

# IQBAL IN THE WITNESS BOX

MUHAMMAD ABDULLA QURAIISHI

In 1931, the Kashmir movement was at its height in Lahore. The Dogra ruler had made life difficult for the Muslims of Kashmir. The Muslim majority was being sacrificed at the altar of Hindu minority. Muslims all over India had raised their voice of protest against this high-handedness. Through public meetings and protest marches, deep sympathy for the persecuted people of Kashmir was being demonstrated.

In the beginning these public meetings were held in the famous Municipal garden outside Mochi Gate. Among those, who actively participated in these meetings, were Mian Nizam-ud-Din, Haji Rahim Bakhsh, Syed Mohsin Shah — all Kashmiri dignitaries — and Professor 'Ilm-ud-Din Salik of Islamia College, Lahore. The latter not only organized the meetings, but also telegraphically communicated to the Secretary of State, the Viceroy, the Political Agent, the Maharaja of Kashmir, the Resident and other officers concerned, the resolutions passed at those meetings.

Moved by this show of sympathy, outstanding Indian Muslim leaders, in the fields of politics, religion and law, assembled in Simla and founded the Kashmir Committee, whose first president was Mirza Bashiruddin Mahmud and the last Sir Muhammad Iqbal. This committee was formed to render legal assistance to the people of Kashmir. It was through its efforts that a large number of persons, who were perishing in the State prisons, were set free. The committee also gave financial assistance to the national workers.<sup>5</sup>

After sometime, the Majlis-i-Ahrar took charge of the Kashmir movement and the centre of activities moved to the garden outside the Delhi Gate. The Majlis-i-Ahrar was an active organization. Its fire-brand speakers

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<sup>5</sup> See, M. Abdullah Qureshi Article "Iqbal and Kashmir", in the *Iqbal*, oct: 1956, Vol. No. 2 and *Speeches and Statements of Iqbal*.

put aflame the whole of India, and the country began to resound with the slogan "*Kashmir Chalo*" (Forward to Kashmir).

This was a time when every problem was viewed from the communal angle. The demand for a democratic system of government in Kashmir was viewed likewise. The Hindus felt that the Muslims were carrying on the campaign against the Maharaja of Kashmir for the simple reason that he was a Hindu. They also felt that if a democratic system of government was established in the State, it would create a Muslim-majority region, which, in turn, will lead to Muslim ascendancy in Kashmir. On that account, the Hindus started opposing it and as a counter-measure started a movement against the state of Hyderabad Deccan, whose ruler was a Muslim. They raised the slogan "*Deccan Chalo*" (Forward to Deccan).

On 20th December, 1931, under the auspices of the Majlis-i-Ahrar, the Muslims of Lahore took out a big procession in connection with the Kashmir movement. The procession was essentially peaceful, but it provoked the Hindus to take out a similar procession. The Hindus took out their procession on 26th December. Beli Ram Telwala of Machhi Hatta (Shah 'Alami Gate) was the organizer and leader of the procession. He was a great fanatic. Raising provocative slogans, the procession, after passing the Circular Road, wended its way to Mochi Gate. With the connivance of the police, the processionists entered the gate and molested a few Muslim shopkeepers, who carried their trade in the shops located on the ground floor of the Unchi Masjid and the mosque of Mulla Muhammad Saleh Kamboh, an eminent historian of Shah Jahan's reign.

This upset the Muslims very much, as the behaviour and conduct of the Hindu crowd was obviously menacing. The Muslims also started collecting but the Deputy Inspector General of Police, Mr. Salettary, dispersed them with a heavy hand. Mr. Salettary was commanding a big force. He was the same Mr. Salettary who afterwards was nominated as a member of the Panjab Public Service Commission. Professors Sayyid Abdul Qadir and Maulana

'Ilmuddin Salik of Islamia College, strongly protested to Mr. Salettary against this high-handedness. But he did not listen to them and the situation grew worse. Hot words were exchanged and in the meantime the procession moved on. Mr. Salettary was forced to accompany it.

When the procession reached Anarkali Bazar, some irresponsible Hindu youngmen assaulted a Muslim, named Noor Muhammad, and killed him on the spot. Noor Muhammad lived in Kucha Kakkezaian, near Old Kotwali and Masjid Wazir Khan.

The news of Noor Muhammad's cold-blooded murder spread like wild fire in the city and sounded the bugle for a Hindu-Muslim riot. Section 144 was clamped over the city. The procession was dispersed and the body of Noor Muhammad was brought to the Mayo Hospital for a post-mortem examination.

The following day the police handed over the body of Noor Muhammad to his relatives in the burial ground, situated near the tomb of Ghore Shah. Despite the enforcement of Section 144, thousands of Muslims joined the funeral procession. The Deputy Commissioner of Lahore, with a strong police force, was present at the grave-yard. At his request, Mian Abdul Aziz, Bar-at-Law, the first Mayor of the Corporation of the City of Lahore, asked the Muslims to disperse but no one listened to his appeal. The angry crowd returned in the form of a procession and rioting and killing started in the city. The Hindus, if they got a chance, attacked the Muslims and the Muslims too did not spare the Hindus, if they could lay their hands on them.

On December 27, 1931, at about half-past three in the afternoon, near Chowk Rang Mahal, someone stabbed a Hindu shopkeeper, named Lal Chand. The assailant made good his escape. The neighbouring Hindu shopkeepers collected on the spot. The police also reached the place of the occurrence and the wounded Lal Chand was removed immediately to Ganga Ram Hospital in Wacchowali Street (inside Shah 'Alami Gate). In the hospital his declaration was recorded by a 1st Class Magistrate, named Kehar Singh.

In this statement, the deceased declared that he was assaulted by Ghulam Mustafa who once had a shop in Rang Mahal and now lived in Kucha Chabuk Sawaran. After making this statement, Lal Chand succumbed to his injuries and the police took his body for postmortem examination to the Mayo Hospital.

The name of Ghulam Mustafa was put into the mouth of the deceased by the Hindu leaders, but there was no evidence to the effect that he was the assailant. As a matter of fact, the conspiracy: to involve Ghulam Mustafa in a murder case was in keeping with the Hindu-Muslim mentality that was then the order of the day. There were several small shops on the ground floor of the mosque of Maulvi Fazl-i-Ilahi. In one of these shops Sheikh Ghulam Mustafa ran a book-depot ten years back. His shop in those days was the rendezvous of political workers and men of letters.

Sheikh Ghulam Mustafa was himself a poet. He wrote poetry in Punjabi and had taken "Hairat" as his pen name. He published a: monthly magazine "FIRDAUS" and a weekly humorous journal "AKA BAKA". "FIRDAUS" was edited for some time by Badruddin Badr, Sirajuddin Nizami and the writer of this article. Among those who used to come to Ghulam Mustafa's book shop were (Dr.) Muhammad Din Taseer, Master Muhammad Bakhsh Muslim, Malik Lal Din Qaisar, Dr. Nazir Ahmad (present Principal of Government College, Lahore), (Col) Majid Malik, Abul Asar Hafeez Jullundri, Ghulam 'Abbas (the well-known short-story writer), Prof. M. 'Ilmuddin Salik, Ustad Hamdam and Ustad Ishq Lehr (both well-known Punjabi poets), Professor Muhammad Jamil Wasti and Feroz-ud-Din Nizami. Another gentleman by the name of 'Ilmuddin of Chauhatta Mufti Baqir also used to visit this place. He was quite an active worker of the Majlis-i-Ahrar until 1940. When the Majlis-i-Ahrar organized its national guard, he also helped in its organization.<sup>6</sup>

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<sup>6</sup> Abdullah Malik, article "Yadon ke Mazar" in the Weekly *Lail-o-Nabar*, Lahore, January 10, 1960.

These were the days when Sheikh Ghulam Mustafa Hairat and Malik Lal Din Qaisar had actively participated in the different movements, namely the Fifty-six Percent Rights Movement, Nizam Committee, Warzish (Exercise) Committee, restoration of the body of 'Ilmuddin Shahid, Sarda Act, prohibition of Azan in Zafarwal. The Hindus hated them very much and wanted to involve them in some trouble. This was their opportunity and they made full use of it.

The deceased Lal Chand had named Ghulam Mustafa and the prosecution witnesses accused Lal Din and 'Ilmuddin also. But there was no way for the police to know that by Lal Din was meant Lal Din Qaisar. They arrested Sheikh Ghulam Mustafa Hairat, as he lived nearby. He was well known in the area. He once owned a shop there, and was currently employed in the Municipal Committee. But in place of Lal Din Qaisar, the police arrested another Lal Din who was a mason by profession. Sheikh Ghulam Mustafa was challaned under Section 302 IPC and Lal Din under Section 323 and 504 IPC.

After preliminary trial, the case was committed to the Sessions. In order to prove the innocence of Sheikh Ghulam Mustafa, many prominent Muslims offered to give evidence before the court. In all 46 witnesses were summoned. The names of some of them are given below:

1. Haji Mir Shamsuddin, who was not only a Life Secretary of the Anjuman-i-Himyat-i-Islam but also was one of its founders.
2. Nawab Sir Zulfiqar 'Ali Khan, Member, Central Assembly.
3. Sir Muhammad Iqbal.
4. Maulana Shaukat 'Ali.
5. Maulana Zafar 'Ali Khan, Owner and Editor of the Daily *Zamindar*, Lahore.
6. Mian 'Abdul 'Aziz, Bar-at-Law, Chairman, Municipal Committee, Lahore.
7. Sheikh Sadiq Hasan (of Amritsar), Member, Legislative Assembly.
8. (Col.) Majid Malik, Editor, *Muslim Outlook* and *Sunrise*, Lahore.

9. Maulana Ghulam Rasul Mihr, Editor, the *Inqilab*, Lahore.
10. Maulana 'Abdul Majid Salik, Editor, the *Inqilab*, Lahore.
11. Sayyid Habib, Editor, the *Siyasat*, Lahore.
12. Maulana Muhammad Ya'qub Khan, Editor, the *Light*. Lahore.
13. Maulana Dost Muhammad, Editor, the *Paigham-i-Sulh*, Lahore.
14. Shamsuddin Hasan, Editor, the *Khawar*, Lahore.
15. Hakim Muhammad Yusuf Hasan, Editor, the *Nairangi-Khayal* and *Taziana*, Lahore.
16. Qazi 'Abdul Majid Qarshi, Editor, the *Iman*, Patti (District Lahore).
17. Chaudhri 'Abdul Karim, Municipal Commissioner and Hony: Magistrate, Lahore.
18. Chaudhri Sardar 'Ali, Municipal Commissioner and Hony. Magistrate, Lahore.
19. Khan Sahib Ch. Fath Sher, Municipal Commissioner and Hony. Magistrate, Lahore.
20. Sheikh Hasan Din, Pleader and Municipal Commissioner, Lahore.
21. Chaudhri Din Muhammad, Municipal Commissioner, Lahore.
22. Sheikh 'Azim Ullah, Pleader and Municipal Commissioner, Lahore.
23. Khawaja Dil Muhammad, Professor, Islamia College and Municipal Commissioner.
24. Sayyid 'Abdul Qadir, Professor, Islamia College, Lahore,
25. Maulana 'Ilm-ud-Din Salik, Professor, Islamia College, Lahore.
26. (Dr.) Muhammad Din 'Taseer, Professor, Islamia College, Lahore.
27. Master Muhammad Bakhsh Muslim, Editor, *Cooperation*, Lahore.
28. Khalifa Shahab-ud-Din, Secretary, Anjuman Khuddamuddin, Lahore.
29. Hakim Muhammad Sharif, Secretary, Anjuman Mu'in-ul-Islam, Lahore.

During the hearing of the case, an interesting incident took place. One of the defence witnesses was an old man, named Malik Nabi Bakhsh, who was present nearly at the time of the occurrence. After receiving injuries, Lal Chand had gone to him to seek refuge. There was a great difference between

his statement and the statements of the prosecution witnesses regarding the time of the occurrence. The prosecution with a view to proving that Malik Nabi Bukhsh was old and senile, put all sorts of questions to him. He, however, answered every question correctly and did not waver for a minute. Thereupon the court asked him if he had a watch at the time of the occurrence. The witness said he did not know how to tell the time as he never kept a watch all his life. The court then asked how he had calculated the time. The witness said that he found out the time by observing the sun, the moon and the stars. In order to test the veracity of his statement, the Sessions Judge asked him what time it was then. And the witness at once gave the correct time. The clock was at the back of the witness and it showed exactly the time mentioned by the witness. This incident impressed the court immensely and it was convinced that the witness was telling the truth.

The hearing of the case lasted several days. Khawaja Feroz-ud-Din, Bar-at-Law, appeared for Shaikh Ghulam Mustafa and drew much attention. The Sessions Judge, who heard the case, was Mr. J.K.M. Tapp, the same Mr. Tapp who was for some time the Secretary of the Lahore Municipal Committee and after whom the road in front of the Punjab Veterinary College was named Tapp Road. He lived there. The Session Judge held his court in the Shah Chiragh Mosque, which had not yet been restored to the Muslims. Later on, Mr. Tapp became an Acting Judge of the Lahore High Court.

Sir Muhammad Iqbal took personal interest in the case. He wrote comforting letters to Sheikh Ghulam Mustafa while he was in jail and assured him of his assistance. In one of his letters he asked Shaikh Ghulam Mustafa to repeat the names of God **يا حى يا قيوم** which described him as the Ever-Living and Ever-Existing. It is a great pity that the collection of these letters was destroyed in a fire which burned down the house of Sheikh Ghulam Mustafa.

'Allama Sir Muhammad Iqbal went to the court for three consecutive days and gave his advice to Khawaja Ferozuddin, Bar-at-Law. On August 2, 1932, he gave the following statement before the Sessions Judge:

"I have known the accused Ghulam Mustafa for some years. I came to know him in connection with his editorship of a literary Magazine called *Firdaus*. Later he became the editor of a weekly paper. I have also come to know him in connection with general Muslim public movements. Ghulam Mustafa has made speeches on political and social matters at meetings in my presence. I knew him in connection with the 56 Per Cent Rights Movement. This movement was started by the Muslims of Lahore and Ghulam Mustafa also took part in the meetings relating to the Maclagan Engineering College. Ghulam Mustafa helped me and the late Sir Muhammad Shafi very largely in connection with the burial of Ghulam Mustafa may be regarded as a prominent Muslim worker.

When cross-examined, Dr. Iqbal said:

"Ghulam Mustafa does not help me personally in political matters. Ghulam Mustafa accompanied me along with others to the meeting of the All-India Muslim League at Allahabad. I presided over that meeting."<sup>7</sup>

No more defence witness were examined after the court had recorded the statement of Sir Muhammad Iqbal.

On the advice of Sir Muhammad Iqbal, Khawaja Ferozuddin, in his arguments, laid stress on the fact that none of the witnesses had corroborated the statement of the deceased that Ghulam Mustafa kept a shop in Rang Mahal.

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<sup>7</sup> Sessions Case No. 37 of 1932.

At long last the case was dismissed. The accused were found not guilty, and after undergoing tortures for about eight months, they were set free on August 6, 1932.

The Muslims of Lahore went wild with joy over their release. Maulana Zafar 'Ali Khan came out with a strong editorial and also published on the front page of the Zamindar the following poem which he wrote to commemorate this great event:

فیصلہ تقدیر

ٹل گیا انگریز کے دارالقضا کا فیصلہ

کیونکہ تھا کچھ اور ہی رب العلا کا فیصلہ

جو فنا کے گھاٹ اترنے کے لئے تیار تھے

عرش اعظم پر ہوا ان کے بقا کا فیصلہ

بے گناہوں کو کیا جائے گا عزت سے بری

پہلے ہی دن ہو چکا تھا یہ خدا کا فیصلہ

مصطفیٰ کی عمر کی قرآن میں کہا کر قسم

خود کیا اس نے غلام مصطفیٰ کا فیصلہ

سال بھر تک جس نے کاٹی قید جرم عشق م میں

ہو گیا آج اس گرفتار بلا کا فیصلہ

آپڑی ہے اکثریت اور اقلیت کی بحث

ہونے والا ہے بھتیجے اور چچا کا فیصلہ

ہم دکھا دیں گے کہ کرتا ہے مسلمان کس طرح

اپنی امیدوں کے خون ناروا کا فیصلہ

(فردوس۔ نومبر ۱۹۳۲ء)

The expected judgment of the British Court has been averted because God Almighty has decided otherwise.

He was willing to kiss the gallows but God wished him to continue to live.

God had decided on the day of creation that the innocent would be set free with honour.

Swearing by the life of Mustafa in the Qur'an, God Himself decided the case of Ghulam Mustafa.

He spent a year of distress in the prison for the love of God, but he is free today.

The struggle is between the majority and the minority and the issue between the uncle and the nephew is shortly to be decided.

He will show you how a Muslim settles account with one who slaughters his hopes.

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Sheikh Ghulam Mustafa Hairat is still alive and as long as the statement of Iqbal is in existence, he will continue to live.