ Churchill was followed by Sir Michale O’Dwyer³¹, but he was not as tricky as the former was. Dwyer had to admit that what Khan spoke regarding the Punjab was accurate³², and admired him for choosing an example that was best suited in that situation.³³ It was due to the competence of Khan that he became a friend of Churchill and whenever he visited England, he used to meet with Churchill.³⁴

c. Commonwealth International Conference 1933

When Khan was in London to attend the meetings of the Joint Select Committee, he received the instruction from the Viceroy to attend the invitation of the Royal Institute of International

²⁶ Khan, *Tehdis-e-Naimat*, 388.

²⁷ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 55.

²⁸ The Chairman of the Committee was Lord Linlithgow, who later on became the Viceroy of India. Khan, *Tehdis-e-Naimat*, 384. From here Linlithgow came to know Khan and his caliber.

²⁹ Batalvi, ed., *The Forgotten Years*, 60.

³⁰ C.H. Lai, and Azim Kidwai, *Ideals and Realities: Selected Essays of Abdus Salam* (London: World Scientific Publishing, 1966), 484.

³¹ Sir Michale O’Dwyer was the governor of the Punjab. Mehr Chand Mahajan, *Looking Back* (London: Asia Publishing House, 1963), 61.

³² Khan opined that his success was because of Hoare’s advice, and also due to Fazle Hussain;s efforts that made Punjab a developed province, which helped the Muslims to ask for freedom. Khan, *Tehdis-e-Naimat*, 388.

³³ *Ibid.*, 389.

³⁴ C.H. Lai, and Azim Kidwai, *Ideals and Realities: Selected Essays of Abdus Salam* (London: World Scientific Publishing, 1966), 484.

Affairs³⁵ by presenting the Indian Sub-Continent in the Commonwealth International Conference that was going to be held at Hart House, University of Toronto, Canada.³⁶ The members of Indian delegation included Sir Ramaswami Mudaliar, Mir Maqbool Mahmood, and Khan. The theme of the conference was: “whether the crown was divisible or not? Could the crown be at war as the Crown of one Dominion and be neutral as the Crown of another Dominion?”³⁷ The conference continued; however, the Committee failed to answer the questions that were the theme of the conference.

The question was answered during World War II, when Eire being a dominion decided to remain neutral whereas the rest of the dominions were at war with the Germany.³⁸ Moreover, in 1948 when India attacked Pakistan, it became apparent that members of Commonwealth can also wage war with one another.³⁹ During the moment in time of the conference, the Indian Sub-Continent was considered as a Dominion. It is worthy of noticing that at that instance, Indians were stressing hard to get Dominion Status for India, whereas Khan opined that India was already well thought-out as a Dominion but not as a responsible Dominion; it was for the reason that the attitudes of the Indian political leaders particularly that of the congress were irresponsible.⁴⁰

At this point, it seemed that Khan had played no effectual role by participating in the conference; however, it was because of that Conference due to which Khan was able to get in touch with prominent personalities. It was because of the interaction of Khan of such

³⁵ “Commonwealth Relations Conferences were initiated by Catham House, the home of the Royal Institute of International Affairs, situated at St. Jame’s Square, London.” See, John W. Cell, John Whitson Cell, *Hailey: A Study in British Imperialism, 1872-1969* (Cambridge: Cambridge University Press, 1992), 220.

³⁶ Batalvi, ed., *The Forgotten Years*, 62.

³⁷ Herbert Vere Evatt, *The King and His Dominion Governors: A Study of the Reserve Powers of the Crown in the Great Britain and the Dominions* (London: Frank Cass and Company 1967), 302.

³⁸ Nicholas Mansergh, *Survey of British Commonwealth Affairs: Problems of Wartime Cooperation and Post-war Change 1939-1952* (New York: Routledge, 1968), 59.

³⁹ Khan, *Tehdis-e-Naimat*, 396.

⁴⁰ Batalvi, ed., *The Forgotten Years*, 66.

personalities who helped him to in the later days to get things done for Pakistan. The famous personalities included people like, Lord Robert Cecil, who was a great advocate of the League of Nations, and believed in the “concept of international peace and co-operation through peaceful means”, and Philip Noel Baker, who won the Nobel Prize for peace.⁴¹

d. League of Nations 1939

It was during the period of the World War II, when Khan was in London, and was acting as chairman of war and supply, that he received the message of the Viceroy to represent the Indian Sub-Continent in the League of Nations.⁴² Additionally, he was asked to lead the delegation and was allowed to do what he thought was best.⁴³

It was on the request of the Finland that the session⁴⁴ of the League of Nations was called. Finland wanted the League to stop Russian aggression against it.⁴⁵ Speeches were delivered against the Russian aggression but with the purpose to shun anything that would aggrieve Germany.⁴⁶ It was Khan who spoke from the platform of Indian Sub-Continent not only condemning the action of Russia but also criticizing the actions of Hitler.⁴⁷ The action of the League that forced Khan to speak was that the members of the League had expelled Russia from its membership but none of them had criticized or questioned the aggression done by Hitler. Khan asked the members of the League that why they were applying the “policy of

⁴¹ Walter De Gruyter, *The League of Nations in retrospect* (Berlin: Walter de Gruyter and Co., 1983), 95.

⁴² Meron Medzini, “Zionist Federations and Zionist Diplomacy in Asia to Ensure United Nations Support for the 1947 Partition Plan” ed. in Manfred Hutter, *Between Mumbai and Manila* (Bonn: Bonn University Press, 2013), 119. The session of the League was held at Geneva.

⁴³ Batalvi, ed., *The Forgotten Years*, 105.

⁴⁴ The president of the session was Mr. Hambro of Norway.

⁴⁵ Martina Sprague, *Swedish Volunteers in the Russo-Finnish Winter War, 1939-1940* (North Carolina: McFarland, 2010), 34.

⁴⁶ Khan, *Tehdis-e-Naimat*, 513.

⁴⁷ At that time, India was not even an independent country, so it was strange that Khan spoke from that platform. When Khan told R.A. Butler-leader of British Delegate-that he was going to speak, he said, “For heaven’s sake, do! We dare not, but you are free: go ahead.” Batalvi, ed., *The Forgotten Years*, 106.

amusement”⁴⁸ and giving time to Hitler.⁴⁹ The gist of the speech of Khan was in the following manner:

... If they (the assembled delegates) did not stand together they would be broken one by one. We must be united against aggression, if we do not; we will all be suppressed and will perish. Of course, it was not the kind of thing they could relish hearing from somebody representing a country which was not even independent. How dare someone like me tell them what to do! On the other hand, thought that the occasion demanded that one must speak one’s mind.⁵⁰

The speech of Khan was ostracized by the President of the League of the Nations⁵¹ and he ordered that only the gist of the speech should be interpreted.⁵² It is fascinating to note that when Hitler started attacking the countries; the first country to be attacked was Norway who was very cautious during the sessions of the League not to pass any comment against it. Later on, Agha Khan told Khan that when the delegates of Switzerland met with the former they told him (Agha Khan) that the best and useful speech in the League was delivered by the Indian delegate.⁵³

e. As Agent General⁵⁴ of British to China 1942

Khan was considered as the pioneer of building Sino-British diplomatic relations.⁵⁵ Khan being a judge was appointed as an agent general to China.⁵⁶ It happened in February 1942, when the emperor of China came to India on an official visit. He was honored a banquet by the Viceroy in which Khan was also invited. The emperor wished that to have diplomatic relations with the Indian Sub-Continent and for that purpose one must be sent for a period of six months. The Viceroy nominated Khan as the Agent General of British representing the Indian sub-Continent

⁴⁸ Frank McDonough, *Neville Chamberlain, Appeasement, and the British Road to War* (New York: Manchester University Press, 1998), 22.

⁴⁹ Ruth Henig, *The Origins of the Second World War 1933-1939* (New York: Routledge, 1990), 27.

⁵⁰ Batalvi, ed., *The Forgotten Years*, 106.

⁵¹ The President of the League of Nations was Mr. Hambro of Norway. Ibid.

⁵² At that time, all speech used to be recorded.

⁵³ Khan, *Tehdis-e-Naimat*, 514.

⁵⁴ The agent general was also ranked as ambassador.

⁵⁵ Batalvi, ed., *The Forgotten Years*, 110.

⁵⁶ He can thus be compared with the US Lord Chief justice, Mr. Reading who went as a delegate. Pervez Perwazi, ed., *Sir Zafrulla’s Contribution to the Freedom Movement-1926 to December 25, 1947* (Lahore: Nia Zamana Publications, 2011), 155-60.

in China. The Viceroy said “There is however, nobody else I can think of who can carry out the assignment with as much ability and dignity as you can.”⁵⁷ In China, Khan had to stay in Chungking, at that time it was the capital of the country.⁵⁸ Khan was not going to receive any special allowance for his mission as the allowances he was receiving as a judge was far more privileged than that of an ambassador, so he had to accept the task as a challenge for him.⁵⁹

When Khan went to China, there he received a status that was to a great extent higher than the status of the ambassadors of the European Countries.⁶⁰ Although at that time, India was not an independent country, but the Chinese always preferred the Asians over the Europeans.⁶¹ It was an urgent message when Sir Horace Seymour-British Ambassador was asked to convey the message of the British government to Chiang Kai-shek in China.⁶² At that time, it took days to arrange a meeting with the emperor. Thereby, Seymour has to approach Khan to convey his message to the Chinese Senior Deputy Foreign Minister.⁶³

Related to the socio-political situations prevailing in China, Khan had to send reports to the Viceroy on weekly basis but he never forgot to press the Viceroy for the independence of the Indian Sub-Continent.⁶⁴ It was at that time, when Khan wrote a letter and a memorandum to the Viceroy urging him to bestow freedom to India.⁶⁵ Moreover, he wrote that “I know that I am a

⁵⁷ Batalvi, ed., *The Forgotten Years*, 111.

⁵⁸ It was chosen as capital because during winter it was hardly visible from air, and the Japanese used to bomb China frequently. Muhammad Zafrulla Khan, *Servant of God: A Personal Narrative* (Surrey: Unwin Brothers Ltd., 1983), 116.

⁵⁹ Ibid.

⁶⁰ Khan could easily approach the Chinese as compared to the Europeans. See, Batalvi, ed., *The Forgotten Years*, 115.

⁶¹ B. Michael Frolic, *Mao's People: Sixteen Portraits of Life in Revolutionary China* (Harvard: Harvard University Press, 1981), 109.

⁶² Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 119.

⁶³ Ibid.

⁶⁴ The Viceroy gave him the permission to write him whenever he wished he could suggest something to him related to India's progress in terms of its political development. Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 118.

⁶⁵ See appendix II.

judge and it does not suit me to be indulged in politics but as an Indian it is my right to speak for India's freedom.”⁶⁶

When he came back to India, he had a detailed discussion with the Viceroy. He highlighted three most important conditions that were going to shape the future of China. Firstly after the war, China was going to be overtaken by the Communist Party because they were well-organized and trained; additionally, they were resisting the Japanese forces, whereas the ruling party was corrupt and weak, i.e. the National Party or the Kuomintang, headed by Generalissimo Chiang Kai Shek.⁶⁷ Secondly, it was an inaccuracy on the part of the British Government that the Communist Party in China was “pink and not red”⁶⁸, Mao Tse Tung and Chou En Lai were trained by the Communist in Moscow, and they had the support of the latter.⁶⁹ Thirdly, it was an erroneous postulation that the peasant would resist the Communist, they were so browbeaten that they were ready to surrender to anyone who could offer them protection and then allow them to work.⁷⁰

The minutiae given by Khan were appalling for the Viceroy and he was not eager to acknowledge them for the reason that for him the niceties provided to him by Khan were mind-boggling.⁷¹ Regarding Khan's stay in China, Kai Shek wrote, “during his (Khan's) short stay here, he has been instrumental in drawing closer both political and cultural ties between India and China.”⁷²

⁶⁶ Khan, *Tehdis-e-Naimat*, 560.

⁶⁷ Jonathan Clements, *Mao Zedong: Life and Times* (London; Haus Publishing, 2006), 85.

⁶⁸ Pink Color was used to refer to Socialism, whereas red color was used for Communism. Batalvi, ed., *The Forgotten Years*, 114.

⁶⁹ Otto Braun, *A Comintern Agent in China 1932-1939* (California: Stanford university Press, 1982), vii.

⁷⁰ Khan, *Servant of God*, 121.

⁷¹ Perwazi, ed., *Sir Zafrulla's Contribution to the Freedom Movement*, 130-31.

⁷² *Ibid.* 131.

f. Pacific Relations Conference, Mont Tremblant 1942, and Official visit to England 1943

When Khan came back from Chungking, the Viceroy asked him to lead a small delegation⁷³ and proceed to (Mont Tremblant, Quebec) in Canada to attend the Pacific Relations Conference. There was no direct flight to Quebec, so they had to go from Middle East.⁷⁴ The Conference was almost academic in its nature and was related to the issue of diplomatic relations between U.S. and the countries of the Pacific region.⁷⁵ It was discussed that what impact US was going to bring in the region by its contribution in the world war and what would be the outcome of that involvement by the US?⁷⁶

During that Conference, Khan met with the US delegate, Dr. Phillip Jessup⁷⁷; the British delegate, Lord Hailey⁷⁸, and received invitations from Governor General of Canada, the Earl of Athlone⁷⁹, Sir Lyman Duff-the Chief Justice of Canada.⁸⁰ He received a message from Lord Halifax⁸¹ to meet him in Washington before proceeding to London.⁸² In Washington, Khan was

⁷³ The delegates included, Khan, Sir Ramaswami Mudaliar, Begum Shah Nawaz, and Syed Bashir Ahmad. Batalvi, ed., *The Forgotten Years*, 119.

⁷⁴ In Cairo-where the delegation stopped for three days-Khan was greeted by Mr. Dick Casey (later Lord Casey), who was the British minister in Cairo. He was very interested in India, and asked Khan whether it was possible to “create confidence in Indian minds that after the war Britain would take concrete steps to satisfy Indian political aspirations.” Khan told him that regarding that he had written a memorandum to the Viceroy. Casey was pleased and asked him to meet the Secretary of State (Mr. Amery) in London, and promised that he (Casey) would arrange a meeting of Khan with him (Secretary of State). Khan, *Servant of God*, 122.

⁷⁵ Robert P. Newman, *Owen Lattimore and the loss of China* (Oxford: University of California Press, 1992), 95.

⁷⁶ Moreover, it was discussed that what kind of problems could emerge, and how could they be solved? Batalvi, ed., *The Forgotten Years*, 120,

⁷⁷ He was an outstanding jurist, professor of International Law at Columbia University, New York, and later as a judge of the international court of justice (1961-70). Neil O'Brien, *American Editor in Early Revolutionary China* (New York: Routledge, 2003), 166.

⁷⁸ He had been the Governor of the Punjab and the United Provinces. See, John Whitson Cell, *Hailey: A Study in British Imperialism, 1872-1969* (New York: Cambridge University Press, 1992), 107-8.

⁷⁹ He was the maternal uncle of King George VI. See, Irma Coucill, *Canada's Prime Ministers, Governors General and Fathers of Confederation* (Ontario: Pembroke Publishers, 2005), 84.

⁸⁰ He was invited to sit in the court. It helped him to gain experience, and he was able to apply them in the Indian court. Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 130.

⁸¹ He was the British Ambassador in Washington. He also met Sir Girja Shankar Bajpai, who was India's agent general in the U.S. See, Khan, *Servant of God*, 125.

⁸² Batalvi, ed., *The Forgotten Years*, 121.

able to meet President Roosevelt⁸³ to whom he requested that the latter may kindly force Churchill to give Independence to India. Roosevelt said, “I cannot force Churchill, but I will not allow in the least an opportunity to slip from my hands in pressing him for India’s freedom.”⁸⁴

Then in the month of January 1943, Khan went to England, and started his effort to persuade the British Government to put forward their process of Indianization⁸⁵, and thus paving the path for freedom.⁸⁶ For the most part of his visit, Khan held discussions with Dr James Grigg⁸⁷, Sir Findlater Stewart⁸⁸, and with Sir John Anderson.⁸⁹ The result of that discussions were the formation of a scheme, “based on setting up a wholly Indian cabinet”⁹⁰ without amending the constitution. The scheme was to be finalized in the following manner in which, “Sir Rama Swami Mudaliar was to act as Prime Minister without assuming the title. And Sir V.T. Krishnamachari was to take up the finance and Sir Aziz-ul-Haq (the High Commissioner in London), Commerce etc.”⁹¹

Childishness publicized by the Congress leadership shattered the efforts of Khan. It was during that time when Gandhi kept his fast unto death and the Hindu members⁹² in Viceroy’s

⁸³ The meeting was arranged by Sir Girja Shankar Bajpai. He also arranged Khan’s meeting with Chief Justice, Stone. Khan, *Servant of God*, 126.

⁸⁴ Khan, *Tehdis-e-Naimat*, 564. It was also from US on UK to give independence to India as soon as possible. See, Doris Kearns Goodwin, *No Ordinary Time: Franklin & Eleanor Roosevelt: The Home Front in World War II* (New York; Simon & Schuster, 1994), 343.

⁸⁵ Here it must be noted that Khan was sent by the Secretary of the State for India, to take part in the consultations in order “to determine how best India’s war effort could be stimulated.” Batalvi, ed., *The Forgotten Years*, 123.

⁸⁶ Khan, *Servant of God*, 127.

⁸⁷ He was a member of the Viceroy’s Executive council, and at that time, he was the Secretary of the State for war. See, Arieh J. Kochavi, *Confronting Captivity: Britain and the United States and Their POWs in Nazi Germany* (North Carolina: University of North Carolina Press, 2005), 35.

⁸⁸ Head of the India office, and was working on war planning. See, Geoffrey Carnall, *Gandhi’s Interpreter: A Life of Horace Alexander* (Edinburg: Edinburg university Press, 2010), 144.

⁸⁹ He was the Governor of Bengal and later on he became as the Lord Waverly. See, Chris Wrigley, *Winston Churchill: A Biographical Companion* (California; ABC-CLIO, 2002), 8.

⁹⁰ It was to be a responsible cabinet pursuing the task of “advising and guiding its members without overruling them so that they could take full responsibility for their decisions and the conduct of the government.” Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 132.

⁹¹ Batalvi, ed., *The Forgotten Years*, 124.

⁹² N.R.Sarkar was from Bengal; B.S.Aney was from Central Province and, Sir Homi Modi was from Bombay. See, Devendra Panigraha, *India’s Partition: The Story of Imperialism in Retreat* (New York: Routledge, 2004), 245.

Council resigned. The Viceroy uttered the following words: “It demonstrated the impracticability of transferring any substantial power to Indians during the war.” Furthermore, he kept on saying that the minister should not have resigned,⁹³ and at the moment, if the British gave powers to the Indians, it would be considered as a weakness of the British Government; thereby, the proposal was roll backed and Khan had to go back devoid of achieving anything.⁹⁴

g. Commonwealth Relations Conference 1945

In March 1945, Khan got an opportunity to lead a delegation to Chatham House at the headquarters of Royal Institute of International Affairs at London.⁹⁵ In the Chatham house, the head of every delegate delivered a short speech elaborating the role of his country in the war and then passing a comment on the aims and objectives of the Commonwealth countries. Khan contrasting them did not mention the aims and the objective of the Commonwealth countries rather subsequent to unfolding India’s role in the war; he drew the attention of the members of the Conference towards the independence of the Indian Sub-Continent. He said: “While India had two and a half million people in the field to defend the freedom of the Commonwealth, it was a great irony that India should still be a suppliant for its own freedom.”⁹⁶ His effort was intended to get freedom for India at its earliest.

The speech of Khan was given a massive media hype and the members of the British Parliament praised his efforts for his country. So, on the banquet at Claridge’s Hotel,⁹⁷ he was asked to deliver the opening speech, taking advantage of that, Khan explained his views which

⁹³ Batalvi, ed., *The Forgotten Years*, 124.

⁹⁴ Khan, *Tehdis-e-Naimat*, 562.

⁹⁵ Khan had been the first president of the Indian Institute of International Affairs, and first and last president of the Pakistan Institute of International Affairs. He held that presidency till he became a judge in the International court of the Justice, The Hague. Batalvi, ed., *The Forgotten Years*, 129.

⁹⁶ *Ibid.*, 130.

⁹⁷ Except Churchill, entire British cabinet was present.

See, Accessed on 30-05-2014, <http://archive.spectator.co.uk/article/16th-march-1945/13/a-new-plan-for-india>.

he could not have expressed in the Chatham House.⁹⁸ He opined that there “was agreement on all sides for India to be a Dominion as Canada, Australia and New Zealand.”⁹⁹ Furthermore, he discarded the claim of the British that a deadlock flanked by the Muslim League and the Congress was the rationale for halting India’s freedom.¹⁰⁰

At that time, Khan’s endeavor did not go unproductive. It was after the speech when Lord Wavell, Viceroy of India, was invited to London for discussions.¹⁰¹ When Khan was delivering his speech, at that time, Nehru was in jail, when he heard the speech of Khan he said that: “while we are in jail without saying such words but Khan said them while being in England.”¹⁰² But Khan was of the opinion that there were two methods for attaining freedom: one was by cooperating and demanding; and the other was non-cooperation and demand. We (Khan) chose the former, but it was not successful without the latter, so to get freedom both methods were demanded.¹⁰³

There is no doubt that Khan’s speech received a publicity in London but it is also worthy of noticing that what impression it left to the British in the Indian Sub-Continent. While discussing with the Secretary of State for India, the Viceroy opined “I have consulted the information and broadcasting department about European speakers for the U.S. and about the suggestion that Zafrulla might do an American tour. On the other hand, Spens is a little restive about Zafrulla’s travels and was reluctant to agree to his visit to the troops in Italy. Zafrulla ‘s

⁹⁸ For the text of speech, see appendix III.

⁹⁹ Stanley Wolpert, *Shameful Flight: The Last Years of the British Empire in India* (New York: Oxford University Press, 2006), 16.

¹⁰⁰ He suggested that “the British could give effect to the aspiration by promulgating a constitution which they consider just and fair to all interests, subject to assurance that as soon as the two parties could arrive at a settlement between themselves, whatever they proposed would be substituted for the interim constitution.” Batalvi, ed., *The Forgotten Years*, 130.

¹⁰¹ *Ibid.*, 131.

¹⁰² Khan was told by Mr. Asif- a leading member of the congress-who was at the fort of Ahmad Nagar in Deccan. He said that when they heard his (Khan’s) speech, uttering the words “statesman of the empire! Does not it strike you as an irony that while India maintains two and a half million people in the field in defence of the liberties and freedom of the Commonwealth, it should itself be a suppliant for its own freedom.” Khan, *Servant of God*, 130.

¹⁰³ Batalvi, ed., *The Forgotten Years*, 132.

recent speech in London, as reported here, did not sound very helpful or sensible.”¹⁰⁴

Commenting on Zafrulla’s speech in London, the Secretary of the State for India wrote a letter to the Viceroy.

I hear the Indian delegation have done very well and that Zafrulla has been outstanding. I confess I do not see any harm in his rather outspoken demand that we should hand over to an interim constitution by a certain date if Indians cannot frame their own within that time. This does not differ very much from my own idea, except that I regard the existing constitution as the best interim constitution that can be devised, subject to your securing a more representing Executive and a better legislative by adopting that part of the 1935 Act in so far as it applies to British India.¹⁰⁵

With that speech of Khan and with the change of government in England¹⁰⁶, the Prime Minister announced his craving to transfer power to the Indians.¹⁰⁷ It made Khan very apprehensive about the positions of the Muslims in the Punjab seeing that the Unionist Party was under the sway of the non-Muslims, who could weaken the demand of Pakistan, if they fashioned their government in the Punjab.¹⁰⁸

2.3. Khan, British, the Ahmadiyya Community and Creation of Pakistan 1946-47

Regarding the Ahmadiyya Community, it is argued that it was fashioned by the British Raj in order to divide the Muslims and to rule over them.¹⁰⁹ Conversely, the association between the Ahmadiyya Community and the British kept on shifting. There was a time when the British implicit that the Ahmadiyya Community was acting as an analogous government and was challenging the writ of the state.¹¹⁰ It was also thought that the Ahmadiyya Community has become politically dynamic and was taking part in the Indian politics.

¹⁰⁴ Perwazi, ed., *Sir Zafrulla’s Contribution to the Freedom Movement*, 172-3.

¹⁰⁵ Ibid, 175-6. For other suspicions held by British especially by Viceroy for Khan, see Ibid., 186-7.

¹⁰⁶ The formation of Labor Government in England.

¹⁰⁷ Peter Lyon, *Conflict Between India and Pakistan: An Encyclopedia* (California: ABC-CLIO, 2008), 117.

¹⁰⁸ For detail see, Chapter 2, section K.

¹⁰⁹ For details, see Chapter one.

¹¹⁰ Bashir Ahmad, *The Ahmadiyya Movement; British-Jewish Connections* (Rawalpindi: Islamic Study Forum, 1994), 90.

It was in 1920s, when Bashiruddin published a magazine titled as “*Rasul Allah S.A.W. ki Muhabbat ka Dawa Karny Waly Kia Ab Bhi Baidar Na Hungy?*”¹¹¹ It alarmed the British and they imposed the section 144 in the city of Lahore.¹¹² Subsequent to that incident, as soon as Khan¹¹³ went to the office of the D.C. of Lahore, Mr. Oglivie to get authorization to publish a magazine; at that time, Oglivie was incensed and asked him why the head of the Ahmadiyya Community has done such an act?¹¹⁴ Khan replied that it was obligatory to protect the dignity of their Holy Prophet PBUH.¹¹⁵

Oglivie questioned Khan that who was to be held responsible for inciting the Muslims to deteriorate the situation of law and order in the city? Khan’s reply was that it was he who was to be held as responsible¹¹⁶, but the D.C. said that the responsibility lies on Bashiruddin.¹¹⁷ According to Khan, the British were mistrustful as far as the Ahmadiyya Community was concerned and were waiting for the appropriate time to take action against Bashiruddin.¹¹⁸ The time was arrived when the British government permitted the Ahrar to hold their assembly at Qadian.¹¹⁹ The British did not offer any security to the Ahmadiyya Community; consequently, they had to position their own guards.¹²⁰

¹¹¹ It was published to stop people like Rajpal, who were doing blasphemous acts. Dost Mohammad Shahid, *Taarekhe-Ahmadiyya, Vol. IV* (Qadian: Nazarat Nashro Ishaat, 2007), , 596.

¹¹² At that time, Bashiruddin was in Lahore, Khan, *Tehdis-e-Naimat*, 419.

¹¹³ At that time, Khan was the Ameer of his community at Lahore. See, Om Gupta, *Encyclopedia of India, Pakistan and Bangladesh* (Delhi: Isha Books, 2006), 1631.

¹¹⁴ The act of publishing the magazine could have caused the law and order situation in Lahore.

¹¹⁵ Khan, *Tehdis-e-Naimat*, 419-20.

¹¹⁶ Khan was the *ameer* of Lahore.

¹¹⁷ Oglivie asked Khan if Bashiruddin asked him to do something that would cause chaos, would he do that. Khan reply was that they follow the teachings of Islam, and Islam do not permit it, and moreover Ahmadiyya Community also remained peaceful, but Oglivie kept on asking and at last Khan said that when he had taken the oath of allegiance, it was included to do what the head says. So, Oglivie said that he would tell the governor about Khan’s responsibility. Khan told him to go ahead, but he did not, and asked Khan’s purpose of visiting him, when he told him, and showed him the magazine, the permission was granted. Khan, *Tehdis-e-Naimat*, 419-20.

¹¹⁸ Shahid, *Taarekhe-Ahmadiyya, Vol. IV*, 598.

¹¹⁹ Qadian was and still is the hub of the Ahmadiyya Community. At that 9/10 of its population was of Ahmadis, and the rest were non-Muslims. Khan, *Tehdis-e-Naimat*, 423.

¹²⁰ Mujeebur Rahman, *Fazl-e-Umar: The Life of Hadhrat Mirza Bashiruddin Mahmud Ahmad Khalifatul Masih* (Surrey: Islam International Press, 2012), 186-7.

Chaudhry Fateh Muhammad Siyal-Nazir *Amoor Aama* wrote to the *Imams*¹²¹ of nearby areas to send volunteers to Qadian in order to ensure the security of that area¹²² because the Ahrar were going to attack the Ahmadiyya Community.¹²³ At this point, the British Government asked Bashiruddin to ask the members of his Community not to come to Qadian. It was apparent that such orders were not going to be time-honored. As a result, under Criminal Law Amendment Act, a notice was issued against Bashiruddin.¹²⁴ It was a great shock for the Ahmadiyya Community. To quote the words of Oglivie: “it is regretful that the position of the head of the community was not considered.”¹²⁵ Bashiruddin kept on criticizing the British Government in his Friday sermons and it sustained the time period until the British accepted that they had done a blunder by issuing the notice against Bashiruddin. In addition to that, the British also accepted that the action of Bashiruddin was permissible.¹²⁶ Then, it was Khan who arranged a meeting of the Governor of Lahore with Bashiruddin.¹²⁷

Overall, politically the Ahmadiyya Community remained inactive because they used to claim to be a religious Community and by and large they were countered by Muslims *ulama* in religious debates.¹²⁸ When the political career of Khan is analyzed, one can easily conclude that

¹²¹ Ibid.

¹²² The *ulama* of Ahrar announced that they were going to dig the grave of Ahmad, to see his body, whether it is rotten or preserved, because if Ahmad claimed to be a prophet then his body would be preserved, so we would test the validity of his claim. See, Accessed on 30-05-2014,

<http://www.islamicacademy.org/html/Books/GLIS/bzk.htm>.

¹²³ Arif Humayun, *Connivance by Silence* (Bloomington: Xlibris Corporation, 2010), 43-44.

¹²⁴ Mujeebur Rahman, *Fazl-e-Umar: The Life of Hadhrat Mirza Bashiruddin Mahmud Ahmad Khalifatul Masih* (Surrey: Islam International Press, 2012), 187.

¹²⁵ Khan, *Tehdis-e-Naimat*, 420.

¹²⁶ Accessed on 30-05-2014,

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&cad=rja&uact=8&ved=0CDwQFjAC&url=http%3A%2F%2Fwww.alislam.org%2Flibrary%2Flinks%2F00000177.html&ei=rFuU6OsC8Le7Abz74CYDA&usg=AFQjCNFDYJ2KT3fkT-2EibkxY13KI7-NA&sig2=yI60IY9xScCvFQRcwsnQow&bvm=bv.67720277.d.ZGU>.

¹²⁷ It was done on the request of governor. See, Khan, *Tehdis-e-Naimat*, 429.

¹²⁸ In Germany, there religious status has been accepted. Accessed on, 30-05-2014, See,

<http://www.themuslimtimes.org/2013/06/countries/germany/breaking-news-ahmadiyya-muslim-jamaat-germany-granted-a-new-status>.

the steps taken by Khan were always in conformity with the views of his Community. The top most leadership of the Muslim League had barely criticized the Ahmadis for their religious doctrines. The top leadership of Muslim League used to acknowledge the services rendered by anyone for the cause of Pakistan, and for that reason, Jinnah chose the non-Muslims in his first cabinet.¹²⁹

¹²⁹ The Cabinet was formed on 15th August 1947. The members were: Liaquat Ali Khan, I.I. Chundrigar, Abdur Rab Nishtar, Ghanzafar Ali, Jogendra Mandal, Ghulam Muhammad, Fazlur Rahman, but in December 1947, two other members were also added, Zafrulla Khan and Abdus Sattar Pirzada. See, <http://historypak.com/first-cabinet-1947/>.

Chapter 4

Zafrulla Khan as Foreign Minister of Pakistan

This Chapter deals with the epoch from 1947 till 1954, it was the tenure in which Khan served as the Foreign Minister of Pakistan, establishing the office of the Foreign Ministry and giving a practical contour to Jinnah's vision of Foreign Policy of Pakistan. Furthermore, this chapter will make an attempt to answer the questions that to what extent Khan represented the Foreign Policy of Jinnah and if he was actually representing Jinnah's Foreign Policy, then why was he forced to resign from his office? Was it true that Khan was representing his Ahmadiyya Community instead of serving Pakistan? If yes so what was the role and the policy of the Ahmadiyya Community during that tenure?

4.1. Khan-Jinnah and the Foundation of Pakistan

When Pakistan was created, it was predicted that sooner or later, it will be warped and would join India. It was not only a calculation but also was a hard reality. Jinnah declared it as a "moth eaten and truncated Pakistan."¹ Neither the Indian National Congress nor the British was geared up to recognize the creation of Pakistan.² Most of the civil servants opted for India.³ Pakistan was facing challenges from every sphere, ranging from the issue of a minor pencil to the

¹ Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan* (New York: Cambridge University Press, 1994), 187.

² Prime Minister Atlee said, "Mr. Jinnah had not agreed to Lord Mountbatten's appointment as Governor General of both India and Pakistan." See, A.H. Batalvi, ed., *The Forgotten Years: Memoirs of Sir Muhammad Zafrullah Khan* (Islamabad: Vanguard Books, 1991), 144.

³ Farooq Ahmad Dar, "Quaid-i-Azam Mohammad Ali Jinnah as the Governor-General of Pakistan" PhD Diss. Quaid-i-Azam University, Islamabad, 2008, 455. Ibid., 465.

shortage of capable men. At that time, it was Jinnah and his charisma⁴ that he chose the best and the loyal to serve the newly created state of Pakistan. It is worthy of noticing that during the entire leadership of Jinnah no one dared to protest upon his selection.⁵

With the creation of Pakistan, the office of Foreign Ministry was held by Liaquat Ali Khan⁶ but it was difficult for him to look after that ministry and mostly Jinnah has to act on behalf of Liaquat as the Foreign Minister of Pakistan. At that time, Khan was acting as the constitutional advisor to the Nawab of Bhopal. Jinnah asked him “when you will get free, we are running short of capable men and I need you.”⁷ In September 1947, Jinnah asked Khan to lead a delegation to the UN and get Pakistan documented as a member of the UN General Assembly.⁸ When Khan accomplished his task with a success, he was asked by Jinnah to meet Liaquat.⁹ When Khan met Liaquat he told by him that Jinnah sought him to opt for a portfolio.¹⁰ Khan opted for the portfolio of the Chief Justice of the Pakistan but Liaquat told him that Jinnah wanted him to become the Foreign Ministry of Pakistan¹¹ and thus Khan showed his readiness.¹²

⁴ The charisma of Jinnah was in terms of his foresightedness.

⁵ Ayesha Jalal called the authority of Jinnah as a continuation of the viceregal system. See, Cara N. Cilano, *Contemporary Pakistani Fiction in English: Idea, Nation, State* (New York: Routledge, 2013), 232. But Khan says that “Jinnah wanted to be a purely constitutional head if the cabinet desired so; but in that case, he insisted, the people had to be told where the responsibility for decision lay.” Jinnah further said, “I do not attach too much importance to constitutional theories and I am willing to fall in with whichever way of conducting business appeals to you.” See, Batalvi, ed., *The Forgotten Years*, 163.

⁶ So Liaquat was the first Foreign Minister of Pakistan, because Khan was appointed on 24th December 1947. See, Muhammad Zafrulla Khan, *Servant of God: A Personal Narrative* (Surrey: Unwin Brothers Ltd., 1983), 147.

⁷ Regarding Khan, America Representative Senator Warren Austin, said, “One of our greatest statesmen. Whether addressing formal meetings or participating in informal conversations, he is always just and fair.” See, Richard Symonds, *The Making of Pakistan* (Karachi: National Book Foundation, 1976), 171.

⁸ Khan, *Servant of God*, 141.

⁹ *Ibid.*, 145.

¹⁰ Chief Minister of Punjab, Chief Justice of Pakistan, or Foreign Minister of Pakistan. See Muhammad Zafrulla Khan, *Tehdis-e-Naimat* (Qadian: Zia-ul-Islam Press, 2009), 643.

¹¹ Khan was ranked next to Liaquat in terms of his Seniority. Khan, *Servant of God*, 163.

¹² Jinnah said to Liaquat that everyone asked from him for a portfolio, but Khan was the only one, who never asked for anything. Munir Ahmed Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview” in *Atish Fishan Lahore*, (Lahore: Atish Fishan Publishers, 11 January 1981), 22. But some argue that Khan was appointed by Mountbatten to fulfill the agenda of the British in Pakistan. See, *Ibid.*, 8.

4.2. Foreign Policy of Jinnah and Khan

It is argued by several historians that Jinnah had no idea for the creation of Pakistan¹³; therefore, he failed to draft a constitution for the country and in the same manner as he failed to solve the issues faced by the newly created state of Pakistan.¹⁴ But on the other hand, when the facts are analyzed, one can effortlessly renounce the wiles of the critics that Jinnah had no vision for Pakistan. What Jinnah had visualized his successors failed to comprehend that for the reason that they were ambitious as they forgot what Jinnah had told them.

As far as Jinnah's vision for the Foreign Policy of Pakistan¹⁵ was concerned, it can be easily predictable by analyzing the period of Khan as the Foreign Minister of Pakistan.¹⁶ Khan was among those upon whom Jinnah had full confidence. When Jinnah was ailing in Ziarat, Khan was one of those to whom Jinnah had given the permission to run their ministry without frequently seeking guidance from him.¹⁷ No matter Jinnah used to take a keen interest in the matters of international affairs but when he asked Khan about it, the reply of Khan was "All I wish to add is that as far as my portfolio is concerned, it is not my fear that you might interfere too much with my conduct of foreign affairs, but on the other hand, I am afraid you may not be able to afford enough time to give me the guidance that I may need from you."¹⁸ The Foreign

¹³ Yasmeen Niaz Mohiuddin, *Pakistan: A Global Studies Handbook* (California: ABC-CLIO, 2007), 72.

¹⁴ Saleem M.M. Qureshi, "Pakistan: Islamic Ideology and the Failed State" ed., in Veena Kukreja, and M P Singh, *Pakistan: Democracy, Development and Security Issues* (New Delhi: Saga Publication, 2005), 89.

¹⁵ For the Foreign Policy of Pakistan during 1947 to 1964 see, M. A. Ispahani, "The Foreign Policy of Pakistan 1947-64" in *Pakistan Horizon*, Vol. 17, No. 3 (Third Quarter, 1964), 231-252.

¹⁶ Jinnah said, "I myself and on the behalf of my party want to present a gift to honorable Sir Zafrulla Muhammad Khan, i.e. that he is a Muslim and it can be said that I am praising my own son." Speech delivered by Mr. Jinnah in the Indian Constituent Assembly in 1939, quoted by Ashiq Hussian Batalvi in his book, "Hamari Qoami Jado Jehd, i.e. Our National Struggle", pg. 74. Reference taken from Muhammad Nasrulla Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar* (London: Privately Published, 2010), 102.

¹⁷ Manzur Hussian Abbasi, *Zinda Quaid-i-Azam*, 34, reference taken from, see. Muhammad Nasrulla Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar* (London: Privately Published, 2010), 252.

¹⁸ That was in reply to Jinnah's position to become merely the Constitutional Head of the country. Batalvi, ed., *The Forgotten Years*, 163.

Policy of Jinnah can be judged from his speeches and later it can be seen in Khan's efforts. The speeches of Jinnah related to the Foreign Policy of Pakistan are quoted below:

1. Pakistan to ensure the policy of "Peace within and peace without."
2. Policy of Neutrality.
3. Concept of Muslim Brotherhood among the Muslim world, or formation of a third bloc, i.e. the Muslim Bloc.¹⁹
4. Cordial relations with all the countries of the world but priorities must be given to the neighboring Countries, and Common Defence Policy with India.
5. Support for the right of self determination for the oppressed countries.
6. To solve the issue of Palestine.
7. To struggle for the rights of the Kashmiris.
8. Cordial relation with the Commonwealth Countries.
9. To counter aggression.²⁰

If counted in terms of number, it seemed that the Foreign Policy of Jinnah was based on 9 points.²¹ But it was on the basis of these points that Khan framed the Foreign Policy of Pakistan,²² but regrettably with the passage of time, most of the points of the foreign policy of

¹⁹ Sharifuddin Pirzada, "Quaid-i-Azam and Islamic Solidarity" in *Pakistan Horizon*, Vol. 29, No. 4 (Fourth Quarter, 1976), 60-72.

²⁰ Chaudhari Muhamamd Ali had defined the Foreign Policy of Pakistan in the following words, "to strive for the freedom, strength, prosperity, and unity of the Muslim world has been a constant objective of Pakistan's Foreign Policy. Among the first acts of the Pakistan government was to send a mission of goodwill to the countries of the Middle East. Pakistan treated the Arab cause in Palestine as its own; and there was no more eloquent exponent of this cause in the United Nations than Pakistan's Foreign Minister, Zafrullah Khan." See, Chaudhari Muhamamd Ali, *The Emergence of Pakistan* (Lahore: Research Society of Pakistan, 2012), 380.

²¹ For detail, see Dar, "Quaid-i-Azam Mohammad Ali Jinnah as the Governor-General of Pakistan" 421-79.

²² Zuberi stated that "on 15th August 1947 a telegram was received in the Ministry of Communication from the Maharaja of Kashmir asking for a standstill agreement on communications and transport, hitherto in operational force. I took it to Sardar Nishtar who could not hide his gleeful satisfaction and with a non-challant gesture of his hand told me, 'send it to the Foreign Office.' 'Where is the Foreign Office?' was my attempt to spring another surprise to him. We had not yet organized the Foreign Office, no building had yet been earmarked and the Foreign

Jinnah were discarded. To understand the Foreign Policy of Jinnah, one needs to explain the role of Khan as the Foreign Minister of Pakistan.

4.3. Khan and the Kashmir Issue

Kashmir issue became a *raison die'tre* for the hostility between India and Pakistan.²³ When the partition took place, it was for sure that Kashmir would accede to Pakistan as its geography, population and culture was claiming to be a part of Pakistan²⁴, except a single man, i.e. the Maharaja of Kashmir.²⁵ It happened that as the ruler of the Kashmir was a tyrant and a savage, so he used to punish the Muslims.²⁶ When the Muslims of Poonch²⁷ roused against the Maharaja and defeated the forces of the State, then the Maharaja of the Kashmir asked Mountbatten to lend a hand to him by providing him armed forces.

On 27th October 1947, the Indian Union Troops landed in the valley of the Kashmir along with crushing the rebellion.²⁸ The Muslims residing in Pakistan considered it as a *jihad*, and started fighting in Kashmir.²⁹ At that time, the Ahmadiyya Community who was concerned with the issue of Kashmir raised an armed force named as *Furqan*. The *Furqan* force also participated

Secretary, Ikramullah, was sharing a table with the Cabinet Secretary and wasting his jokes on him.” Musarrat Husain Zuberi, *Voyage Through History, Vol. II* (Karachi: Hamdard Foundation Press, 1984), 80.

²³ Jinnah wanted to solve, the issue of Kashmir, but India showed such aggressiveness that Jinnah had to declare India as an “enemy”. See, “Dar, “Quaid-i-Azam Mohammad Ali Jinnah as the Governor-General of Pakistan”, 460.

²⁴ Richard Symonds says, “A glance at the map, on the other hand, will show what Kashmir means to Pakistan. The whole prosperity of Western Pakistan is dependent on her river and canal system... their control by a hostile neighbor could mean ruin for Pakistan.” See, Symonds, *The Making of Pakistan*, 159.

²⁵ The Maharaja of Kashmir by compulsion signed accession the accession agreement, and Mountbatten accepted that accession till a plebiscite. *Ibid.*, 162-3.

²⁶ The punishment for the Cow slaughter was 7 years. Arms license were given to Non-Muslims but not to Muslims. See, L.S.S. O'Malley, *Indian Caste Customs* (Cambridge: Cambridge University Press, 2014), 15.

²⁷ Pooch was the recruit base of Maharaja, but after the partition of the Indian Sub-Continent, the Muslims in army were forced to leave their jobs.

²⁸ It cannot be termed as a rebellion because upon the Muslims, the injustice of the Maharaja was rampant. see, Sayyid Mir Qasim, *My Life and Times* (New Delhi: Allied Publishers Limited, 1992), v.

²⁹ They were known as the tribesmen and were mostly Pashtoon. See, Kenneth Pletche, *The History of India* (New York: Britannica Educational Publishing, 2011), 304.

in liberating the Kashmir.³⁰ It happened that the situation started deteriorating in that area and on 31st December 1947, India had to take the case to UN.³¹ At that time, Khan was in Burma to represent Pakistan celebrating the independence Burmese.³² When he came back to Pakistan, he was asked to defend the case of Kashmir in the UN Security Council (UNSC).³³

The Indian side³⁴ has already done their effort and Pakistan was considered as an aggressive country. It took eight hours to Khan for shielding the case of Pakistan³⁵ by proving that the Indian claim was based on fabrication whereas the Indian delegate kept on pressuring the members of the UN to solve the issue at the earliest.³⁶ The argument that was developed by the Indian delegate was that, that Pakistan was helping the tribesmen to create anarchy in Kashmir so as to halt its accession to India.³⁷ The Indian delegate put the following allegation against Pakistan:

1. The Government of Pakistan did not cooperate with the Indian Government to find a joint and peaceful solution to the problem of the Kashmir, rather it became aggressive and hence, India brought the case before the UN.

³⁰ For General Gracy letter see, appendix IV. It was the first time in the history of the Ahmadiyya Movement that they opted for jihad *fi saif*.

³¹ It was 1st January 1948, because India knew that Pakistan was lacking capable men to defend the case of Kashmir in the UN. Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 185.

³² Jinnah asked Khan to proceed to Burma. See, Batalvi, ed., *The Forgotten Years*, 166.

³³ Muslims were their best to halt India from taking the case of Kashmir into the UN. See, accessed on 16-06-2014, https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=video&cd=3&cad=rja&uact=8&ved=0CCsQtwIwAg&url=http%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DV8V5oC6XK2Q&ei=cjifU525GcfB7AbJsYHwDg&usg=AFQjCNH9j_2QM9vKdKYz-dzpU-yallPV7A&sig2=RSdiyRhS2SQqIO-XkL8Pwg&bvm=bv.68911936.d.ZGU.

³⁴ When India came to know of Khan, then they sent Hyngari Shankar, who was the best lawyer. It was because Nehru was well aware of the abilities of Khan. Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 185.

³⁵ Khan, *Tehdis-e-Naimat*, 651.

³⁶ The Indian delegate quoting the example of Neru, who was playing the pipe while Rome was burning and Neru was playing the pipe, said that the UN was doing the same act for India. Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 10.

³⁷ Accession was to be decided through a plebiscite, when the situation in Kashmir would be favorable, but Pakistan was creating disorder. During the entire course of the session, India kept on changing its delegates.

2. The Maharaja was forced by the government of Pakistan to accede to Kashmir with Pakistan by stopping the supplies going to Kashmir.
3. Pouring of tribesmen into the valley of Kashmir, by vehicles bearing Pakistani number plates on them.
4. Pakistani government was providing military training to the tribesmen and then was providing them with the latest weapons to combat the Indian troops.
5. Kashmir had acceded to India, and its accession would be finalized through a plebiscite but Pakistan was creating disturbances in order to avoid that.
6. In short, after getting Independence, Pakistan has started the act of aggression.

Then, the Indian delegate put forward the following solution: “India shall withdraw its armies as soon as law and order is restored and the raiders have gone out of Kashmir and the decision must be made by the people of Kashmir, freely, without any interference.”³⁸ After that, the members of the UNSC held the view that Pakistan was an aggressor, and action must be taken against it.³⁹ But India’s dream soon became sour when Khan repudiated the arguments of Gopalswami. Here, it must be noted that the aim of India to take the case of Kashmir to UN was based on the prospect that Pakistan lack such capable men who could defend the issue of Kashmir against India in the UN but they failed to apprehend that Pakistan was having a leader in the shape of Jinnah who was a man of principle and was the greatest leader when compared with the leaders of the Indian Sub-Continent whether it be Nehru or Gandhi.⁴⁰ It was here again

³⁸ But after the speech of Khan, the UNSC rejected the idea of India stating, “It (UNSC) wanted not only a cessation of fighting and restoration of law and order but also necessary conditions under which fair and impartial plebiscite could take place.” Batalvi, ed., 169.

³⁹ Dennis Kux, *The United States and Pakistan, 1947-2000: Disenchanted Allies* (Maryland: The Johns Hopkins University Press, 2001), 23.

⁴⁰ Ilhan Niaz, M. Phil class lecture, 2nd Semester, Dept. of History, Quaid-i-Azam University, 15-8-2013, Nehru and Gandhi were the top leaders of India at that time.

Jinnah's leadership that he chose the best in his cabinet and Khan was one of them.⁴¹ How Khan tackled the issue of Kashmir can be fully appreciated by the resolution that was passed in UNSC, but how he did that, it can be judged by analyzing his speech.⁴²

Khan highlighted the issue of communalism that prevailed among the two major Communities in the United India and then told the members of the UNSC that the issue of Kashmir needs to be understood in its historical context. When partition was complete, the ruler of Kashmir asked the Muslims to migrate to Pakistan. At that time, those who started migrating, they were stopped, looted, ambushed, and put to death; those who opted to stay in Kashmir were asked to leave, when they refused they were fired and killed.⁴³ The non-Muslim population, especially the Sikhs repeated the holocaust which they pursued on the Muslims during their rule before the British Raj. When the tribesmen saw such brutality, they encouraged with the Islamic zeal of *Jihad* rushed towards Kashmir to help their Muslims brethren⁴⁴ then the state of affairs altered and Maharaja had to ask India to provide him with military help. Mountbatten, the GG of India accepted his request on the condition that when the condition will be usual, then a plebiscite would be conducted which would settle down the issue of Kashmir.

With the entrance of the Indian troops into the valley of Kashmir, a guerilla fight was started and then India took the case to UNSC blaming Pakistan to be an aggressor. It must be noted that it was India who previously rejected the option of putting the case before the UN on the plea that the latter 'had no forces at its disposal.'⁴⁵ Then Khan explained the efforts done by Pakistan to settle the dispute on the basis of a standstill agreement between India and Pakistan

⁴¹ Khan prepared the case in urgency, while India had already prepared its arguments, and when the Indian government found that the right time has come, it submitted the case of the Kashmir before the UN.

⁴² For the complete speech of Khan in UNSC, see appendix V.

⁴³ Iftikhar Haider Malik, *Culture and Customs of Pakistan* (Westport: Greenwood Publishing Group, 2006), 39.

⁴⁴ Praveen Swam, *India, Pakistan and the Secret Jihad: The Covert War in Kashmir, 1947-2004* (New York: Routledge, 2007), 22.

⁴⁵ Jyoti Bhusan Das Gupta, *Jammu and Kashmir* (Leiden: Martinus Nijhoff, 1968), 109.

but Indian government delayed the process till it brought the case to UNSC. He explained how the government of Pakistan had tried to solve the issue and that was the response of the Indian government:

...Kashmir had concluded a standstill agreement with Pakistan. There was a standstill agreement which existed between Pakistan and the Government of India. And yet there was no intimation either from the Government of Kashmir or from the Government of India to the Pakistan Government that Kashmir was acceding to India. The Government of India now makes a complaint that Pakistan should have joined them in settling the problem. However, by their own action the Government of India put any kind of joint action or settlement out of the question.

It was then suggested by us that a conference should take place at Lahore, where the Governor-General of Pakistan and the Prime Minister of Pakistan both then were—and they were both ill—to which the Governor-General of India, Lord Mountbatten, and the Prime Minister of India, Pandit Jawaharlal Nehru, together with the representatives of Kashmir, should be parties. The first suggested date for this conference was October 29, but on that date Pandit Jawaharlal Nehru was not well enough to be able to travel from Delhi to Lahore. It was therefore postponed to November 1, at which time it was hoped that all six—the three Prime Ministers, the two Governors-General, and the Maharajah of Kashmir—would be able to attend.

Pakistan failed in its first attempt to solve the issue of Kashmir and was thinking that India wants a solution but actually India wanted to make Kashmir its colony and then implement its plan of to destroy Pakistan by using Kashmir as a weapon. India had used its military might to compel Pakistan to admit the whole lot categorically.⁴⁶

...Thereafter, the Prime Minister of Pakistan sent a telegram to the Prime Minister of India on November 16. The telegram said, "The fundamental principle of the Charter of the United Nations is to prevent might prevailing over right. The whole dispute should, therefore, be brought before the bar of international opinion. We are ready to request the UNO immediately to appoint its representative in the Jammu and Kashmir State in order to put a stop to fighting and repression of Moslems in the State, to arrange the program of withdrawal of outside forces, set up an impartial administration of the State until a plebiscite is held, and undertake the plebiscite under its direction and control, for the purpose of ascertaining the free and unfettered will of the people of the State on the question of accession". In reply to this, the Prime Minister of India said in his telegram of November 21: "Since the United Nations have no forces at their disposal, we do not see how they can put a stop to fighting or to alleged repression of Moslems."⁴⁷

Khan started repudiating the allegations that were set against Pakistan⁴⁸ and gave the following suggestion to the UNSC. It was as follows:

⁴⁶ Devin. T. Hagerty, "US Policy and the Kashmir Dispute: Prospects for Resolution" ed. in Sumit Ganguly, *The Kashmir Question: Retrospect and Prospect* (New York: Frank Cass & Co. Ltd.2003), 94.

⁴⁷ Accessed on 09-06-2014,
http://archive.org/stream/India-pakistanDisputeOnKashmirextractsFromTheSpeechDeliveredBefore/kashmir_djvu.txt.

⁴⁸ for detail, see, Accessed on 09-06-2014,

Every effort; every offer, every proposal toward that direction has come from us. We still adhere to all those proposals. All that we want to ensure is this: Everyone who has gone into Kashmir should go out—Sikh bands, Rashtriya Sevak Sangh volunteers, Indian troops, tribesmen from Pakistan, if any, Moslems who are Indian nationals and who were refugees in Pakistan, everybody. All must get out, including Indian troops. The mere fact that they are troops of the Indian Government, from the point of view of reassurance to the people of Kashmir, makes no difference. No, it does make a difference. It makes this difference: that in East Punjab, in many parts, the Moslems were able to organize themselves and withstand the attacks of the infuriated Sikh mobs and gangs. But they were unable to withstand the attacks of the police and the army of the Indian Dominion, and they therefore had to leave their villages and get out. Our fear is—and we are convinced that fear is justified—that under the aegis of the Indian Army, the grim tragedy which has been enacted in so many other places, including Delhi, will be enacted in Kashmir also. There is no reason why it should not be enacted in Kashmir also. There is no reason why it should not be enacted in that remote valley, when it has been enacted under the very noses of the Government of India in Delhi itself. Therefore, by whatever means it may be possible, the condition to be brought about is this: whether by joint administration under the two Governors-General, by occupation of predominantly Moslem areas in Kashmir by Moslem troops from Pakistan and predominantly non-Moslem areas by Indian troops, by inviting Commonwealth forces, non-Indian forces or whether through the United Nations — Kashmir must be cleared. Fighting must stop. Kashmir must be cleared of everybody. Normal administration must be restored. There should be no kind of pressure, either from the Moslem Conference being in power and holding the reins of administration or the National Conference being in power and holding the reins of administration. No kind of pressure should be put upon the people. The people should then be invited to express their wishes regarding the way they want to go, to India or to Pakistan, and whatever they decide should be accepted.⁴⁹

After that Speech, the UNSC passed a resolution⁵⁰ that became the milestone for the solution of Kashmir. However, that resolution was followed by many other resolutions. With the passing of that resolution, Gopalswami requested the UNSC to adjourn the session as he had been called to Delhi for consultation.⁵¹ Here Philip Noel-Baker who was the Secretary of the State for Commonwealth Relations was also present in the UNSC and requested Sir Gopalswami Ayyangar and Sir Girja Shankar to persuade Nehru to accept the first resolution of UNSC.⁵² But he was shocked when he came to know that Nehru had persuaded Mountbatten to put pressure on

http://archive.org/stream/India-pakistanDisputeOnKashmirextractsFromTheSpeechDeliveredBefore/kashmir_djvu.txt.

⁴⁹ for detail, see, Accessed on 09-06-2014,

http://archive.org/stream/India-pakistanDisputeOnKashmirextractsFromTheSpeechDeliveredBefore/kashmir_djvu.txt

⁵⁰ For detail, see appendix VI, i.e. Resolution of April 21, 1948.

⁵¹ A member said, “now why you are in a hurry, previously you were blaming the council.”

⁵² It was passed on 6th of February 1948. The first resolution was “to find a speedy solution along the lines on which both Pakistan and India seemed to agree, that is, that the question of the accession of the state of Jammu and Kashmir to Pakistan or India be settled through the freely-expressed wishes of the people of Kashmir, to be ascertained by means of a free and impartial plebiscite under the auspices of the United Nations.” See, Batalvi, ed., 168.

Atlee to intervene in UNSC and cancel the first resolution.⁵³ It gave a life to the question of Kashmir and India had to regret over its submission of the case to UN. The Indian newspaper *Pratab* quotes: “It was our biggest mistake to make an appeal in the UN against Pakistan. We went there as champion but came back as conquered men, and still we are reaping the fruits of our mistake.”⁵⁴

India after realizing its defeat but still trying to get Kashmir sent another delegation to the UNSC under the leadership of Krishna Menon⁵⁵, who not only disagreed with the preceding resolutions, but also denied that Indian government had ever talked of plebiscite as a solution to the issue of Kashmir.⁵⁶ Khan quoted numerous statements of Nehru but Menon kept on saying that “his Prime Minister had never used the expression plebiscite in connection with Kashmir.”⁵⁷ With the passing of the resolution of August 13, 1948, stated that such conditions should be developed in Kashmir that should help in conducting a fair and impartial plebiscite. But as expected from India, it did topsy-turvy of what was proposed. In the end of April, General Gracy (the C-n-C of Armed forces of Pakistan) told Liaquat Ali Khan, PM as well as Defence Minister of Pakistan, that Indian troops were “preparing for an offensive war in Kashmir.”⁵⁸ Pakistan sent its forces to defend the line in case of any aggression⁵⁹. As soon as the Indian forces attacked

⁵³ India threatened that she would join the Russian bloc. Ibid., 169. Then Noel-baker had to say, “And then the disastrous telegram arrived from the Prime Minister.” See Ibid.

⁵⁴ Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 190. But the critics say, Pakistan lost Kashmir because of Khan, as he used to give long speeches. See Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 11.

⁵⁵ Vengalil Krishnan Krishna Menon (1897-1984) was an Indian diplomat, Minister of Defense, and an outspoken critic of the US, and Pakistan especially at UN in 1950s. See, Peter Lyon, *Conflict Between India and Pakistan: An Encyclopedia* (California: ABC-CLIO, 2008), 113.

⁵⁶ Wayne Wilcon and Aislie T. Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan* (Ontario: Oriental Publishers, 2004), 172.

⁵⁷ Batalvi, ed., 170.

⁵⁸ Ibid.

⁵⁹ Pakistan did not want to violate any clause of the resolutions by initiating a war with India.

Pakistan and were countered by the Pakistani Army, Nehru protested against the stroke that was made by Pakistan.⁶⁰

Keeping in view the resolution of 21st, April 1948, the UNSC framed a commission⁶¹ to visit the Sub-Continent and make an arrangement for the possibility of conducting an impartial plebiscite when in July 7, 1948, the commission arrived in the Indian Sub-Continent they had to face a new problem and i.e. India and Pakistan were engaged in a war. Thereby, the members of the Commission reminded Khan about his speech related to the presence of Pakistani troops in Kashmir and Khan said “The statement referred by me before the Security Council was in the months of February and March 1948. Our regular forces were not engaged till early May.”⁶² In reply to the allegations of Nehru he said “Whether the Prime Minister of India was confused over the dates or he was deliberately trying to create some feeling against Pakistan. I have cleared the facts to clear up the situation as far as the dates are concerned.”⁶³ Then, Nehru said “*Pakistan Kay Wazir-e-Kharja Nay Bain-al-Aqwami Halqoon Mein Mera Mun Kala Kar Dia*”, i.e. The Foreign Minister of Pakistan has destroyed my reputation in the International World.⁶⁴

The Commission went back and proposed another resolution⁶⁵. However, it was not acceptable to Pakistan; subsequently, it proposed another resolution related to the cease fire.⁶⁶ Both the countries were asked to submit their plans that how they would implement the

⁶⁰ Nehru opined that, “The Foreign Minister of Pakistan stated before the Security Council repeatedly that the regular Pakistani troops were not engaged on that front, and then, of course, it was discovered that they were.” Baralvi, ed., 171.

⁶¹ United Nations Commission on India and Pakistan (UNCIP).

⁶² Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 34.

⁶³ Batalvi, ed., 171-2.

⁶⁴ Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 34.

⁶⁵ August 13, 1948. For detail, see Appendix VII.

⁶⁶ It was passed on 31st December 1948, but put into effect on 5 January 1949.

resolution. Pakistan submitted its plan and India said that its plan should not be disclosed to Pakistanis.⁶⁷ The plan was to be drafted while keeping in view the following points:

1. Withdrawal of tribesmen from Kashmir who are fighting there.
2. Initiating a cease fire fully recognized by the commission as being valid.
3. Truce Agreement between India and Pakistan to withdraw their forces and Pakistan had to take the initiative followed by India. Pakistan should withdraw its entire forces whereas India should withdraw its bulk of the forces. Withdrawal should take place simultaneously.
4. Plebiscite officer would take over during the withdrawal process and maintain law and order situation and then a plebiscite would be put into effect.

India did not cooperate in the withdrawal process; consequently, no truce agreement was bought about and the Commission was dissolved followed by another commission. Sir Owen Dixon-judge of High Court of Australia-was sent to the Indian Sub-Continent to make the Plebiscite possible and if it was not possible then he must find an alternative. His mission was to get both the Prime Ministers agreed on an agreement and then finalize that scheme. First he met with Nehru and told him about his plan; Nehru accepted his plan on the condition if it was accepted by Liaquat Ali Khan. When Dixon told Liaquat, he showed his willingness at that time Chaudhry Mohammad Ali (Later on the Prime Minister of Pakistan)⁶⁸ who was also present

⁶⁷ Commenting on the Indian report submitted to the Commission of the UN, the Commission stated in UNSC that, "neither qualitatively nor quantitatively did the plan constitute compliance with the two resolutions." Batalvi, ed., 173.

⁶⁸ The time period of Bogra as Foreign Minister of Pakistan was from, 12 August 1955 until 12 September 1956.

there, asked Dixon how much time he would take to give a practical shape to his formula and the reply was a week.⁶⁹

Soon, Dixon wrote to Nehru telling him about the consent of Liaquat but he was shocked to read what Nehru wrote him back “this was the first time, he (Nehru) had heard of the plan, and would Sir Owen Dixon come to Delhi to discuss it with him.”⁷⁰ Dixon had no choice but to proceed to Delhi, at the airport, he was received by Sir Girja Shankar from whom Dixon enquired the reason for such a reply from the Prime Minister and reminded him (Girja) that he (Girja) was also present when the discussions took place. The reply of Girja was “Sir Owen, I imagine that the Prime Minister must have been overcome by temporary amnesia.”⁷¹ However, Dixon failed to solve the issue and later came to the following conclusion:

When he found he could not make any headway with Prime Minister Nehru, who insisted on having it declared that Pakistan was an aggressor, he told Mr. Nehru that he could not decide this question, nor had the Security Council authorized him to do so, but he was prepared to assume for the purpose of carrying the matter forward that Pakistan’s action was not in conformity with its obligations under International Law. Even that did not help him to make any progress, and his attempts to formulate an alternative also fell through.⁷²

Meanwhile in 1950-51, India set up a Constituent Assembly in Kashmir which was questioned by Khan in UNSC⁷³ but soon came the reply from Sir B.N.Rau-Indian Permanent Representative at UN-that the Constituent Assembly was not permitted to decide international disputes and solemnly guaranteed the UNSC that such an act would never happen.⁷⁴ After that Khan was no more in the office of Foreign Ministry, i.e. he was no more the Foreign Minister of Pakistan.

⁶⁹ Chaudhry Mohammad Ali opined that they (he and Liaquat) were skeptical about the plan, as they did not rely on Nehru, but Dixon had ignored their doubts. Batalvi, ed., 174.

⁷⁰ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 177.

⁷¹ Batalvi, ed., 175.

⁷² Ibid.

⁷³ Khan said, “We feared the once the so-called constituent assembly was set up, it would be invited to pass a resolution affirming the accession which the Maharaja had purported to carry through and it would be claimed that amounted to plebiscite.” Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 179.

⁷⁴ He further said, “The Prime Minister of India went on saying publicly, in parliament and outside, that this was an international dispute and that it could not be settled by the constituent assembly that might be set up in Kashmir.” Batalvi, ed., 176. See appendix VIII for the Memorandum of Conversation.

Then came the year 1962, when India took the following position that “the matter had been settled, there was no longer any dispute; the people of Kashmir had decided, the accession was confirmed and that the whole business was at an end. If that is not a unilateral decision of an international dispute, I do not know what is.”⁷⁵ Here it can be realized that when Khan was removed from the office and how the case took a u-turn and India was able to force the UNSC to declare that the issue must be solved by the two parties. Khan in 1962 said “Fifteen years have passed but even if fifty years were to pass the people of Kashmir will never reconcile themselves to the present situation. The matter will be settled only when those people can freely decide what they wish to do; accede to India, accede to Pakistan or whatever else might appeal to them.”⁷⁶

This statement of Khan reflected what Jinnah had envisioned, i.e. the freedom of the oppressed people; ensuring “peace within and without” and containing aggression, i.e. Pakistan must stand against aggression.⁷⁷ The later era witnessed a remarkable progress related to the question of Kashmir and till to date Pakistan used to validate its stance in the UN by using the resolutions that were approved in UN by the efforts of Khan.

4.4. Khan and the Issue of Palestine

In August 1947, when Khan led the delegation of Pakistan to the UN to get its membership, at that time, the issue of Palestine was under discussion in the UNSC. As soon as Pakistan got its

⁷⁵ Batalvi, ed., 176. The UNSC drafted its resolution of 22 July 1962, but it got only 7 votes in its favor, but was vetoed by the then USSR, and it was proposed that, “the two parties should get together and try to work out a settlement.” Batalvi, ed., 176.

⁷⁶ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 180.

⁷⁷ “Quaid had a cordial attachment with the issue of Kashmir. During his illness, the issue that disturbed him a lot was the independence of Kashmir.” Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 229.

membership at the UN, it started defending the case of Palestine in the Security Council.⁷⁸ It was on 28 November 1947 when Khan gave his speech in support of the Arab world. At that time no one knew to facilitate what was the Foreign Policy of Pakistan, it was not apparent whether Pakistan will speak in favor of or in opposition to the Arabs world. However, it happened that Pakistan being a non-Arab country spoke for the Arab cause.⁷⁹

The problem was to segregate the state of Palestine by accommodating the Jews in the heartland of the Arabs. Owing to that, the UN was alienated into two blocs, i.e. one of the Arabs and the other was of the Western bloc. The Arabs were of no match to the western bloc in defending the case of the Palestine, it was at that time when Khan spoke from the platform of Pakistan defending the case of Palestine.⁸⁰ Khan explained the efforts done by the Muslims to shield the Jews when they were victimized by the western people. He quoted the example of Spain,⁸¹ and of Hitler.⁸² Additionally, he opined that if “settling the Jews in Palestine is an act of humanitarianism” then why the west do not take the initiative. He reminded the UN for its pledges.

As far as the mandatory Power is concerned, one pledge has been fulfilled: the Jewish national home has been established. The independence of Palestine as a whole should now be established. Again, it has been argued: no, the Balfour Declaration meant something more than this. Very good. If there is a question of the legality, of the scope of the Declaration, refer it to the International Court of Justice. Sub-Committee 2 made that proposal also. It has been rejected. Much emphasis has also been placed on the humanitarian aspect of this question, an aspect which is not denied. But from the humanitarian point of view, it is not only a question of Jewish refugees and displaced persons. Any person who is persecuted or discriminated against or unjustly or unfairly used has the right to appropriate redress. That is not denied. What has Palestine done? What is its contribution toward the solution of the humanitarian question as it affects Jewish refugees and displaced persons? Since the end of the First World War, Palestine has taken over four

⁷⁸ The issue of the Palestine was an issue of a Muslim country. It was also an issue of oppressed country, furthermore, it was an issue of the Arab world. The Foreign Policy of Pakistan was in-lined with all the three situations. “Pakistan has consistently refused to recognize Israel.” Ali, *The Emergence of Pakistan*, 380.

⁷⁹ Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 9.

⁸⁰ For the complete speech of Khan in the UN, see appendix IX.

⁸¹ How the Muslims of Spain protected the persecuted Jews. See, Bernard Lewis, *Islam in History: Ideas, People, and Events in the Middle East* (Chicago: Open Court Publishing Company, 2001), 148.

⁸² How the Arabs sheltered the Jews when they were being persecuted by the Hitler. See, Lionel Gossman, *The Passion of Max Von Oppenheim: Archaeology and Intrigue in the Middle East From Wilhelm II to Hitler* (Chicago: Open Book Publishers, 2013), 250.

hundred thousand Jewish immigrants. Since the start of the Jewish persecution in Nazi Germany, Palestine has taken almost three hundred thousand Jewish refugees. This does not include illegal immigrants who could not be counted.⁸³

Khan asked the members of the UN to do justice with the Palestine by setting an example that “the UN is a body that inculcates peace and justice.” Khan discarded every argument that was used to justify the demand of the partitioning the land of Palestine and was a justification to settle the Jews in the Palestine.⁸⁴ The ending paragraph of his speech included the following sentences:

Our vote today, if it does not endorse partition, does not rule out other solutions. Our vote, if it endorses partition, bars all peaceful solution. Let him who will shoulder that responsibility. My appeal to you is: do not shut out that possibility. The United Nations should seek and strive to unite and bring together rather than to divide and put asunder.⁸⁵

The efforts of Khan were disregarded and a resolution was passed that justified the settlement of the Jews in the Palestine. Such a resolution was passed for the reason that the USA had been pressuring the UN to settle the Jews in the Palestine.⁸⁶ Khan opined that on Wednesday, the day of thanksgiving, the majority of the votes were against the resolution but the process of voting was postponed till Friday, Thursday being a holiday.⁸⁷ When Khan approached the President, Mr. Aranha, asked him the reason for adjournment, he said that the staff was not ready to work late evening.⁸⁸ However, Khan requested the president not to delay the voting on the resolution

⁸³ Accessed on 16-06-2014,

<http://Muslimsunrise.wordpress.com/2008/01/12/sir-muhammad-zafrullah-Khan-services-to-islam-and-the-Muslim-ummah/>.

⁸⁴ It was said that when Pakistan can be created in the name of religion, then why the same condition cannot be applied in case of the Israel? For the reply from Khan, see, Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammah Ahmadiyya Ka Misaali Kirdar*, 167.

⁸⁵ Accessed on 16-06-2014,

<http://Muslimsunrise.wordpress.com/2008/01/12/sir-muhammad-zafrullah-Khan-services-to-islam-and-the-Muslim-ummah/>.

⁸⁶ President Truman in order to win the election for the Presidentship needed the votes of the Jews, because there was a rift in his party, and the votes of the Jews were going to make a decisive. Batalvi, ed., 181.

⁸⁷ The delegates of Philippines, Haiti, Liberia, and some Latin countries gave speeches against the resolution. Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 181-2.

⁸⁸ Khan opined that, “it is strange that ever since then not only the staff has worked late on Thanksgiving Eve but the Assembly has sat regularly till 2 p.m. of Thanksgiving Day. It was a rather crude excuse to get an adjournment so

even he was ready to drop his speech and some other delegates were also ready to do but it was merely an excuse from the president who did not want the voting to be done.⁸⁹

When the voting was done on Friday, most of the delegates told Khan that they received the message from their government to vote in favor of the resolution and such pressure was put from the USA.⁹⁰ The result was passing of the resolution in favor of Israel, and it was the first time when the USSR also voted in favor of the resolution; nonetheless, the aim of the USSR was to create a gulf between the US and the Arab world. Khan abstained from giving any clarification regarding the issue of Palestine, for the reason that, it was the Arabs who had to decide the case of the Palestine but personally he liked a solution put forward by Dr. Judah Magnus-the president of the Hebrew University in Jerusalem. He stated:

Nothing will work which has not the support or at least the acquiesce, both of the Arabs and of the Israelis, and I am working for that. The idea was a bi-national state on the basis of 50-50, irrespective of the changes that might take place in population. The Israelis would be in a minority, but if representation in the legislature and services and allocation of grants etc. were on the basis of 50-50, neither side would dominate and the plan could work.⁹¹

that those in support of the resolution could make their last-minute efforts to win over some of the members who were opposed to the setting up the state of Israel.” Batalvi, ed., 179-80.

⁸⁹ Regarding the efforts of Khan, Ispahani wrote to Jinnah, “I can briefly tell you that Pakistan delegation to the UN has acquitted itself more than well. Sir Zafrullah delivered one of the finest speeches heard, in the UN on the Palestine question. We are working as a perfect team and without boasting, have created an excellent impression. Pakistan is right on the map.” Again Ispahani wrote, “Sir Zafrullah has made a big hit over the Palestine case and has put Pakistan in the front row. He is wanted back to represent Pakistan before the assets and liabilities tribunal. He shall have to leave long before the UN session ends. His work has just begun. We shall miss his company and guidance.” Jinnah wrote back, “as regards Zafrullah, we do not mean that he should leave his work so long as it is necessary for him to stay there, and I think he has already been informed to that effect, but naturally we are very short here of capable men, and especially of his caliber, and every now and then our eyes naturally turn to him for various problems that we have to solve.” Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 28-9. See (*Quaid-i-Azam Mohammad Ali Jinnah papers, 1 Oct-31st December*, ed. Z.H.Zaidi.101 and 104), and also (Cultural Division, *Quaid-i-Azam Mohammad Ali Jinnah Papers V, Vol. VI*, (Islamabad: Cultural Division, Government of Pakistan, 2001), 165.

⁹⁰ The delegate of Haiti said, “Mr. Minister what can I do? I have now received instructions that in spite of my speech, in accordance with the instructions of my government and my declaring that we were opposed to the partition, I have to vote for it.” The same was said by the delegates of Philippines, the delegate of Liberian and by some Latin Countries. Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 182-3.

⁹¹ Batalvi, ed., 182.

But the Israelis were not willing to cooperate with the Arabs.⁹² They claimed that they have fought with the Arabs and took the territory as a gift of their victory.⁹³ Until and unless the Jews Israel would not cooperate with the Arabs, and there would be no solution for the Palestine.⁹⁴ Moreover the issue of Palestine would become a plague affecting all the nations for a long time.⁹⁵

4.5. Khan and the Muslim World (Arab World)⁹⁶

Keeping in view the Foreign Policy of Pakistan, Khan tried his best to liberate the Muslim countries.⁹⁷ In 1949-after the end of the World War II-the issue of ex-colonies of Italy, i.e. Libya, Somalia, Eritrea, was raised in the session of UN (390 V).⁹⁸ It was decided that the issue of Libya should be given precedence, followed by the issue of Somalia, and subsequently Eritrea.

- a. Libya was divided into three regions. 1). Cyrenaica⁹⁹ 2). Tripoli¹⁰⁰ and 3). Fezzan.¹⁰¹

When the debate related to the issue of the colonies of Italy was started in the UN, the

⁹² Spencer C. Tucker, Priscilla Roberts, ed., *The Encyclopedia of the Arab-Israeli Conflict: A Political, Social, and Military History* (California: ABC-CLIO, 2008), 109.

⁹³ Victor Sharpe, *Politicide-Volume Three: The Relentless Attempts by the Arab and Muslim World to Destroy the State of Israel* (N.a. lulu.com, 2011), 74.

⁹⁴ Asad Ganim, *The Palestinian-Arab Minority in Israel, 1948-2000: A Political Study* (New York: State University of New York Press, 2001), 118.

⁹⁵ Batalvi, ed., *The Forgotten Years*, 183. Khan further said, "I beg you. I implore you. Entreat you not to destroy your credit in Arab countries. Tomorrow you may need their friendship but you will never get it." Khan, *Tehdis-e-Naimat*, 640.

⁹⁶ This time period of Khan's Ministry include Pakistan's foreign relations with both the Muslims World in general and the Arab World in particular.

⁹⁷ Munir, "Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview", 9. "Full support was given to independence for Indonesia, Malaya, Sudan, Libya, Tunisia, Morocco, Nigeria, and Algeria. On the West Irian issue, Pakistan stood by Indonesia. Treaties of friendship have been signed with a number of Muslim countries and cultural exchanges have been arranged. Motamar al-Alam al-Islami, or the World Muslim Congress, was organized. In 1949, the International Islamic Economic Conference representing Eighteen Muslim countries was held in Karachi. It unanimously agreed to form the International Federation of Islamic Chambers of Commerce and Industry, but unfortunately the resolution has not been implemented." Ali, *The Emergence of Pakistan*, 380.

⁹⁸ Accessed on 15-04-2014, <http://www.un.org/documents/ga/res/5/ares5.htm>.

⁹⁹ Area contiguous to Egypt.

three great powers, i.e. USA, UK, and France gave the following proposal, i.e. Cyrenaica should be put under the trusteeship of UK; Tripoli should be placed under the trusteeship of Italy¹⁰², and Fezzan should be placed under the trusteeship of France. The countries under trusteeship were to find a way out to be united as a single component after ten years. The entire resolution was opposed by the delegates of Libya, but the representative of Italy¹⁰³ wanted to get the trusteeship for Tripoli. It wanted to demonstrate to the West that Italy had changed and was no more a fascist state.¹⁰⁴ But the Libyan delegates objected and highlighted the point that ten years was a long period and under foreign trusteeship they would never be able to unite again.

The Egyptian delegate told Khan about the views of the Arabs. At that time, there were 58 members in the UN and 39 votes were needed to pass the entire resolution deciding the issue of Libya and 20 negative votes would reject the resolution.¹⁰⁵ Here Khan played his role by “creating a whip among the opposition.” Khan personally met with the delegates and asked them either, not to vote or vote against Italy, and his efforts bear fruits. The result was declared as:

In favor of Italy:	33 (for passing of the Resolution, 39 votes were needed).
Against Italy:	17
Abstention:	8
Total:	58. ¹⁰⁶

With the announcement of the result, the delegates of Latin America decided that they would not vote in support of the rest of the clauses of the resolution and thus the entire resolution

¹⁰⁰ It was the largest and most populous area.

¹⁰¹ It was sparsely populated and the most backward area.

¹⁰² At that time, Italy was not a member of the UN.

¹⁰³ Count Sforza, was the Foreign Minister of Italy. Khan, *Servant of God*, 169.

¹⁰⁴ Because the government of Tripoli had treated the denizens of Italy worse than the animals, by throwing the people out of the airplanes, i.e. from a height of 5000 feet. Pouring poison in the wells and giving the people the choice of death-either by drinking the water of the well or to be shot dead.

¹⁰⁵ The opposition had only 15 votes. Khan, *Servant of God*, 170.

¹⁰⁶ Ibid., 171.

was rejected. And then came the question of freedom of Libya under the right of self-determination, and Libya was declared as an independent country on 1st January, 1951.¹⁰⁷

- b. When Italy failed to get the trusteeship for Libya, it tried to get that trusteeship for Somalia, but at time, the Italian Foreign Minister was more cautious as the British was willing to give the right of self government in the Britain occupied part of Somali.¹⁰⁸ So, Sforza approached the Foreign Minister of Pakistan and told him about the goodwill of his country regarding Somalia. Furthermore, he was assured about his words.¹⁰⁹ He wanted to get the trusteeship of Somalia for Italy. Khan informed the Arabs about the goodwill of Italy and an agreement was reached as well as acknowledged and soon Somalia emerged as an independent country.¹¹⁰
- c. Khan said the issue of Eritrea was decided by the UN in the following manner “the Assembly had tied a garland of razors round the neck of Eritrea; and so has it proved over the years.”¹¹¹ It was decided by the people of Eritrea to get independence and if they failed to get that then they would accede to Sudan (country with same tribal affinity).¹¹² But the members of the UN were trying to merge Eritrea with Ethiopia.¹¹³ The commission that was formed to decide the matter gave the following recommendations.

¹⁰⁷ Ronald Bruce St John, *Libya and the United States, Two Centuries of Strife* (Pennsylvania: University of Pennsylvania Press, 2002), 57.

¹⁰⁸ Virginia Thompson, and Richard Adloff, *Djibouti and the Horn of Africa* (California: Stanford University Press, 1968), 120.

¹⁰⁹ Italy would provide administrative cum economic benefit to Somalia and would help her to get its independence, furthermore Italy would try to have better relations with Somalia in future. To ensure the terms of the treat, any two states which were to be member of the UN, should nominate their advisors who would report about the progress in Somali aided by Italy.

¹¹⁰ Khan, *Servant of God*, 173-4.

¹¹¹ *Ibid.*, 174.

¹¹² Ahmad Sikainga, “A Short History of Sudanese Popular Music” ed. in John Ryle, Justin Willis, Suliman Baldo, and Jok Madut Jok, *The Sudan Handbook* (London: The Rift Valley Institute, 2011), 162.

¹¹³ Human Rights Watch, *Service for Life: State Repression and Indefinite Conscription in Eritrea* (New York: Human Rights Watch, 2009), 1.

1. “Ethiopia had suffered a great damage at the hands of Italy and was entitled to some compensation. But whence must the compensation come? Surely, from Italy.”¹¹⁴
2. “Ethiopia was landlocked and needed an outlet to the sea which Eritrea could provide.”¹¹⁵

Khan rejected the recommendations of the commission by saying that what kind of justice it was, when Eritrea itself had suffered greatly from Italy. Moreover, it was not an “assets of Italy” that it should be given to any other country and criticizing the second argument, he said that it was totally illogical, and absurd.¹¹⁶

4.5. (i). Tunisia, Morocco and Algeria

In 1951, when the session of the UN was held in Paris; at that time, the question of independence of Tunisia and Morocco was raised which was not only opposed by France, USA, but also by Latin American Countries.¹¹⁷ The antagonism of these countries against Tunis and Morocco was unjustified as France had dominated these countries through an agreement, and that agreement was no longer valid during 1950s.¹¹⁸

When the question of Tunis and Morocco was discussed in the UN General Assembly, the French delegates used to withdraw from the session. It was at that time when Khan “was regarded as the principal advocate of the freedom and independence of dependent territories in

¹¹⁴ Khan, *Servant of God*, 174.

¹¹⁵ Joseph R. Oppong, *Africa South of the Sahara* (New York: Chelsea House Publishers, 2006), 75.

¹¹⁶ Khan, *Servant of God*, 174.

¹¹⁷ Joel Beinin, *Was the Red Flag Flying There? Marxist Politics and the Arab-Israeli Conflict in Egypt and Israel, 1948-1965* (California: University of California Press, 1990), 75.

¹¹⁸ The agreement was based on the justification that these countries would remain under the occupation of France until they achieve a remarkable progress.

the UN and his expositions were listened to with interest and attention.”¹¹⁹ On the next day of the session, the French delegates in order to degrade the Foreign Minister of Pakistan had put pamphlets on the desk of every member providing a comparative analysis of the development between the two countries, i.e. Pakistan and Tunis.¹²⁰ Such an act by the French delegates worried many even Agha Shahi was worried to such an extent that he told Khan that these figures were of pre-partitioned and were outdated should he go and get the new figures; but Khan stopped him from doing so. After defending the independence of Tunis, Khan gave the reply that was related to the pamphlet.

It is unfortunate that the French delegation has chosen to withdraw from debate. We are thus left without the benefit of their views. But they have supplied us with a set of figures in this beautiful pamphlet, a perusal of which reveals that Tunisia is well in advance of Pakistan in every aspect... I shall assume for my present purpose that Tunisia is far in advance of Pakistan in respect of everything set down in the pamphlet; and on the basis of that assumption, I have one question to put to the French delegation, to which I trust they will design to make a reply since they have taken the trouble to place this pamphlet before us. How is it that Pakistan, so much behind Tunisia in everything that matters, has been independent since 1947, and Tunisia so much in advance of Pakistan is still under the domination of an alien power?¹²¹

Then the resolution was passed,¹²² and the French realizing its defeat accepted the independence of Tunisia,¹²³ and then came the issue of independence of Morocco. Here once more an attempt was made by France to impede the independence of Morocco by shifting its setting from UN General Assembly to UNSC. During that time, the representative of Morocco-El Syed Ahmad Balafrej-who was an able man-and was defending the case of his country to such an extent that it became unavoidable for France to keep Morocco under its domination. However, it happened that the passport of Balafrej was about to expire; consequently, he became worried. Finding no

¹¹⁹ Khan, *Servant of God*, 178.

¹²⁰ The comparison was done by analyzing the developments that took place in the following areas, i.e. education, transportation, health etc. Ibid. 178.

¹²¹ Ibid., 179.

¹²² The President of the UN (Mr. Munroe) told Khan, “This is the first time in my life that I have sat motionless in my seat for three hours, because I did not wish to miss a single word of your speech.” Ibid., 178.

¹²³ Michael J. Willis, *Politics and Power in the Maghreb: Algeria, Tunisia and Morocco from Independence to the Arab Spring* (London: C. Hurst & Co. 2012), 38.

way¹²⁴ he approached Khan and asked him to lend a hand to him. Khan nominated Balafrej as an “honorary advisor on Moroccan Affairs to Pakistan’s Permanent Representative to the UN.”¹²⁵

The French government disliked the act of Khan and they asked their ambassador in Pakistan¹²⁶ to protest against the action of Khan, violating the laws of the government of Pakistan pertaining to the grant of the citizenship.¹²⁷ Khan directed the attention of the ambassador of France towards the law of citizenship and told him to read the clause that says “for special reasons the condition of residence may be dispensed with.” The French ambassador tried to ask the reason but Khan excused him moreover it was told when they became friends.¹²⁸

When the question of the Independence of Tunisia was under discussion at the UN, at that time, the Algerian member, Farhat Abbas approached Khan and asked him to fight for the independence of his (Abbas) country. Khan told him that the case of Algeria was different as compared to the case of Tunisia and Morocco because they were retained by France under an agreement whereas Algeria had been occupied militarily and declared it as a part of metropolitan city of France. At that instant the question of Algeria became a domestic issue of France.¹²⁹

Algeria kept on struggling for its independence but France remained unyielding and at last the Algerian had to start an armed struggle against the French regime. It became irresistible and was considered as an attempt of suicide by both the Algerians and by the French. Then through the efforts of Charles de Gualle of France, the independence of Algeria was made

¹²⁴ He stated to Khan that if he went to Rabat or to Paris for renewal of his passport, he was sure that he would be arrested by the French, and the chances of his country to get independence would be vanished.

¹²⁵ Khan, *Servant of God*, 180.

¹²⁶ The ambassador of France in Pakistan was Mons. Auge.

¹²⁷ To become a citizen of Pakistan, the rules sated that, “He should be a resident of Pakistan for 5 years”, but Balafrej had never visited Pakistan, even for a second.

¹²⁸ The special reason for giving Pakistani citizenship to Balafrej was based on the logic that the Pakistani delegate needed information on Morocco and Balafrej was going to fulfill that. Khan, *Servant of God*, 181.

¹²⁹ Khan said, “France has dug its root so deep in Algerai that no Frenchman can contemplate with equanimity its separation from France.’ *Ibid.*, 178.

possible as soon as Algeria became independent. Moreover, it developed friendly relations with France.¹³⁰

4.5. (ii). Sudan

The issue of independence of Sudan was raised in 1950s when the British decided to withdraw its armed forces from Suez. The issue that worried both the government, i.e. the Egyptian and the Sudanese, was their future diplomatic relationship with each other.¹³¹ During that period, the Sudanese delegate met Khan and took advice from him in terms of their future diplomatic relations with Egypt. Khan gave the following advice:

1. First try to get complete independence from the British.
2. Try to recognize Egypt as a friendly nation.
3. For diplomatic relations with the Egypt, direct approach is needed.¹³²

At UN, the British did not oppose the independence of Sudan, and thus a committee was formed to work out a plan for the independence of Sudan.¹³³ Revolution in Egypt made the situation critical. Still, in 1951, Khan took the lead and was helped by the British Secretary of State, Mr. Anthony Eden.¹³⁴ But still Khan had to make several visits to Cairo in order make the independence of Sudan possible. When Khan decided to meet Churchill¹³⁵, he received a call from General Brian Robertson-Commander of Britain forces in Suez-that he wanted to meet

¹³⁰ Ibid., 182.

¹³¹ In theory, Sudan was ruled by both the Egypt and the British, but in practice all powers were in the hands of the British Governmnet.

¹³² Khan, *Servant of God*, 183.

¹³³ The committee included one member from UK, one from Egypt, two from Sudan and one from Pakistan. From Pakistan, Khan nominated Mian Ziauddin-ambassador of Pakistan to Japan. Khan told him to follow the following guidelines: 1. complete independence of Sudan as soon as possible. 2. Trying to persuade the members of Sudan for a friendly relation with Egypt.

¹³⁴ Eden was ready to cooperate with Khan, but Churchill was hesitant, and Eden asked Khan to meet Churchill and make the situation known to him, so that he could let Eden to co-operate with Khan. Khan, *Servant of God*, 185.

¹³⁵ It must be noted that Khan were having friendly relations with Churchill. See Chapter 2.

Khan prior to his (Khan's) meeting with Churchill.¹³⁶ When Khan met Churchill and told him about the situation of the Egypt, Churchill agreed to declare Sudan as an independent country.¹³⁷

4.6. Indonesia

Subsequent to the World War II, when Japanese were defeated, at that time, the Indonesian started struggling for their independence. Indonesia was not an independent country, but still it had sent its representative to Pakistan.¹³⁸ It was at that time, when Khan was coming back to Karachi after attending the session of UN, he came to know that the government of Netherlands has carried out a police action in Indonesia.¹³⁹ When Mr. Idham confirmed the news to Khan, the latter asked the minister of Netherlands to explain the stand of its country. Khan was upset by his reply¹⁴⁰ and had to say, "Mr. Minister, I am puzzled by one thing. It strikes me that throughout your statement you have proceeded on the assumption that the country belongs to you... I am afraid that is a misconception. The country belongs to its people."¹⁴¹

Then Khan discussed the matter with the Prime Minister and asked to allow him to condemn the action of Netherland and then to take suitable measure the Prime minister after getting clarification on certain points¹⁴² gave his consent¹⁴³ meanwhile the Indian Prime Minister

¹³⁶ He told Khan, "On the military side they were all agreed that their presence in Suez was an anachronism and that they should withdraw, but the Prime Minister is not ready. Furthermore, my visit to you must remain an absolute secret. 2. It would help if you are able to tell the prime Minister that the Revolution in Egypt has come to stay. It is no freak phenomenon. The people are behind it. 3. These people may be trusted to carry out whatever they may undertake. "Khan, *Servant of God*, 186.

¹³⁷ Gamal Abdul Nasir remained thankful to Khan for the services that the latter rendered for Egypt. Ibid.

¹³⁸ S. P. Idham was the Indonesian representative to Pakistan. He had "no position in the eye of the protocol, but we (Staff of Foreign Minister) have been instructed by the foreign minister (Khan) to treat him (Idham) exactly as if he were the fully accredited representative of a sovereign state" says the Secretary of the Ministry of Foreign Affairs. Khan, Ibid., 187.

¹³⁹ P. J. Kuyper and P. J. G. Kapteyn, "A Colonial Power as Champion of Self-determination: Netherlands State Practice in the Period 1945-1975" in ed. H. F. van Panhuys, *International Law in the Netherlands: Vol. III* (The Hague: Asser Institute, 1980), 168.

¹⁴⁰ The reply was a justification of the act of police action in Indonesia.

¹⁴¹ Khan, *Servant of God*, 187.

¹⁴² The PM asked, "Have you made sure we would not thereby contravene some international obligations."

had called a conference of the Asiatic States to discuss the issue of Indonesia. Khan went to attend that conference, where he highlighted the role of the people of Netherlands that how they fought against the Spain for their freedom but now they were doing the opposite in the case of Indonesia. Instead of appreciating the efforts of Indonesian to get freedom, Netherlands was against it.¹⁴⁴ Khan had tried to explain the situation to the ambassador of Netherland by quoting an example:

Do look round and you will observe several British guests among those present here this afternoon. They are here as honored friend, in the grounds of Jawaharlal Nehru's residence, who was sent to jail by the British at least half a dozen times. Now it is open to you to do the same in Indonesia as the British have done here, or carry the matter to the bitter end to the loss and damage of both Indonesia and Netherlands.¹⁴⁵ Mr. Ambassador, the British were in this part of India for only ninety years. You have yourself drawn my attention to the number of people here this afternoon who were capable of talking over form the British two years ago. You confess you have not in three hundred years produced one such person in Indonesia.

After eight months when Khan went to a banquet in the Waldorf Astoria Hotel¹⁴⁶, there he met Stikker, who told him (Khan) that the action of denying landing rights to K.L.M. posed much difficulty for them. Denying landing rights to K.L.M. had psychologically defeated their army, they had realized their mistake and were working for the independence of Indonesian.¹⁴⁷

Afterwards Indonesia got its independence on 17th August 1950.¹⁴⁸

¹⁴³ Khan decided to deny landing rights to K.L.M. at Karachi, because, K.L.M. that was carrying military Personnel, equipments and ammunition. The minister of Netherlands protested against that measure of Khan, and all in vain.

¹⁴⁴ Ambassador of Netherland to India (Stikker) met Khan and thanked him for his speech in which he appreciated their role. Ibid., 189.

¹⁴⁵ Then the ambassador of Netherlands to India gave the following reply, "Mr. Minister, I see your point, but may I also draw your attention to something? There are here present so many Nehrus, Patels, Dalmias, Birlas who were ready to take over from the British. In Indonesia there is no one of that type...although we have been ruling over them for three centuries." Ibid., 189.

¹⁴⁶ It was in honor of the delegates to the session of the General Assembly of the UN.

¹⁴⁷ Khan had believed what sticker had told him because, "The Dutch have a very jealous regard for their word." See, Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 188.

¹⁴⁸ Karel A. Steenbrink, *Dutch Colonialism and Indonesian Islam: Contacts and Conflicts, 1596-1950* Trans. Jan Steenbrink and Henry Jansen (New York: Editions Rodpopi bv, 2006), 141.

4.7. Khan and International Relations of Pakistan¹⁴⁹

It was perceived by Jinnah and by Khan that cordial diplomatic relations with the British means cordial relations with the Commonwealth Countries but for Western International politics was governed by the Machiavellian thought and it was realpolitik.¹⁵⁰ Regarding the role of Commonwealth Countries, British being its head, Jinnah had stated “Commonwealth as a family of nations that would look after the well being of all its members, unruffled their differences in a just manner and would help them in case of an attack on them.”¹⁵¹ But the British always favored India to such an extent that Jinnah thought to withdraw from the membership of the Commonwealth Countries.¹⁵² However, formal diplomatic relations continued between the two countries but was subject to the relationship of Britain with India.¹⁵³ The policy of Jinnah, i.e. formal diplomatic relations with Britain was retained by Khan.¹⁵⁴

When the relationship with the Britain proved worthless and they (the Britain) gave priority to India over Pakistan, then Pakistan had to move towards the United States of America USA. That move was not a permanent neither was it meant to become a pro-US country rather it was the need of the time as Pakistan needed fund to cope with the challenges. It had asked the USA for a \$2 Billion aid for a period of Five years but USA gave only \$10million to Pakistan.¹⁵⁵

¹⁴⁹ The relationship of Pakistan will include the following countries: the neighboring countries of Pakistan; the Super Powers, the countries of the Commonwealth, and the Asian countries. For the Foreign Policy of Pakistan related to Asian Countries, see, Zafrulla Khan, “Pakistan’s Place in Asia” in *International Journal*, Vol. 6, No. 4 (Autumn, 1951), 265-274.

¹⁵⁰ Realpolitik says that “Diplomatic relations are based on the basis of interests and not on the basis of goodwill or mutual understanding.”

¹⁵¹ Dar, “Quaid-i-Azam Mohammad Ali Jinnah as the Governor-General of Pakistan”, 463.

¹⁵² Then the British had to start a campaign related to the advantages for a country that was a member of the Commonwealth. Dar, “Quaid-i-Azam Mohammad Ali Jinnah as the Governor-General of Pakistan”, 466.

¹⁵³ Liaquat said, “Pakistan must not be taken for granted. Pakistan is not a camp-follower of the Commonwealth.” See, D.C. Jha, “Pakistan’s Foreign Policy: An Analytical Study” in *The Indian Journal of Political Science*, Vol. 31, No. 2 (April—June 1970), 125.

¹⁵⁴ For the speech of Khan which he delivered on March 17, 1954 at inaugural of Commonwealth Countries, see, Mohammad Ali, “The New Commonwealth” in *Pakistan Horizon*, Vol. 7, No. 1 (March, 1954), 3-8.

¹⁵⁵ Kux, *The United States and Pakistan, 1947-2000*, 20-1.

The visit of Liaquat to the USA was also aimed at getting aid from the USA, seeing that, India was getting aid from other countries and was creating a threat for Pakistan, especially in the field of military defense. The treaty done by Khan with USA confirms that Pakistan was not a pro-US country.¹⁵⁶

At that time, as it was eminent that Pakistan did not join any bloc, so the same justification was also true in the case of the former USSR but the reason was not the communist ideology of USSR.¹⁵⁷ Here it must be noted that it was an inaccuracy to assume that Pakistan did not enjoy good diplomatic relations with the USSR. Pakistan had good diplomatic relations with the USSR and it can be valued at the time when the USSR did not veto the case of Pakistan at the UN and when the issue of Kashmir was under discussion. In post 1960 when Pakistan ended its policy of neutrality and joined the Western bloc, then the USSR became anti Pakistan.¹⁵⁸ However, Pakistan never accepted aid from USSR because the condition for the aid was based on the argument to support communism in Pakistan.

China was the country where Khan served as an agent general during the time of British rule in India and laid the foundation of diplomatic relations.¹⁵⁹ When the regime of Kai-Shek was toppled by the communists; at that time, Khan spoke in favor of China and asked the members of the UN to recognize the Communists regime, but he was opposed by many.¹⁶⁰

¹⁵⁶ Appendix X. "Zafrulla was against Pak-US military pacts, to avoid Pakistan shifting into US bloc." See, *Jhang Sunday Magazine*, 1st July, 2001, column, 5, 9.

¹⁵⁷ Dar has opined that due to Communism, Pakistan failed to develop cordial relations with the USSR. See, Dar, "Quaid-i-Azam Mohammad Ali Jinnah as the Governor-General of Pakistan", 475-6.

¹⁵⁸ Hafeez-ur-Rahman, "Pakistan's Relations with the U.S.S.R." in *Pakistan Horizon*, Vol. 14, No. 1 (First Quarter, 1961), 38.

¹⁵⁹ Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 237.

¹⁶⁰ Hafeez-ur-Rahman, "Pakistan's Relations with the Peoples Republic of China" in *Pakistan Horizon*, Vol. 14, No. 3 (Third Quarter, 1961), 214. For detail see, *Ibid.*, 212-32.

As far as the relations of Pakistan with India were concerned, Jinnah wanted to bury the past and continue with a policy of mutual defense but India had tried its best to ruin Pakistan.¹⁶¹ To quote Khan “the prime objective of the Indian government was to punish the Muslims for demanding Pakistan and therefore they were intent to beat Pakistan down to its knees which would ultimately be prostrate for readmission in India.”¹⁶² India never cooperated with Pakistan and at last Jinnah had to declare India as the enemy of Pakistan.¹⁶³ However, he was ready for friendly relations with India if it agrees to shed its hegemonic designs.

The relationship of Pakistan with Iran was cordial¹⁶⁴ as Iran was an Islamic country and Pakistan had struggled a lot to foster good relations with the Islamic world in order to form an Islamic bloc.¹⁶⁵ But the case of Afghanistan was totally different. Being an Islamic state, it was fulfilling the agenda of the Congress, i.e. to divide Pakistan and give suffering to it. Khan and Jinnah tried their best to make the relations cordial but the government of Afghanistan pressed on its demand of Pashtoonistan.¹⁶⁶ The critics had held responsible Khan for worsening the diplomatic relations of Pakistan with Afghanistan, for the reason that, the members of Ahmadiyya Community were stoned to death in Afghanistan.¹⁶⁷

4.8. Khan, the Ahmadiyya Community and his Resignation

Khan being a devoted Ahmadi was never credited for his services which he rendered for the cause of Pakistan rather he was always criticized and subsequently disowned. Soon after the

¹⁶¹ Akbar Ahmad, *Jinnah, Pakistan and Islamic Identity: The Search for Saladin* (New York: Routledge, 1997), 201.

¹⁶² Dar, “Quaid-i-Azam Mohammad Ali Jinnah as the Governor-General of Pakistan”, 462.

¹⁶³ Ibid., 460.

¹⁶⁴ Iran declared the creation of Pakistan as “a bright star in the political firmament.” Ibid., 442.

¹⁶⁵ Abida Sultaan, *Memoirs of a Rebel Princess* (Karachi: Oxford University Press, 2013), 277.

¹⁶⁶ Jinnah said to Khan, “Don’t touch the proposal with a pair of tongs.” Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 23. It was in reply to representative of the Afghan government who asked Khan to change the name of NWFP and declare it as Pakhtoonistan. Ibid. Presently the name of NWFP is KPK.

¹⁶⁷ Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview”, 11.

death of Liaquat, the *ulama* started criticizing Khan for being an agent of British, a Jew, an apostate, and demanded that he must be removed from the office of Foreign Ministry.¹⁶⁸ In order to calm the *ulama*, Khan had many times offered his resignation but it was never accepted until 1954. In 1952 at Karachi, Khan gave a speech in the annual session of his Community.¹⁶⁹ Prior to the speech, Khan was asked by Malik Ghulam Muhammad not to deliver a speech because he represents the government but Khan remarked that if his position was creating trouble for the government, then he would resign.¹⁷⁰ When Khan was delivering the speech in the annual session of his Community¹⁷¹, a group of *ulama* shouted slogans against him and had tried to worsen the situation but the situation remained normal.

In 1953, Mumtaz Daulatana was supporting the *ulama* against the Ahmadiyya Community in order to get the votes of the *ulama* in his favor.¹⁷² The *ulama* started rallies against the Ahmadiyya Community and kept on demanding that Khan should resign, and the Ahmadis should be declared as non-Muslims. Jamaat-e-Islami was the chief organizer of the riots of 1953.¹⁷³ The riots that started were in Lahore were known as the riots of 1953.¹⁷⁴ Law and order was deteriorated in Lahore but Malik Ghulam Muhammad failed to do anything.¹⁷⁵ At

¹⁶⁸ See, Bashir Ahmad, *The Ahmadiyya Movement; British-Jewish Connections* (Rawalpindi: Islamic Study Forum, 1994).

¹⁶⁹ Annual session of the Ahmadiyya Community were held to mark the success of their community.

¹⁷⁰ Here the resignation of Khan did not mean disloyalty to the cause of Pakistan, rather, he was more committed to his Community.

¹⁷¹ The topic of his speech was, "Islam: The Living Faith." See, Khan, *Servant of God*, 193.

¹⁷² Seyyed Vali Reza Nas, *The Vanguard of the Islamic Revolution: The Jama'at-i Islami of Pakistan* (London; I. B. Tauris, 1994), 132.

¹⁷³ Khawaja Nazimuddin was blamed to have stated, that if he declared the Ahmadis as non-Muslim, the USA will stop providing wheat to Pakistan. Munir, "Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview", 12.

¹⁷⁴ See, *Report of the Court of Inquiry Constituted Under Punjab Act II of 1954 to Enquire into the Punjab Disturbances of 1953* (Lahore: Government of Punjab, 1954).

¹⁷⁵ "Two Ahmadis being burnt alive, his (Ghulam Muhammad) eyes became wet; but he could still not make up his mind to take firm action." Khan, *Servant of God*, 198. When Ghulam Muhammad was pressed hard by his cabinet, he said he would resign but would never sanction brutal action against the masses. *Ibid.*, 195.

that time, Iskandar Mirza-the military secretary called the army to control the situation. During that time, Khan resigned and left Pakistan.¹⁷⁶

3.9. Critical Analysis

During the seven years of his ministry, Khan greatly served his country as Khan acted on the advice of Jinnah and till end of his ministry he was persuading that goal. Sending ambassadors to different countries, building the foundation of Pakistan Foreign Policy, all were done by Khan, and hardly had he received instructions from anyone.¹⁷⁷

It was an episode when Liaquat directed him what to do. Khan told Liaquat that Pakistan should attend the Japanese Peace Treaty Conference that was going to be held in San Francisco and wished that the ambassador of Pakistan in Washington should be send to attend that conference. When Nehru spoke against that conference¹⁷⁸, then Liaquat said to Khan “to go to the conference and say exactly that opposite of what Nehru has said.”¹⁷⁹ Khan had a habit that he used to cite examples from Islamic history, i.e. in order to show that how Islam had solved the issues and how matching it was to the human nature.¹⁸⁰ At the Conference, Khan had quoted the example from the life of the Holy Prophet PBUH when the fall of Mecca took place and highlighted that how the Prophet PBUH of Islam showed mercy and kindness by forgetting the past and by granting free pardon to the bitterest enemies of Islam.¹⁸¹

¹⁷⁶ It was to save the life of the members of his community from massacre, because during the riots of 1953, the Ahmadis were not only targeted but they were brutally killed.

¹⁷⁷ For detail See, K. Sarwar Hasan, “The Foreign Policy of Mr. Liaquat Ali Khan” in *Pakistan Horizon*, Vol. 4, No. 4 (December, 1951), 181-199.

¹⁷⁸ Iqbal Singh, *Between Two Fires: Towards an Understanding of Jawaharlal Nehru's Foreign Policy, Volume II* (Hyderabad: Orient Longman Ltd., 1998), 236.

¹⁷⁹ Khan, *Servant of God*, 175. Later on the Prime Minister of Japan thanked Khan in the following words, “your speech had helped several Asiatic delegations to adopt a favorable attitude towards the treaty.” Ibid.

¹⁸⁰ May be it was aimed at to attract the people towards the Ahmadiyya Community? No proof has been found related to such intentions of Khan.

¹⁸¹ When the treaty was discussed in the Parliament of Australia, one member quoted, “on this occasion we must follow the example set by Mohammad on the fall of Mecca.” Khan, *Servant of God*, 176.

Khan was able to build the diplomatic relations of Pakistan with Turkey¹⁸², Saudi Arabia¹⁸³, Jordan, Syria and many other countries. Consequently, he became the real founder of the so called Muslims bloc or Islamic bloc and during Bhutto era these relations were revived and not built. Besides diplomatic relations, Khan was asked by the government of Pakistan to discuss the issue of Indus Water¹⁸⁴ with the World Bank in order to get the aid sanctioned. Khan was in the US and had to hire the best firm¹⁸⁵ that was to defend their case of Pakistan before the World Bank. Khan was charged to be disloyal to Jinnah, i.e. Khan did not offer the funeral prayer of Jinnah as he considered Jinnah as a non-Muslim. The reply that was given by Khan was as follow:

Yes I did not offer the funeral of Quaid-i-Azam. If I had, then they (the *ulama*) would have said that I am a hypocrite, because Ahmadis did not offer their prayers behind a non-Ahmadis, so what would have been my answer? If I were having the intentions of not offering the funeral of Jinnah then, why I went to his funeral? We have been considered as non-Muslims by the *ulama* and were not allowed to offer prayer with the Muslims. Furthermore, Maulana Shabir Usmani has given a verdict¹⁸⁶ against us that we are non-Muslims, so how can I offer the funeral behind such a person? It had happened that when the Ahmadis offered funerals of the Muslims, they were beaten and stopped from offering, so the founder of our Community opined that those who consider you (the Ahmadis) as non-Muslims, then you should not offer behind them.¹⁸⁷

The *ulama* of Pakistan forced him to leave the country but he was welcomed by the international world that was ready to accept him and took advantage from his services. He was appointed as a

¹⁸² For the Agreement of Pakistan with Turkey, see appendix XI.

¹⁸³ At that time, Faisal was the ambassador of Saudi Arabia, and later on, he became King Faisal. The relationship of Khan and Faisal remained friendliest. For the letter of Faisal to Khan, see appendix XII.

¹⁸⁴ Khan, *Servant of God*, 164.

¹⁸⁵ He was advised by Judge Frankfurter to consult Dean Acheson. *Ibid.*, 166.

¹⁸⁶ Maulana Shabir Ahmed Usmani gave the verdict that the Ahmadis were apostate and condemnable to death. He had acknowledged his verdict in his book titled as *Ash-shahab*, see, Accessed on 15-06-2014, <http://www.newageislam.com/books-and-documents/munir-commission-report--3--stoning-to-death-of-ahmadis-in-afghanistan-and-the-'ash-shahab'/d/2562>.

¹⁸⁷ Munir, "Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview", 24-5. For the version of Mirza Tahir Ahmad (4th Caliph of the Ahmadiyya Community), see, Accessed on 16-06-2014, <http://www.youtube.com/watch?v=FOZKZUHRgI8>.

judge in the International court of Justice (ICJ), The Hague, and later on he became the President of ICJ. He also became the President of the 17th Session of United Nations General Assembly.¹⁸⁸

¹⁸⁸ Khan got two distinctions that no one has ever achieved. Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 231.

Chapter 5

Zafrulla Khan and the International World

This Chapter covers the time period from 1954 till his death in 1985. It was the time period in which Khan served as a Judge in the International Court of Justice, The Hague, then he was elected as the President of the Seventeenth Session of the United Nations General Assembly and later on, he was appointed as the President of the International Court of Justice. Additionally, this period covers the contributions rendered by Khan for his Community, and the last days of his life when he came back to Pakistan.

5.1. International Court of Justice

In 1954, when Khan resigned from the post of Foreign Ministry of Pakistan, at that time, in International Court of Justice (ICJ), an Indian Judge, B.V. Rau breathed his last.¹ Khan was opportune enough that the government of Pakistan put forward his name as a nominee to the ICJ.² At the same time, the government of India also nominated its candidate in place of Rau, which was based on the claim that the vacant seat must be filled by an Indian because the previous one was also an Indian who had died before completing his tenure.³ Owing to its plea, India got a majority of support and compassion in the UN.⁴ But the support of India was lessened when the delegates of the UN come to know that Pakistan has nominated Khan as its applicant

¹ Accessed on 27-06-2014, <http://www.icj-cij.org/court/index.php?p1=1&p2=2&p3=2>.

² The process of nomination of candidates was done through the General Assembly of the UN, and the candidate having the maximum number of votes would be appointed as a judge in ICJ.

³ Muhammad Zafrulla Khan, *Servant of God: A Personal Narrative* (Surrey: Unwin Brothers Ltd., 1983), 216.

⁴ India was having support from Brazil, Japan etc.

for the ICJ.⁵ Here it must be noted that Khan was known by the members of the UN and by the judges of the ICJ.⁶

When the result for the nomination in the ICJ was announced, Khan got majority of votes in his favor and was appointed as a Judge in ICJ in October 1954.⁷ It is argued that the election of Khan in the ICJ was based on the validation that he drifted Pakistan into the Western bloc by joining the SEATO.⁸ When Khan was criticized by the government of Pakistan for signing the SEATO, he resigned from his portfolio.⁹ However, it is interesting to note that if Khan had ever received any favor from the Western bloc and his decision of joining the SEATO was criticized by the government of Pakistan then why the government of Pakistan had put forward his name as their candidate for the seat of the ICJ?¹⁰ Moreover, why Ayub had appointed him as the Permanent Representative of Pakistan in the UN during his Presidency,¹¹ and why Bhutto had written an appreciation letter to him, when Bhutto was the Prime Minister of Pakistan.¹² This view was propagated to justify the riots of 1953 and represent Khan as an agent of the West.

At that time, when Khan joined the ICJ, he was the junior most Judge of the ICJ and was facing involvedness in terms of his accommodation in Hague. At that time, it was his community, i.e. the Ahmadiyya Community from which Khan belonged that provided lodging

⁵ The countries that were favoring India, some of them withdrew their support, when they came to know about Khan as a nominee. The countries that withdrew were Japan and Brazil.

⁶ Khan had been visiting the ICJ during the British Raj and was familiar with the Judges of the ICJ. See, Chapter 2.

⁷ Accessed on 27-06-2014, <http://www.icj-cij.org/court/index.php?p1=1&p2=2&p3=2>.

⁸ Mohammad Waseem, "The Dialect Between Domestic Politics and Foreign Policy" in ed. Christophe Jaffrelo, *Pakistan: Nationalism Without A Nation* (New Delhi: Manohar Publishers, 2004), 269. For a detailed version of the argument related to Khan's action of drifting Pakistan into the Western bloc. See, accessed on 27-06-2014, http://alhafeez.org/rashid/british-jewish/bjc_18.htm.

⁹ Ibid.

¹⁰ Khan, *Servant of God*, 216.

¹¹ A.H. Batalvi, ed., *The Forgotten Years: Memoirs of Sir Muhammad Zafrullah Khan* (Islamabad: Vanguard Books, 1991), 197.

¹² Muhammad Nasrulla Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammata Ahmadiyya Ka Misaali Kirdar* (London: Privately Published, 2010), 246-7.

facility to him.¹³ At the ICJ, Khan had tried to decide the cases according to the teachings of the Islam and had tried to tell his colleagues that how the Ahmadiyya Community represents the true Islam.¹⁴ When Khan encountered a case pertaining to the issue of a guardianship, he gave his decision that was in line with the Islamic injunctions and the case of guardianship was as follow:

A case of minor girl was brought before the court, whose father was a national of the Netherlands and whose mother had been a Swede. The father, a ship-owner, had married a Swedish national and they had lived the greater part of their married life in Sweden. The only child was a daughter. The mother died, and the child's custody was handed over by the Swedish courts to her maternal grandparents in Sweden. The child had lived all her life in Sweden, had never been in Holland, and did not know the Dutch language. There was no dispute with regard to the guardianship of the child's property, which she had inherited from her mother, for it was recognized that the father was the guardian of the child and of her property. The father had taken proceedings in the Netherlands Courts with regard to the guardianship of the child and had been duly appointed the guardian. But when he claimed the custody of the child, the Swedish courts held that the custody of the child had been entrusted to the child's maternal grandparents not under the law of guardianship but under a special Swedish law regulating the welfare of minors. In this case, it had been found that the minor suffered from nervous depression, and it was necessary that she should be taken special care of. It was claimed that this took the case out of the purview of the Law of guardianship... The Court held that the Swedish law did not fall within the purview of the law of guardianship but related to all minors, whether their parents were alive or not and whether a question of guardianship was involved or not, who needed special care. The case was, therefore, not governed by the Convention.¹⁵

Here, it must be noted that at the ICJ, the decision was taken on the basis of the opinion held by the majority of the judges. There was no place for one man decree at the ICJ. Another case that was brought before the ICJ was related to the international law of territory. The countries that

¹³ Khan was asked by Bashiruddin to reside in the Ahmadiyya Mosque in The Hague, until the former would find a place for him. Here it must be noted that after the Ordinance XX of 1984, i.e. the Qadiani Ordinance by Zia, the Ahmadis were not allowed to call their places of worship as Mosques, rather they have to use the word, "place of worship." In 1955, when the health of Bashiruddin deteriorated, Khan was one of them who accompanied him (Bashiruddin) during his journey. Anwar Ahmad Khalon, *Zafrulla Khan: My Mentor* (London: Privately Published, 2014), 161-2.

¹⁴ Antonio R. Gualtieri, *The Ahmadis: Community, Gender, and Politics in a Muslim Society* (Quebec: McGill Queen's University Press, 2004), 64.

¹⁵ Wayne Wilcon and Aislie T. Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan* (Ontario: Oriental Publishers, 2004), 194-6. Here Khan had a different opinion that "the distinction between guardianship and custody did not come as a surprise, in as much as Muslim law makes a clear distinction between guardianship, which it calls *Wilaya*, and custody, which it calls *Hazana*. Under Muslim law, guardianship of minors belongs to the father, and in default of the father, to the paternal grandfather, and in default of the paternal grandfather, to the male paternal relations in order of propinquity. On the other hand, the custody of a male child up to seven years of age and the custody of a female child throughout minority belongs to the mother and in default of the mother, to the maternal grandmother and thereafter to female relatives on the mother's side in order of propinquity. All of them would have to be exhausted before custody would go to the female relations on the father's side. The distinction between guardianship and custody is based on the claims of natural affection and the practical considerations affecting the welfare of minors. Thus, the administration of the property of the minor and making arrangements for its upbringing and education and making provision for the costs, and also guardianship for marriage, all belong to the father, and male relations on the father's side. But, the actual care and upbringing, and the custody of the minor, belong to the mother and the female relations on the maternal side." Ibid.

were involved in that case were Portugal and India. The Portugal had claimed that India had denied the sea rights to Portugal its trade purposes.¹⁶ The court gave its decision that “India had not been guilty of any breach of obligation in suspending all passage.”¹⁷ The same decision was also held by Khan and it was noted by the judges of the ICJ that even in the case of India, Khan remained impartial. It was the impartiality of Khan and his understanding of the cases in ICJ, that, soon after he was elected as the Vice-President of ICJ.¹⁸

In 1961, the names of the judges of the ICJ¹⁹ were sent to the UN for re-consideration, but none of them was re-elected, including Khan. Thereby, instead of coming back to Pakistan, Khan decided to settle in England for the reason that he was unable to bear the scorching heat in Lahore.²⁰ Consequently, Khan started residing in Cambridge but it happened at some stage in that time the civilian government in Pakistan was toppled down by a military dictator, who was Field Marshal General Ayub (1958-69).²¹ Ayub showed his desire to Khan that the latter should serve Pakistan.²²

5.2. The UN and its Presidentship

It was in July 1961, when Ayub Khan²³ was to visit US. On his way, he stopped at London where he met Khan, and asked him to “go to the United Nations as Permanent Representative of

¹⁶ The claim of India was justified because Portugal was using the sea route for “armed forces, armed police, arms and ammunition.” Batalvi, ed., *The Forgotten Years*, 189.

¹⁷ Accessed on 27-06-2014,

http://www.un.org/depts/los/convention_agreements/convention_historical_perspective.htm.

¹⁸ Khan, *Servant of God*, 227-8. Khan completed the remaining tenure of Rau in February 1961, which was of six years and four months. At that time, he had reached to the position of the Vice-President of the ICJ.

¹⁹ There were four judges who were to be reappointed.

²⁰ Khan was a patient of diabetic and was an elderly. Batalvi, ed., *The Forgotten Years*, 197.

²¹ “He was the President of Pakistan from 1958 to 1969, whose rule marked a critical period in the modern development of his nation.”

Accessed on 27-06-2014, <http://www.britannica.com/EBchecked/topic/46617/Mohammad-Ayub-Khan>.

²² J. C. Hurewitz, “The Education of j. C. Hurewitz” in ed. Thomas Naff, *Paths to the Middle East: Ten Scholars Look Back* (New York: State University Press, 1993), 83.

²³ What was the view of Ayub about the Ahmadiyya Community, and why he nominated Khan in the UN? Khan in an interview said, “In late September and early October of 1958 it was beginning to flare up in view of the impending elections under the then new Constitution. That again shows it was a political weapon. Even a person as

Pakistan.”²⁴ Khan was asked by Ayub to represent Pakistan in different countries of the world. Khan in an interview said that his duty was to make Pakistan known in the newly independent states of the world.

My mission (Mission of Khan) here (i.e. in the UN), under the direction of my government, often took up questions with the representatives of different countries and we got them settled there. It is true that they did not involve issue of crucial importance but they were a part of the daily routine of diplomatic exchanges.²⁵

At that time, Khan was unable to do very much for the reason that he had to follow the instructions of the Foreign Minister and was having a much lower rank as compared to his portfolio that he was holding before 1954.²⁶ When Khan became the Permanent Representative of Pakistan, he was surprised to see the transformation in the UN and had to declare it as the “UN of Afro-Asian Countries.”²⁷ At that time, i.e. in 1961, the topic that was debated and discussed a lot in the UN was the election of the President of the UN.²⁸ U Thant²⁹ brought an understanding between the two contestants, i.e. Sastroamidgoyo and Mongi Saleem, by deciding that the Sixteenth Session of the UN would be presided by Mongi Sleem.³⁰

Khan found that Mongi was no more different than that of his predecessors. The session of the UN started behind schedule; discipline was hardly maintained, “Extra staff had to be kept

sober as Chaudhri Mohammad Ali, having proclaimed that he would stand for election-his party had come to some understanding with the Jamat-i-Islami-one of the planks in his election platform was: It will be my effort to have the Ahmadis declared a non-Muslim minority. Within a week or so of his declaration, martial law came in, a military regime was set up and the Martial Law Administrator, President Ayub, put his foot down and said he was not going to have any nonsense of that kind.” Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan* (Ontario: Oriental Publishers, 2004), 245-6.

²⁴ On August 12, 1961, Khan joined as the Permanent Representative of Pakistan in the UN. See, Hurewitz, “The Education of j. C. Hurewitz” 83.

²⁵ Batalvi, ed., *The Forgotten Years*, 201. At that time, “Pakistan was not directly represented in many of the newly independent states, and indeed, not even in all the older states.” Ibid.

²⁶ When Dag Hammarskjold (Secretary General of the United Nations) heard of the appointment of Khan in the UN, he was very delighted to see him again amongst them. Khan, *Servant of God*, 233.

²⁷ Before 1960s, when Khan was in the UN, at that time, it was a Western dominated Organization, but at that time it seemed to be “homogeneous body.” Batalvi, ed., *The Forgotten Years*, 234.

²⁸ The chief contestants were Mr. Mongni Sleem from Tunisia, and Mr. Ali Sastroamidgoyo from Indonesia.

²⁹ He was the Permanent Representative of Burma, and later on, he roused to the position of Secretary General of the UN. See, Norman G. Finkelstein, *Image and Reality of the Israel-Palestine Conflict* (New York: Norman G Finkelstein, 2003), 189.

³⁰ So, Mr. Sleem Mongi became the President of the Sixteenth Session of the UN. Accessed on 27-06-2014, <http://2001-2009.state.gov/r/pa/ho/frus/kennedyjf/xxv/6012.htm>.

on for longer periods, delegates had to postpone or neglect other duties and there was a general feeling of dissatisfaction and frustration.”³¹ During the entire period of his stay in the UN, Khan became friend with the Ambassadors of different countries; their names and countries were as enumerated below.

1. Jamil Baroudi of Saudi Arabia.³²
2. Abdul Muni'm Rafa'i of Jordan.
3. Adnan Pachachi of Iraq.
4. Abdul Hamid of Sudan.³³

The Sixteenth Session was ended in January 1962, but with a modification in terms of the nomination of the new President of the UN.³⁴ The government of Indonesia told the UN that their member would not be present in the UN for the next year. The news fashioned an atmosphere for lobbying, i.e. who would be the next president?³⁵ At that time, Khan suggested that the presidency must go to the Latin Americans but on the condition that next year they would support the Afro-Asian countries for the presidency.³⁶ Subsequently, Khan suggested the

³¹ Batalvi, ed., *The Forgotten Years*, 206-8.

³² About Baroudi, Khan used to tell how friendly his nature was, when someone used to ask him about his name, his reply was humorous. “On one occasion, someone asked him his name. He said: My name is Jamil Baroudi. Jamil means beautiful, and Baroud is gunpowder; so you may call me the beautiful son of a gun.” Khan, *Servant of God*, 235.

³³ Here Khan also reflected the element of the Foreign Policy of Pakistan which was envisioned by Jinnah, i.e. cordial relations with the Muslim World.

³⁴ Prior to the election of Mongi, it was decided that next year Sastroamidgoyo would be nominated as the President of the UN.

³⁵ When Agha Shahi told Khan that his name was under consideration for the Presidentship, Khan gave the following reply: “My personal reaction was that an Asian should not follow immediately upon an African in the Presidency. I had ever before arrival here, from Cambridge and London, sensed the feeling which already existed and which has become sharper and sharper, that now that the Afro-Asians had increased their voting strength, they were likely to steamroller things in the United Nations. I felt we should not do anything to strengthen that impression. I thought we could reasonably claim the Presidency in alternate years. That would be a satisfactory arrangement, as we now had almost 50 percent of the voting strength, and it was likely to go beyond 50 percent in a year or two. But I was strongly of the view that we should not hold the Presidency two years running.” Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 203.

³⁶ Khan, *Servant of God*, 237.

name of Amadeo³⁷ but Amadeo had to leave the UN because of the change of government in his country. Moreover, the members of Latin America and the Europeans told Khan that they were not willing to contest for the seat of the President and were ready to accept an Asian after Mongi's Presidentship.³⁸

Rifa'i time and again approached Khan and asked him to allow him (Rifa'i) to circulate his (Khan) name for the Presidency but Khan kept on refusing waiting to seek advice from the government of Pakistan.³⁹ Being assured of receiving support from the government of Pakistan, Khan contested for the seat of Presidency of the UN.⁴⁰ When the Japanese delegate came to know of Khan, they remarked "that they had been quite serious in their candidacy but since I (Khan) was now a candidate they had no desire to contest with me (Khan)."⁴¹

Malalasekra-contestant for the seat of the Presidency of the UN, was having support from the group of Eastern countries and the chief supporter was the former USSR whereas he was also having support from some of the Asian countries.⁴² Due to support from the Communist bloc, Malalasekra lost the favor of the Western Countries,⁴³ and thus Khan got a majority of support and was elected as the President⁴⁴ of the UN for the Seventeenth Session.⁴⁵ When Khan presided

³⁷ Amadeo was the Permanent Representative of Argentina and "had been Chairman of the First Committee in the Sixteenth Session and had discharged his duties to everyone's satisfaction." Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 204.

³⁸ At that time, Prof. Malalasekra of Ceylon circulated his name for the Presidentship. See, Accessed on 27-06-2014, <http://2001-2009.state.gov/r/pa/ho/frus/kennedyjf/xxv/6014.htm>.

³⁹ The government of Pakistan allowed Khan to contest for the seat of Presidentship of the UN.

⁴⁰ During that time, Khan was asked to represent Pakistan at "Port of Spain in the independence celebrations of Trinidad and Tobago." Khan, *Servant of God*, 238.

⁴¹ Wilcon and Embree, *The Reminiscences of Sir Muhammad Zafrulla Khan*, 204.

⁴² The Asian countries were: Burma, Ceylon, Thailand, Load, Cambodia, and India-the principal supporter and canvasser. Batalvi, ed., *The Forgotten Years*, 204.

⁴³ The result was as follow, Malalasekra had got 27 votes, whereas Khan got 72 votes. "Four votes were declared as invalid because they were marked, Pakistan, as they did not know the name of Khan." See, Accessed on 27-06-2014, <http://2001-2009.state.gov/r/pa/ho/frus/kennedyjf/xxv/6014.htm>.

⁴⁴ It must be noted that after becoming the President of the UN, Khan did not vacate his office of Permanent Representative of Pakistan; rather he was doing double duty. Khan, *Servant of God*, 247.

⁴⁵ Khan opined that, "I have no doubt the ministry at Karachi instructed our representatives abroad to do canvassing." Batalvi, ed., *The Forgotten Years*, 205. Khan was right when he held that opinion, because one day, Dr. Hamadani, who was second in number to Khan in UN, told him that the US ambassador, Mr. Yost has asked him

the session, he opened it with the following verse of the Holy Quran “Lord, expand my mind, and make it easy for me to carry out Thy behest, and remove every impediment from my speech that they may understand what I say.”⁴⁶ Such an act was not welcomed by everyone; a Christian journal commenting on the inaugural speech of Khan gave the following remarks: “there had been several Christians Presidents of the Assembly and not one of them had ever ventured a reference to God, lest the susceptibilities of the communists be offended. Here was a Muslim President who had not scrupled to open the Session with a prayer from the Quran, and no one seemed to have taken offence.”⁴⁷

The session of the UN presided by Khan was not only exceptional in its opening but it also broke the redundant traditions that were prevailing in the UN. Regarding punctuality of the time, Khan had said “for one thing, I intend to follow the British system of punctuality in meetings rather than what has become norm in the United Nations.”⁴⁸ The steps that were taken by Khan when he became the President included the following:

1. Change of office of President from the 38th floor to the basement.
2. Punctuality of time was to be observed strictly. The morning sessions was to begin at 10.30 a.m. and the timing for the commencement of the noon sessions was 3.p.m.⁴⁹
3. President of the UN, i.e. Khan was to remain absent from attending late night dinner parties, i.e. dance, music, drinking etc.

“whether it is intended to revive the Kashmir case before the security Council, for that would affect their attitude on the question of the Presidency of the Assembly.” Khan told Hamadani not to answer Yost, as he himself would give him the answer, and the reply of Khan was, “Well, ambassador, so far I have no instructions on the matter. Should I be instructed to raise the question in the Security Council, it would be my duty to do so at the earliest opportunity. My advice to you would be that on the question of the Presidency you had better proceed on the assumption that the Kashmir matter will be raised in the Security Council. That would safeguard you against all embarrassment.” Khan, *Servant of God*, 239.

⁴⁶ Ibid., 240. For the verse of the Holy Quran see, *Al-Quran*, 20: 26-9.

⁴⁷ Ibid.

⁴⁸ Batalvi, ed., *The Forgotten Years*, 208.

⁴⁹ And evening sitting started form 8.30 till midnight. Ibid., 209.

4. President of the UN (Khan) was found sitting with the driver at front seat considering him as his friend although he was a black.
5. Completing of the Seventeenth Session in time, i.e. one day before Christmas.

During the Presidency of Khan, he left no stone unturned in serving his country and his Community. It was during his Presidency that Algeria was submitted as a member of the UN, and Khan was very pleased to do that because it was a part of the foreign policy of Pakistan-to liberate the oppressed countries, especially the Arab countries. It was during the Presidency of Khan that Mr. Ben Bella of North Africa complained to Mohammad Ali Bogra-the Foreign Minister of Pakistan-that they have grievances against Pakistan. When Bogra inquired from him, Bella pointing towards Khan said “You are well aware of the great service that our guest of the evening has throughout rendered to the Arab cause. We all look upon him as our champion and our hero. He has visited Arab States of the Middle East and Egypt several times, but has not yet come to us once. Why is that?”⁵⁰

Then Khan not only visited the African countries but those countries about which he never thought to visit them.⁵¹ During his visit to different countries of the world, Khan had served three purposes; as the President of the UN⁵², as the representative of Pakistan and as a devoted Ahmadi. Khan also had the opportunity to preside such a session of the UN in which

⁵⁰ Khan, *Servant of God*, 249. When Bogra asked Khan, he said that he follow the orders of the Foreign Minister and till yet he did not receive any, so Bogra asked him to submit his tour plan and visit the African countries.

⁵¹ The countries that Khan visited included the former USSR, Aden (Yemen), Somalia, Nairobi (Kenya), Tanganyika, Egypt, and countries of East and North Africa. When Khan went to Morocco, the sultan offered him the highest rank of Morocco, and praised his services in the following words, “Zafrullah Khan the services which you offered to me and my family, I can never give you their return.” When the sultan came to UN and delivered his speech, he said, “when the issue of Morocco was being discussed in UN, at that time, I was able to count the number of friends that I have, but the speeches that I heard on radio, which were delivered by Zafrulla, then I was rest assured that we would win our case, because our lawyer was a very competent person.” Muhammad Zafrulla Khan, *Tehdis-e-Naimat* (Qadian: Zia-ul-Islam Press, 2009), 836-7.

⁵² Khan visited Uganda to solve the issue of the refugees who were coming there from Ruanda. The refugees were in a dire need of help from the United Nations Refugee Organization and the World Health Organization. Khan, *Servant of God*, 260.

both J.F. Kennedy and Mohammad Ayub Khan addressed the General Assembly.⁵³ When Khan was in Washington⁵⁴, Kennedy told him that its the most appropriate time to solve the issue of Kashmir.

I do not believe there has, during the last fifteen years, been so good an opportunity of setting the Kashmir dispute as there is now. Governor Harriman⁵⁵ and Mr. Duncan Sandys of Great Britain⁵⁶ are going to India for talks with Mr. Nehru, they will also have an opportunity of meeting Field Marshal Ayub Khan. I have impressed upon Governor Harriman the need of trying to move the Kashmir matter towards a solution.⁵⁷

Khan told Kennedy that the solution of Kashmir was not possible until Nehru agree to do so. Here a question was raised by the critics that why Khan did not stop serving Pakistan, when he was elected as the President of the UN. The answer of that question was given by Khan, when a similar question was asked by Sheikh Amri Abedi of Africa. The conversation proceeded in the following manner:

When I (Abedi) was studying at Rabwah⁵⁸, I had made up my mind to dedicate my life to the service of the faith. That is why on my return here I adopted the Mission House as the place of my residence, and made it the centre of my activities, but soon I became involved in municipal affairs, then I was elected to parliament and now I am Regional Commissioner. What worries me in all this is, am I, by taking on these responsibilities being false to my dedication? Should I not give up public office and devote myself entirely to direct service of the faith?⁵⁹

Khan gave the following reply:

Your country is in a great need of qualified devoted public servants. By setting an example of complete probity, perfect integrity, great diligence and deep devotion, you would also be serving the faith... whatever I am doing, am I doing it humbly and sincerely for winning God's pleasure? Is that the sole motive that inspires me? Is service of the faith my sole purpose? If your conscience makes an honest affirmative response to these questions, you may carry on without compunction.⁶⁰

⁵³ Khan, *Tehdis-e-Naimat*, 812.

⁵⁴ In 1962, prior to Khan's election as the President of the UN, Mr. Andrew Cory (Director of the Senior Diplomats' Seminar in Washington) asked Khan to deliver a speech in their seminar, but when Khan was elected as the President, Mr. Cory asked him, if he would fulfill his commitment, Khan said yes. Then Cory told Khan that being the President of the UN, if Khan would come to Washington, then Kennedy would receive him in the White House. Khan, *Servant of God*, 251.

⁵⁵ For detail see, Robert O. Binnewies, *Palisades: 100,000 Acres in 100 Years* (New York: Fordham University Press, 2001), 93, and accessed on 27-06-2014, <http://hallofgovernors.ny.gov/WAverellHarriman>.

⁵⁶ "A British politician and minister in successive Conservative governments in the 1950s and 1960s." see, Sylvia Ellis, *Historical Dictionary of Anglo-American Relations* (Maryland: Scarecrow Press, 2009), 202.

⁵⁷ Khan, *Tehdis-e-Naimat*, 809-10.

⁵⁸ Spiritual and centre headquarter of the Ahmadis in Pakistan. See, Gualtieri, *The Ahmadis*, xii.

⁵⁹ Khan, *Servant of God*, 257.

⁶⁰ Ibid.

During his Presidency, Khan did not forget his Community. When he went to Nairobi, there he met with the members of the Ahmadiyya Community,⁶¹ and was told by Jomo Kenyatta⁶² that his (Khan's) Community was doing satisfactory work in Kenya and Khan was told by Kenyatta that, "Members of the Movement used to visit me in jail. One of them gave me an English translation of the Holy Quran. I read it four times in prison, and now reading it a fifth time. Whenever I am in need of basic guidance on any matter I look for it in the Quran and always find it."⁶³

When Khan went to Tanganyika, there he met with the members of his Community and when he went to Jinja⁶⁴ he led the Friday prayer in an Ahmadiyya Mosque. In Kampala, he inaugurated a newly constructed Mosque of Ahmadiyya Community and another mosque of Ahmadiyya Community was also inaugurated by Khan in Zurich.⁶⁵ During his Presidency, Khan was invited at Agape⁶⁶ dinner to deliver a lecture on Islam.⁶⁷ The speech of Khan on Islam was an extract from his book, titled as, *Ahmadiyyat: The Renaissance of Islam*. His speech not only received appreciation but Father Morlion said that it (book written by Khan on Islam) "must be read by every Roman Catholic because the author is not a heretic but a believer and a brother."⁶⁸

⁶¹ Khan, *Tehdis-e-Naimat*, 828.

⁶² Nationalist Leader of Kenya who struggled for the independence of his country against the British. Melvin Eugene Page, Penny M. Sonnenburg, ed., *Colonialism: An International, Social, Cultural, and Political Encyclopedia Vol. I* (California: ABC-CLIO, 2003), 313.

⁶³ Khan, *Servant of God*, 255.

⁶⁴ Headquarter of the Ahmadiyya Community in Uganda. Accessed on 27-06-2014, <http://www.ahmadiyyamosques.info/2013/01/ahmadiyya-mosque-jinja-uganda.html>.

⁶⁵ Accessed on 27-06-2014, https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&cad=rja&uact=8&ved=0CDAQFjAC&url=http%3A%2F%2Fwww.khuddam.ch%2Fcms%2Fdocuments%2FMKAS_TournamentProgram.pdf&ei=9O2sU7mXJlz74QSw04GYBw&usq=AFQjCNHCqHv4wjpbMilJkUSUEPps1k9Pcg&sig2=zQDRdSQSY4hiA2cUkbPdng&bvm=bv.69837884.d.bGE.

⁶⁶ "Agape was Greek for brotherhood and the concept of brotherhood included all faiths." Choan-Seng Song, *Jesus and the Reign of God* (Cambridge: Cambridge University Press, 1989), 289.

⁶⁷ The Agape dinner was arranged by Father Felix Morlion (President of the Pro Deo University in Rome), and it was an annual Roman Catholic Feast.

⁶⁸ Khan, *Servant of God*, 249.

When Khan was about to complete his tenure as the President of the UN⁶⁹, at that time, in October 1963, ICJ asked the countries in the UN to send the names of their candidates for appointing them as judges in ICJ. Thereby, it was during Ayub's era that the name of Khan was sent to ICJ, and was again elected as a judge (in ICJ).

5.3. President of the International Court of Justice

In 1961, when Khan left ICJ, at that time, he was roused to the position of the Vice President of the ICJ but unfortunately he was not elected as its President. Now in 1963, Khan was appointed as a judge in ICJ, but that time, he was appointed not to remain a judge but to be elected as the President of the ICJ.⁷⁰ Khan continued his efforts to serve his Community. In November 1964, he visited Fiji Islands in order to vouchsafe the prophecy of the founder of his Community.⁷¹ During his stay in Fiji, Khan received the news that the head of Ahmadiyya Community has passed away.⁷² That news worried him a lot and he tried his best to reach Rabwah to attend the funeral of Bashiruddin and to take part in the election of the head of the Community, but his wish was not materialized because there was no such flight from which he could reach Rabwah in time.

It was during his (Khan's) career as a judge in ICJ that in 1965, he performed *Hajj* (Pilgrimage). Through Baroudi, he conveyed his message to King Faisal⁷³ that he had intended to perform pilgrimage, and in response to his message, he was warmly welcomed by the king.

⁶⁹ For the closing speech of the 17th Session of the UN General Assembly, see Appendix xiii.

⁷⁰ Shabtai Rosenne, ed., *Documents on the International Court of Justice* (Leiden: Sijthoff & Noordhoff International Publishing, 1979), 450.

⁷¹ Ahmad claimed, "I shall carry thy message to the ends of the earth." Khan came to Fiji to see if there was any Ahmadiyya Community in Fiji, and he was pleased to see the members of his Community in Fiji. Khan, *Servant of God*, 276.

⁷² For Khan, the Second Head of the Community, i.e. Bashiruddin had been "a friend, a guardian, a counselor, and a spiritual preceptor." Khalon, *Zafrulla Khan*, 161.

⁷³ King Faisal became his friend when Khan was in the UN, serving as the Foreign Minister of Pakistan. For detail, see Chapter 3, 130.

On his arrival in Saudi Arabia, he was declared as the Royal guest.⁷⁴ His stay in Saudi Arabia was from 10th March 1967 till 24th March, 1967, and then he had to proceed to The Hague. During the same year, he was invited by a member of the Memon Community of Durban to South Africa, where he witnessed the miseries of the Africans, additionally; he also met with the members of the Ahmadiyya Community in Cape Town.⁷⁵

In 1970, he was elected as the President of the ICJ and thus he became the first Asian President of the ICJ.⁷⁶ The queen told Khan about the issues that were pending for a long time, and asked him to find a solution to them. The issues were related to the status of the Judges of ICJ⁷⁷ and a new building for Court. When Khan was in the UN, he had developed friendly relations with the Foreign Minister of Netherlands (Dr. Joseph Luns).⁷⁸ Regarding the position of the judges in ICJ, Khan gave the following advice and it was acceptable to Luns. He said:

As the court exercised jurisdiction over sovereign states, the President of the Court should rank immediately after the Royal family, and before the Dean of the diplomatic corps. Then Dean should come after the President and should be followed by the Vice-President of the Court, who should be followed by the senior most ambassador, and thereafter a judge and an ambassador should rank alternately in descending order of seniority.⁷⁹

⁷⁴ Khan and his family was given *Tashrifat cards*, which served as passport, visa, road permit, hotel card, food coupon, refreshment voucher, priority certificate, and all in one. Khan, *Tehdis-e-Naimat*, 870.

⁷⁵ Accessed on 27-06-2014,
https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&cad=rja&uact=8&ved=0CC8QFjAC&url=http%3A%2F%2Fwww.khuddam.org%2Fjihadofthepen%2F2011%2F08%2F29%2Fislam-ahmadi-mosques%2F&ei=zAWtU8LuKI7fOKTUgOgN&usq=AFQjCNGUyXGVeTFdX_guZqNhZP4KHHRE7w&sig2=6PuBEBEwCyR4RPsY_2bmA&bvm=bv.69837884.d.ZWU.

⁷⁶ It was a custom in the UN that the new President had to invite the Queen of the Netherlands and discuss the issues of the court with her. In 1980s, when the Queen Juliana Bernhard abdicated her throne, at that time Khan went to see her, and presented his book to her. The book was, Muhammad Zafrulla Khan, *Muhammad: Seal of the Prophets* (London: Routledge & Kegan Paul, 1980).

⁷⁷ In 1946 with the establishment of the ICJ, its first President-Judge Guerrero-had proposed that the Judges of ICJ should be ranked as first class ambassadors, whereas the newly elected judges should be ranked junior to the ambassadors. The suggestion of Guerrero was criticized by the diplomats and thus it was rejected. Khan, *Servant of God*, 289.

⁷⁸ Later on, he was appointed as the Secretary General of North Atlantic Treaty Organization (NATO). Sir James Eberle, *Wider Horizons: Naval Policy & International Affairs* (Durham: Roundtuit Publishing, 2007), 21.

⁷⁹ Khan, *Servant of God*, 289. Luns agreed to put forwards the suggestion of Khan, but it was widely criticized by the diplomatic corps, because “the junior most Judge of the ICJ ranked equal to a senior ambassador, who were sixty in number, whereas the judges of ICJ were twelve in number (At present their number is fifteen). But due to the efforts of the Luns, the status as proposed by Khan was approved for the Judges of the ICJ.

Now Khan had to find a place for the construction of a new building for the ICJ. There was a debate in the General Assembly of the UN to move the ICJ from The Hague⁸⁰ but due to friendly relations between Khan and Luns, an agreement was reached and a new place was provided to the ICJ and its construction was funded by the UN which was inaugurated on 3rd Aril, 1978.⁸¹ Khan's tenure was going to be terminated on 5th February 1973 and it was decided that his name should be proposed for re-election. However, Khan wanted to serve his Community; consequently, he wrote to the Secretary General of the Ministry of Foreign Affairs of Pakistan that "his name be drawn from the list of candidates for election to the court."⁸² From 1973 onwards, Khan had decided to stay in London and serve his Community; however, he used to visit Pakistan during the winter.⁸³

5.4. Khan and the Fate of the Ahmadiyya Community in Pakistan: Post 1970s

From 1973 onwards, Khan started authoring many books for his community, at the same time, he was also writing the forwards and translation of the books that were written by Ahmad.⁸⁴ At that time, Khan did not disappear from the political scenario of Pakistan rather the Prime Minister of Pakistan; Zulfikar Ali Bhutto wrote him a letter, praising his services for the cause of the Muslims World and for Pakistan.⁸⁵ During his international career, Khan not only served his community, rather he served the Muslim World, and he was considered as the champion of Arab countries.⁸⁶

⁸⁰ Andreas Zimmermann, Christian Tomuschat, Karin Oellers-Frahm, Christian J. Tams, ed., *The Statute of the International Court of Justice: A Commentary* (Oxford: Oxford University Press, 2012), 431.

⁸¹ Khan, *Tehdis-e-Naimat*, 888.

⁸² Khalon, *Zafrulla Khan*, 202.

⁸³ Khan did not stay in Pakistan but he used to visit the country in the winters, because of his ailing health.

⁸⁴ For details of the book, see, Appendix XIV. Khan also used to translate the Friday sermon (delivered by the head of the Ahmadiyya Community) into English. Khan, *My Mentor*, 216.

⁸⁵ Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 246-7.

⁸⁶ See, ref.45.

The victory of Bhutto in the elections of 1970 was also because of the support which he got from the Ahmadiyya Community.⁸⁷ The support which he received from the Ahmadiyya Community was in the province of Punjab. At that time, in 1973, the Arab Countries had put an oil embargo upon the Western Countries.⁸⁸ Consequently the Western Countries had to face a huge economic loss. In order to stop any aggression from the Western Countries, the Muslim world had form a block to counter the formers.⁸⁹

In 1974, Bhutto called a conference of the Islamic Countries in Pakistan.⁹⁰ In that Conference it was decided that king Faisal would be considered as the spiritual head of the Muslim world.⁹¹ Unfortunately, Faisal was murdered by his nephew.⁹² The delegates of the Islamic conference criticized the Ahmadiyya Movement and decided to curb the movement, because the Muslim World had perceived the Ahmadiyya Community as a threat for Islam and for the Muslim World.⁹³ Followed by the Conference, a lot of literature against the Ahmadiyya community was distributed in the country; in addition to that, the Ahmadiyya Community was forced to counter it. Mirza Nasir Ahmad, the third head of the Ahmadiyya community issued a statement saying that Bhutto and Faisal were trying to “excommunicate the Ahmadis.”⁹⁴ The Economist London stated:

⁸⁷ PPP had no slogan to declare the Ahmadis as non Muslims. Munir Ahmed Munir, “Pakistan kay Pehly Wazir Kharja Sir Zafrulla Khan say Munir Ahmad Munir ka Interview” in *Atish Fishan Lahore*, (Lahore: Atish Fishan Publishers, 11 January 1981), 12.

⁸⁸ Siamack Shojai, “The International Energy Agency” ed., in Siamack Shojai, *The New Global Oil Market: Understanding Energy Issues in the World Economy* (Santa Barbara, Praeger, 1995), 97.

⁸⁹ Accessed on 27-06-2014, <http://www.npr.org/blogs/parallels/2013/10/15/234771573/the-1973-arab-oil-embargo-the-old-rules-no-longer-apply>.

⁹⁰ Stephen P. Cohen, *The Idea of Pakistan* (Washington: The Brookings Institution, 2004), 170.

⁹¹ Fouad Ajami, *The Arab Predicament: Arab Political Thought and Practice Since 1967* (New York: Cambridge University Press, 1992), 74.

⁹² Spencer C. Tucker, ed., *The Encyclopedia of Middle East Wars: The United States in the Persian Gulf, Afghanistan, and Iraq Conflict* (California: ABC-CLIO, 2010), 436.

⁹³ Accessed on 27-06-2010, <http://ahmadiyyatimes.blogspot.com/2012/10/qadiani-issue-1974-iv-background.html>.

⁹⁴ Accessed on 27-06-2014, <http://www.reviewofreligions.org/prx2.unblocksit.es/1819/hadhrat-khalifatul-masih-ivru-before-khilafat/>.

Several months ago when an Ahmadi was fired as Chief of Staff of Air Force, this said to have turned the Ahmadis against Bhutto and now cited by conspirational minded Pakistan as one of the motivations, the Prime Minister may have had for inciting the riots himself. Another such incentive may have been provided by Pakistan's oil-rich Muslim brother; King Faisal is said to have urged Mr Bhutto at the Islamic Summit in Lahore last February to deal with Ahmadis and even to have made Arab aid contingent on a solution of the Ahmadi problem. A follow up Muslim meeting at Jeddah in March pronounced the Ahmadis non-Muslims, with the Pakistan delegation reluctantly acceding. Pakistan's religious parties have been stepping up anti Ahmadiyya propaganda ever since.⁹⁵

On the other hand, the *ulama* kept on demanding from the government to declare the Ahmadis as non Muslims. The demand of the *ulama* was in process that an incident took place in Rabwah which was named as the “Rabwah Incident.”⁹⁶ It happened that on 29th May 1974, the students of Nishtar Medical College, Multan, were beaten by the members of the Ahmadiyya Community while they were travelling by a train which was passing through Rabwah.⁹⁷ That incident added fuel to the fire and gave a chance to the *ulama* to press the government hard to declare the Ahmadis as non Muslims.⁹⁸ To implement their demands, the *ulama* started country wide protests, followed by looting, plundering, burning and damaging the properties of the members of the Ahmadiyya Community. Khan⁹⁹ in order to defend the position of his Community gave the following statement:

The present trouble began when about 150 students from Nishtar Medical College at Multan had been passing by train through Rabwah, the headquarters of the community. They shouted slogans and obscenities at Ahmadis. There were similar demonstration by the students when the train returned a week later but this time they were greeted with violent reaction and some of them were hurt.¹⁰⁰

⁹⁵ Accessed on 28-06-2014, <http://alhafeez.org/rashid/constipak.html>.

⁹⁶ Ali Usman Qasmi, *The Ahmadis and the Politics of Religious Exclusion in Pakistan* (London: Anthem Press, 2013), 176.

⁹⁷ Hassan Abbas, *Pakistan's Drift into Extremism: Allah, the Army, and America's War on Terror* (New York: M. E. Sharpe, 2005), 81.

⁹⁸ Qasmi, *The Ahmadis and the Politics of Religious Exclusion in Pakistan*, 3.

⁹⁹ On 5th June 1974, Khan held a press conference in London.

¹⁰⁰ Accessed on 28-06-2014,

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=5&cad=rja&uact=8&ved=0CEAQFjAE&url=http%3A%2F%2Falhafeez.org%2Frashid%2Fconstipak.html&ei=3yGtU-jBBKGr0gWDw4DQCQ&usq=AFOjCNFDV mz veuJtdcaYLTCAC1F4q3THA&sig2=txUrfGrOYuGWq-gL8_Nd-w.

He further said that when their “properties were being burnt by rioters, the Federal Security Forces stood by as silent spectators.”¹⁰¹ Khan invited the international community to Pakistan in order to help the Ahmadis in Pakistan. Khan’s action of inviting the international community on Pakistan was criticized by the press.¹⁰² Bhutto in order to gain political support for the upcoming elections and to lessen the pressure of *ulama*,¹⁰³ set up a special committee to decide the matter of the Ahmadiyya Community.¹⁰⁴ The Ahmadiyya Community resisted the move of the government by declaring that such an action was out of the jurisdiction of the law and was invalid. At that time, Khan gave the following statement, “the orthodox Sunni Muslim *ulama* successfully pressed the PM Zulfikar Ali Bhutto to declare the Ahmadis as non Muslims.”¹⁰⁵

On 30th June 1974, the issue of the Ahmadiyya Community was presented before the National Assembly of Pakistan in two resolutions.¹⁰⁶ One was sponsored by the Government¹⁰⁷ and the other by the opposition¹⁰⁸ party. The opposition side was consisting of 37 members

¹⁰¹ “Khan brought the attention of International community to the issue of the persecution of Ahmadis and appealed to the Amnesty International; International Red Cross, Human Rights Commission, International Commission of Jurists, Public welfare bodies like OXFAM to go to Pakistan and help the suffering Ahmadis. He wrote to UN Secretary General Kurt Waldheim to send observers to Pakistan.” Ibid.

¹⁰² “We are not sure to what extent Pakistan foreign accusers have been influenced by the statements of Mirza Nasir Ahmad and Sir Zafarullah. But it is clear that by lapping up whatever was said by these gentlemen, they acted in fairness neither to them nor to Pakistan. Similarly the worthy spokesmen of Ahmadiyya community have only harmed their own cause by securing for foreign help against their own government and rendered themselves liable to the charge that they care more for their international connections than their loyalty to the land where they have enjoyed extraordinary facilities and privileges. Indeed they are more guilty of sullyng the image of their country than their friends abroad.” Accessed on 28-06-2014, <http://alhafeez.org/rashid/constipak.html>.

¹⁰³ Hafiz Sher Muhammad, *The Ahmadiyya Case* Trans. Zahid Aziz (Newark: Ahmadiyya Anjuman Isha’at Islam, 1987), 317.

¹⁰⁴ *Majlis Tahafuz-i-Khatme-Nabuwat*, an alliance of 18 religio-political parties accused Bhutto of partisanship and demanded his resignation if the problem was not resolved.

¹⁰⁵ Andrew Rippin ed., “Social Issues and the Islamic World” in Andrew Rippin, *The Islamic World*, (new York: Routledge, 2008), 643.

¹⁰⁶ Bashir Ahmad, *The Ahmadiyya Movement; British-Jewish Connections* (Rawalpindi: Islamic Study Forum, 1994), 412.

¹⁰⁷ It was headed by the then Law Minister, Abdul Hafeez Pirzada.

¹⁰⁸ It was moved by Maulana Shah Ahmad Noorani, Secretary Parliamentary group of the Opposition.

including “Maulana Abdul Haq, Sher Baz Mazari, Prof. Ghafoor Ahmed, and Haji Maula Bux Soomro.”¹⁰⁹

The proceedings were started in camera and continued for 11 days, the Ahmadiyya community gave their memorandum¹¹⁰ which was to be read and then they should be questioned. Only the Attorney General of Pakistan (Yahya Bukhtiar) was entitled to ask the questions¹¹¹ from the members of the Ahmadiyya Community, and most of the question came from the side of the *ulama*. The committee proposed an amendment¹¹² in which it was decided to declare the Ahmadiyya Community as non Muslim.¹¹³ None of the party was allowed to publish the proceedings of the meetings.¹¹⁴ The bill that was introduced in the National Assembly on the 7th September 1974, after the end of the special committee included the following points.¹¹⁵

- (1) This act may be called the Constitution (Second Amendment) Act, 1974.
- (2) It shall come into force at once.
- (3) 2nd Amendment of Article 106 of the Constitution. -- In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in article 106, in clause (3) after the word "communities", the words and brackets "and persons of the Qadiani group or the Lahori group (who called themselves 'Ahmadis') shall be inserted.

¹⁰⁹ Qasmi, *The Ahmadis and the Politics of Religious Exclusion in Pakistan*, 178.

¹¹⁰ Ahmadiyya Muslim Jama'at, *Mahzarnama: The Memorandum* (Surrey: Islam International Publications, 2003).

¹¹¹ The members had to put forward their questions to the AG, and then the AG used to ask the questions from the delegates of the Ahmadiyya Community. Accessed on 28-06-2014, <http://ahmadiyya.org/WordPress/2012/10/18/change-of-beliefs-in-national-assembly-in-1974-by-qadiani-khalifa/>.

¹¹² In “Article 106(3) a reference be inserted to persons of the Qadiani Group and the Lahore Group (who call themselves Ahmadis); ii) that a non-Muslim may be defined in a new clause in Article 260. To give effect to the above recommendations, a draft Bill unanimously agreed upon by the Special Committee is appended: b) That the following explanation be added to section 295A of the Pakistan Penal Code: Explanation: A Muslim who professes, practices or propagates against the concept of the finality of the Prophethood of Muhammad (peace be upon Him) as set out in clause (3) of Article 260 of the Constitution shall be punishable under this section. c) That consequential legislative and procedural amendments may be made in the relevant laws such as National Registration Act, 1973 and the Electoral Rolls Rules, 1974. d) That the lives, liberty, property, honor and fundamental rights of all citizens of Pakistan, irrespective of the communities to which they belong, shall be fully protected and safeguarded.” See, Accessed on 28-07-2014, <http://pakistanconstitutionlaw.com/article-106-constitution-of-provincial-assemblies/>.

¹¹³ Second Amendment was brought out and on September 7, 1974, Ahmadis were declared non-Muslims. Khan challenged the decision of the Assembly saying that his community was Muslim. It was interesting that at that time, the view of Khan was ignored in Pakistan, although Khan remained the President of ICJ. Tahir Mahmood, “Interaction of Islam and Public Law in Independent India” ed. in Ravindra S. Khare, *Perspectives on Islamic Law, Justice, and Society* (Maryland: Rowman & Littlefield, 1999), 96-7.

¹¹⁴ The Ahmadiyya Community claimed that if it was published then the majority of the Pakistanis would accept Ahmadiyya as the true Islam, whereas the *ulama* said, if the report was published, then the masses would kill the Ahmadis. Qasmi, *The Ahmadis and the Politics of Religious Exclusion in Pakistan*, 181.

¹¹⁵ Accessed on 28-07-2014, <http://www.refworld.org/docid/3ae6acb43b.html>.

- (4) Amendment of Article 260 of the Constitution. -- In the Constitution, in Article 260, after clause (2), the following new clause shall be added, namely:--A person who does not believe in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon Him), the last of the Prophets or claims to be a prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon Him), or recognizes such a claimant as a prophet or a religious reformer, is not a Muslim for the purposes of the Constitution or Law.¹¹⁶

With the passing of the bill, it was said that “a 90 year issue was finally resolved and Pakistan became the first Muslim Nation in the world to officially and legally declare Qadianis as a non-Muslim minority.”¹¹⁷ Criticizing the bill, Khan issued a statement saying that “the Parliament of Pakistan had no right to decide about the faith of the Ahmadiyya Community.”¹¹⁸ He further wrote that the “Article (20) of Pakistan Constitution allows everyone to profess religion of one's choice and the said amendment runs contrary to it.”¹¹⁹

During the era of Bhutto, the Ahmadis were declared as non-Muslims but the issue was not resolved and subsequently the era of General Zia (1977-88)¹²⁰ was started, followed by his policy of Islamization. That era proved to be an era of oppression and persecution for the Ahmadiyya Community and that era also witnessed the last days of Khan.¹²¹ In July 1978, during the rule of Zia, the first Asian Islamic Conference was held at Karachi.¹²² The Conference also criticized the Ahmadiyya Community and passed the following resolutions¹²³:

1. Every Muslim body, organization or association should minimize the Qadianis practices in their temples, schools and orphanages and in all other places where Qadianis practice their foul and destructive activities. They should also pick out and choose Qadianis, and warn the whole Muslim world against their evil practices lest they should fall in their trap or give into their evil machinations.

¹¹⁶ Accessed on 28-06-2014, <http://www.pakistani.org/pakistan/constitution/amendments/2amendment.html>.

¹¹⁷ Surendra Nath Kaushik, *Pakistan Under Bhutto's Leadership* (Columbia: South Asia Books, 1985), 148.

¹¹⁸ Accessed on 28-06-201, http://lutfislam.blogspot.com/2012_10_01_archive.html.

¹¹⁹ Ibid.

¹²⁰ The sixth President of Pakistan from 1978 until his death in 1988, having declared martial law for the third time in the country's history in 1977. He was Pakistan's longest-serving head of state, ruling eleven years. See, Thom Burnett, ed., *Conspiracy Encyclopedia* (London: Chamberlain Bros, 2005), 69.

¹²¹ In London Khan gave a speech on the death of Jesus Christ. Accessed on 28-06-2014, <http://www.bashirrafiq.com/page19/index.html>.

¹²² Bruce Matthews, “Islam as a Minority Religion in Some Theravada Buddhist States of South Asia and Southeast Asia” in ed., Rodolphe de Koninc, *Ressources, problèmes et défis de l'Asie du Sud-Est* (Ottawa: Les Presses de l'université Laval, 1986), 51. “It was attended by about 200 delegates from 27 countries and was sponsored by Rabita al-Alam al-Islami.”

¹²³ Ahmad, *The Ahmadiyya Movement; British-Jewish Connections*, 429.

2. The Qadianis should be proclaimed atheists and non Muslims.
3. No commercial engagements should be effected between Muslims and Qadianis. Muslims should boycott Qadianis economically, socially and culturally. Inter-marriage between Muslims and Qadianis should be stopped at once. Qadianis should not be allowed to bury their dead in Muslim cemeteries; they should be treated and looked upon as steadfast atheists.
4. All Muslim States are invited to stop all evil practices of the followers of Mirza Ghulam Ahmad who claimed Prophethood, they should be regarded as a non-Muslim minority and denied effective and sensitive posts of the state.
5. Illustrations of all distortions in the text of the Holy Quran should be published. Qadianis misinterpretations of the meanings of Quranic verses should be minimized and not put to public use.
6. All Muslim groups who deviated from the true Muslim path should be treated on equal terms with the Qadianis.¹²⁴

In 1984, the *ulama* of *Khatme Nabuwwat* demanded from Zia to take necessary steps in order to curb the Ahmadiyya Movement *in toto*.¹²⁵ On 27th April 1984, at Rawalpindi, they held a conference in which they gave their demands.¹²⁶ But prior to their conference, on 26th April 1984, Zia passed an ordinance known as the Ordinance XX of 1984.¹²⁷ With the passing of that Ordinance, Mirza Tahir Ahmed (4th head of the Ahmadiyya Community) left Pakistan and went to London,¹²⁸ where he held a meeting of all leading Ahmadis¹²⁹ to discuss the long term planning in the wake of the Presidential Order.¹³⁰ Khan and other members of the Ahmadiyya Community suggested to Tahir that the latter should stay in London, and declare its as the centre of the Ahmadiyya Community.

In August 1985, Khan came back to Pakistan and his health started deteriorating and he breathed his last on 1st September 1985, at the age of 93. His funeral was offered at 11 a.m. in the

¹²⁴ Accessed on 28-6-2014, <http://www.khatm-e-nubuwwat.com/pumphlets/eng/2.htm>.

¹²⁵ Accessed on 28-06-2014, <http://jang.com.pk/thenews/jun2010-weekly/nos-06-06-2010/spr.htm>.

¹²⁶ The demands included, the “Removal of the Qadianis from the key posts in Government departments. Effective enforcement of the Second Amendment. Imposition of ban on Ahmadiyya tabligh. Implementation of recommendation of the Council of Islamic Ideology regarding Qadianis (The Council proposed death penalty for an apostate). Arrest of Mirza Tahir Ahmad and some of his colleagues in connection with the disappearance of Maulana Aslam Qureshi (a Khatme Nabuwwat activist) and immediate recovery of Maulana Qureshi. Maintenance of a close check on political and espionage activities of Ahmadis and their collaboration with the Zionists. Ban on paramilitary forces of Rabwah like Khuddamul Ahmadiyya etc. Identification of Ahmadis as non-Muslim on identity cards and passports.” Ibid.

¹²⁷ Martin Lau, *The Role of Islam in the Legal System of Pakistan* (Leiden: Koninklijke Brill, 2006), 115-6.

¹²⁸ Richard C. Martín, *Encyclopedia of Islam & the Muslim World, Vol. I* (New York: Macmillan, 2004), 31.

¹²⁹ The members included the person like, Khan, M.M. Ahmad, Prof. Abdus Salam, and many other. See, Ahmad, *The Ahmadiyya Movement*, 453.

¹³⁰ Ibid.

polo ground of Lahore, and then his dead body was buried in Rabwah. The death of Khan was not mourned in Pakistan to an extent in which it was bewailed in the international world. “The UN flag remained at half mast all over the world to respect the memory of the person who had the unique honor of being the President of the UN General Assembly Session and the International Court of Justice.”¹³¹ The funeral of Khan was offered like a Muslim and a badge was also positioned on his coffin, which had the *Kalima* of the Muslims inscribed on it.¹³² Khan’s funeral was offered like a Muslim, and he was buried like a Muslim, but his community suffered a lot, and is still suffering.¹³³

When Khan had suffered from pneumonia and remained unconscious for a week, at that time the government of Pakistan appointed a team of the doctors to examine him, and report the administration about his health.¹³⁴ After two weeks, Khan had started recovering and came to his senses, but he was unable to live for long.¹³⁵ Again after few days, his health started deteriorating and was unable to recover, and breathed his last on 1st September 1985.

¹³¹ Pervez Perwazi, ed., *Sir Zafrulla’s Contribution to the Freedom Movement-1926 to December 25, 1947* (Lahore: Nia Zamana Publications, 2011), 10. The Arab world and the president of the ICJ also sent condolence message on the death of Khan. See Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 259-74.

¹³² *Ibid.*, 259. Here it must be noted that at that time the Ordinance XX was put into effect, but still Khan was given the honor of being a Muslim.

¹³³ Accessed on 28-06-2014, <https://www.persecutionofahmadis.org/category/pakistan/>.

¹³⁴ Raja, *Tameer o Tarakhi-e-Pakistan Mein Jammāt Ahmadiyya Ka Misaali Kirdar*, 255.

¹³⁵ *Ibid.*, 256.

Conclusion

In Pakistan, Khan is either known as the First Foreign Minister of the country or as a Qadiyyani. On the other hand, the term Qadiyyani is a deprecating expression and is used to illustrate revulsion towards the members of the Ahmadiyya Community. To substantiate the term Qadiyyani, the *ulama* had put forward the argument that as the Ahmadis are apostates as well as they do not believe in the finality of the Prophet Muhammad PBUH. Therefore, they have no right to assert themselves as Ahmadis and for the reason that Ahmad is one of the names of the Holy Prophet PBUH. Moreover, the *ulama* had given the justification that since the Ahmadis are the follower of Mirza Ghulam Ahmad of Qadian, so, they must be referred to as Qadiyyani, Mirzai, or Qadiyyani Ahmadi, but not as Ahmadis.

If one tries to study the life and achievements of Khan which he had rendered for the cause of the country one can barely be able to disconnect Khan's religious identity from his existence. Being a devoted Ahmadi, Khan was among those who had once struggled for the creation of Pakistan along with that he had served the country in its later days. When Pakistan was fashioned, the top leadership of Pakistan had acknowledged the services of Khan; even Zulfikar Ali Bhutto had credited the former's services. It is worthy of noticing that Bhutto was the one who had accepted the demand of the *ulama* by declaring the entire Ahmadiyya Community as non-Muslims.

When the life of Khan is analyzed, it becomes crystal clear that the success which he had achieved during the freedom movement was due to his association with his Community. He had remained the right hand of Bashiruddin, the Second Head of the Ahmadiyya Community, representing the Ahmadiyya Community in different organizations, conferences, and in assemblies. Furthermore, he was seen as authoring several books for his community; as a

consequence, he was propagating the views of the Ahmadiyya Community. For all time, Khan had given first priority to the traditions of the Ahmadiyya Community. In 1952, when he was having the portfolio of the Foreign Ministry of Pakistan, and had to address the gathering of his community in its annual session, at that time, the Prime Minister of Pakistan asked him not to address the session of his community because the former was representing the government. At that time, Khan told the Prime Minister that if the former's portfolio was creating troubles for the government, in that case, he was prepared to resign; but, he would address his community in its annual session.

In 1953, the *ulama* launched a civil disobedience movement in the contour of riots, which were known as the riots of 1953. During that time, the standpoint of the top political leaders of Pakistan was entirely dissimilar as compared to that of the *ulama* and of the masses. The top political leaders of Pakistan at the centre used to consider Khan as an asset of the country, irrespective of his religious identity-as being an Ahmadi. The same point of view was also held by the leadership of the Pakistan Movement especially by Jinnah, who judged the abilities and competence of Khan and appointed him as the Foreign Minister of Pakistan and gave him the task to defend the country in the international world. However, the case of the masses was totally upside down, they not only criticized Khan for his religious identity but forced him to resign from his assortment. Furthermore, they raised slogans against the entire Community and have labeled them as being traitors and agents of the British, and consequently started persecuting them.

The *ulama* were mostly troubled with the religious identity, and used to oppose those who had beliefs other than that which were held by them. Following the creation of Pakistan, frequent changes were witnessed in the ministries but during that time Khan was the one who

had retained his portfolio till 1954. It happened that Khan was criticized by the political leaders of Punjab on the ground that being an Ahmadi, he was continuously occupying the office of Foreign Ministry for seven years. Such an opposition by the political party was based on the rationale to get votes from the masses by exploiting the issue of the Ahmadiyya Community. The government of Punjab, in order to gain support from the masses and to blackmail the centre, had manipulated the issue of the Ahmadiyya Community and the outcome was the riots of 1953. To control the deteriorated situation of the city, the centre government had to ask the Army to intercede, and thus Pakistan had to witness the first Martial Law in its history. The resignation of Khan from the office did not solve the issue; rather it had opened a Pandora box, because the *ulama* had started pressurizing the government to remove all the Ahmadis from the top positions in the government departments, in addition to that the entire Ahmadiyya Community must be declared as non-Muslim. During that time, i.e. early 1970s, the Pakistani politics was twisted by the issue of the Ahmadiyya Question. The demand of the *ulama* remained in one piece but they failed to materialize it because the country had to witness successive Martial Laws, i.e. from 1958 to 1971. With the formation of the civilian government in Pakistan, the issue of Ahmadiyya Community was raised and the entire Community was declared as non-Muslims.

In 1971, when the East Pakistan was separated, the government of PPP decided to revive the spirit of patriotism amongst the Pakistani nation. Thus, Pakistan Studies and Islamic Studies were declared as compulsory subjects. At that time, the ideology of Pakistan was related with the religion, and those who were not in favor of the Muslim Nationalist Perspective, their names were wiped out from the pages of the history of Pakistan. Furthermore, they were declared as anti Pakistan or agents of the British. When the Islamic ideology for the creation of Pakistan was formulated, the Ahmadis due to their distinct beliefs were found like a fish out of the troubled

water. As a result not only the history of the Ahmadiyya Community was distorted but their contributions were black screened and were dubbed as traitors of Pakistan. When the state had started propagating its version of the history, after that Pakistan started to drift towards extremism, particularly in the case of the religion. The issue had become more susceptible in case of the Ahmadiyya Community. When someone tries to study the Ahmadiyya issue, then he would find a lot of obstacles raised in his way, which would boost the option of subjectivity. The reason is that, the literatures are inaccessible; furthermore, if any literature is available, then it would not only be critical but totally anti to the Ahmadiyya Community.

We must learn the lesson from the examples of Jinnah, who used to choose men who were capable and loyal to the cause of the Muslim nation and to the country, i.e. Pakistan. If Khan was a traitor or an agent of the British, then Jinnah would have been the first person to disown him, but nay, he (Jinnah) not only accredited Khan for his contributions rather Khan was the one on whom Jinnah had a lot of confidence. Like Khan, many other eminent personalities were also disowned in Pakistan for the reason that once they had differences with the leadership of Pakistan. It is the task of the academicians to find the fact and give due credits to such personalities who once played their role for the creation of Pakistan and gave their efforts and energies in building the country. Academicians should not hide the facts rather they should present them, and then let the readers to judge by themselves. The effort to dig out the facts should continue for making our education system compete with the education system of the West.