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Estelle Dryland

On the night of 9 March 1951, the renowned twentieth-century Urdu poet Faiz Ahmed Faiz (1911-1984), along with Sayyid Sajjad Zaheer, Major-General Akbar Khan, and several of Pakistan's Army officers, was arrested for the crime of conspiring to overthrow the government of Prime Minister Liaquat Ali Khan. At the time, Faiz was editor of the *Pakistan Times*, while Sajjad Zaheer held the position of General Secretary of the Pakistan Communist Party. The trial which resulted from these arrests was to become famous in Pakistan's political history as the "Rawalpindi Conspiracy Case."

Faiz is commonly termed a "protest poet."¹ His uniqueness lies in his facility for manipulation of tenth-century traditional Persian poetic imagery, using the poet's tools of symbolism and ambiguity to mask political innuendo, while at the same time losing nothing of the traditional features of elegance and melancholy. He has not, however, written a great deal about what K.K. Khullar describes as the most "important event of the poet's life," the Rawalpindi Conspiracy Case (hereafter RCC).²

Faiz' fellow prisoners have described conditions inside the their various prisons, but no historian has recorded the full details of the conspiracy case. For this reason, the following attempt will be made to sketch relevant details, recognizing that full comprehension of the trial has eluded the author due to court proceedings having been held *in camera*.

In March 1951, Faiz's brilliant journalistic career was suddenly disrupted "when [he] along with a number of military officers and two leaders of the Communist party of Pakistan . . ." was taken into custody, pending charges related to a plot to overthrow the government, writes Herbert Feldman, who dismisses the case peremptorily, stating: "It is an event which has largely disappeared from peoples' consciousness and it has long ceased to have any importance."³

This statement may be firmly debated in view of the fact that in June 1987, thirty-six years following the event, three newspaper articles

pertinent to the case appeared in the Karachi English daily *Dawn*. Faiz involvement notwithstanding, by mere virtue of its implication in the constitutional crisis of 1955, the RCC deserves careful documentation and necessitates a brief overview of Pakistan's political history, for it was the disillusionment and despair suffered by Faiz following the creation of Pakistan which fuelled his nationalistic fervor, urging him to utilize his poetry as a weapon against what he saw as successive, reactionary religio-political regimes.

Muhammad Ali Jinnah, currently idealized in Pakistan as "The Father of the Nation," appears to have envisaged a secular, democratic political system based on a concept of Islamic socialism. Upon his untimely death in 1948, Jinnah was succeeded by Khan Liaquat Ali Khan, noted for his moving of the Objectives Resolution in the Constituent Assembly, 7 March 1949. The resolution's pledge, according to Riaz Ahmed Syed, was to "strive to make this land a citadel of Islam."⁴ However, as Muhammad Munir points out, "Liaquat Ali Khan knew that the Quaid-i-Azam [Jinnah] would not agree to any such Resolution as it was directly opposed to the views that he had publicly expressed more than once, and it was a complete contradiction of his idea of a modern secular state."⁵

During the period 1950-1958 Pakistan was to appoint seven prime ministers and one commander-in-chief, a record which may be attributable to the political immaturity of Pakistan's political aspirants. Following the assassination of Prime Minister Liaquat Ali Khan at a public meeting in Rawalpindi on 16 October 1951, there followed a series of political appointments which could be seen in retrospect to have spelled administrative disaster for Pakistan.

Khwaja Nazimuddin, an Urdu-speaking Bengali, assumed the office of prime minister from 1951 to 1958. Nazimuddin was dismissed in April 1958 by Punjabi Governor-General Ghulam Muhammad, and was in turn succeeded by East Bengali Prime Minister Muhammad Ali Bogra, whose term of office spanned 1953-1955. "It was clear that no major political group either in West or East Pakistan was capable of uniting and running a government in pursuit of a clear and coherent political program," notes Khalid B. Sayeed.⁶

Ghulam Muhammad dismissed the First Constituent Assembly 4 October 1954. The Muslim League had suffered almost total defeat in

East Bengal that year, retaining a mere two seats. As a consequence, the Second Constituent Assembly was dominated by West Pakistani Muslim-League members. In addition:

As a result of this change, the East Bengali, Muhammad Ali Bogra was replaced by Chaudhri Muhammad Ali, a West Pakistani and head of the Civil Service of Pakistan, as Prime Minister in August 1955, and the governor-general, Ghulam Muhammad, gave way to Iskander Mirza. (Sayeed, 43)

President Iskander Mirza formed a civilian-military alliance with the Pakhtun General Muhammad Ayub Khan.⁷ Prime Ministers Hussein Shahid Suhrawardy and Firoze Khan Noon failed for a variety of complex reasons to retain their offices. It is also significant to note that America had appointed Charles Burton Marshall as advisor to Pakistan's prime ministers during 1955-1957. Khalid B. Sayeed states that he was present at a conference on Pakistan, held at Duke University, Durham, North Carolina, U.S.A., during 27-29 September 1974, "when Marshall, in an address, pointed out that he was working for the Central Intelligence Agency in Pakistan during the time of Suhrawardy's resignation" (Sayeed, 46).

This brief overview of the political instability of the new Islamic republic, probably aggravated by American intervention, suffices to explain Faiz' disenchantment with the emergent religio-political society, the Pakistan which Jinnah had envisaged as being based on an Islamic socialism incorporating social justice, equality, the brother/sisterhood of all peoples, tolerance, and fair play.

Faiz' involvement with the communist movement in Pakistan was to result in frequent incarcerations in the country's jails, the most notable being the direct result of his alleged involvement in the RCC, whereby "Faiz and three others (including one woman) were arrested in the early hours of the morning of 9 March 1951, and then began one of the most extraordinary episodes in the history of Pakistan," writes Alys Faiz, the late poet's wife.⁸ Moreover, according to a statement obtained in a personal interview in Karachi,⁹ a life-long friend and confidante of both Faiz and his wife indicated that Faiz' immediate reaction was that it was the result of an oversight regarding a simple domestic matter.

In the initial report, Faiz, editor of the Lahore-based *Pakistan Times*, was the only civilian involved. "Prime Minister Liaquat Ali Khan

alleged that these people had hatched a conspiracy which was to strike at the very roots of Pakistan," stated the English daily *Dawn*, which described the plot as "a conspiracy to create commotion in the country by violent means and to subvert the loyalty of Pakistan's defence forces . . ." (10 March 1951, 1).

On the same page, in a column printed entirely in red, eighteen Pakistani editors representing the press of Karachi, Dacca (East Pakistan), and Peshawar "unanimously adopted [a] resolution pledging government support, [expressing] . . . deep abhorrence at the treacherous attempt. . . ." This story in *Dawn* also reported that Faiz' own paper, the *Pakistan Times*, under the acting editorship of Mazhar Ali Khan, said that the charges were so grave that if they were true, no Pakistani would condone or extenuate the offence of the guilty person.

Protests were registered by various sections of the communities within and without Pakistan.¹⁰ Newspapers in London, India, Sydney, and Mandalay carried the story.¹¹ Seventeen editors of newspapers and periodicals of Baluchistan and representatives of the press expressed their dismay at and abhorrence of the "treacherous attempt to wreck the very foundations of Pakistan" (*Dawn* 13 March 1951, 1). On 15 March, 1951, Prime Minister Liaquat Ali Khan was reported to have made the following statement in *Dawn*: "The ringleader of the conspiracy . . . was Major General Akbar Khan and his principle lieutenant was Brigadier M.A. Latif. Apart from these, a few military officers and civilians were involved" (16 March 1951, 10). Moreover, "They planned . . . [the use of] force with the support of Communist and revolutionary elements" (*Dawn*, 22 March, 1951, 1). Maulana Mohammed Ishaq expressed the opinion that those of whose guilt the prime minister was convinced need not be given a trial but deserved immediate execution (*Dawn*, 30 March 1951, 5).

The prime minister supported this view with his statement on 22 March 1951 that "common opinion among the general public and the Army is that the conspirators should have been shot without trial" (*Dawn*, 22 March 1951, 10). The Adibasi Acchut League (Dacca, East Pakistan) made the following observation:

As the basis of Pakistan's constitution is Islamic Law, we request the Government of Pakistan to act, according to this law and punish them accordingly. Islam has a strict law for *munafiqs* [hypocrites] and elimination of *munafaqat* [hypocrisy], and it will

give lesson to all others. This will raise the prestige of Pakistan." (*Dawn*, 14 March 1951, 6)¹²

The total number of conspirators was fifteen; their ranks and/or professions were made known to the public. "Ethnically speaking [they] were a mixed lot. Two Pathans, one Azad Kashmiri, two Urdu-speaking 'Moha'jirs,' nine Punjabis, and one Gilgiti. Another type of breakdown would have produced ten Sunnis, three Shi'as, one Wahabi, and one Ahmedi."¹³ According to Khaliq Anjum, Sajjad Zaheer stated in an interview that the accused were arrested under the Pakistan Security Act.

A special tribunal was to be set up consisting of High Court judges; the trial would take place in Hyderabad jail in the Sind desert.¹⁴ The charges were numerous, and all carried the death penalty. The proceedings were to be held *in camera* for fear that publicity arising from the trial "risked disruption and possible destabilising of the Armed Forces" (*Dawn*, 17 April 1951, 4-5). Liaquat Ali Khan, leader of the Muslim League in the assembly, said that an expeditious trial was being arranged, not in the interest of the accused, but in the interest of Pakistan. There would be no right of appeal, but the accused would have the right to petition the governor-general (*Dawn*, 6 January 1953, 1). Zafarullah Poshni states that the hearing commenced *in camera* at eight a.m. on the morning of 15 June (122-123). The three judges present in court were: Federal Court Judge Mr. Justice Abd ul-Rehman (Abdurrehman), Punjab High Court Judge Mr. Justice Muhammad Sharif, and Dacca High Court Judge Mr. Justice Amir ul-Din (Amiruddin).

Many well-known lawyers were also present in the courtroom. In cases of hardship the accused were permitted to apply for government legal representation. Accordingly, in the first instance, Lieutenant-Colonel Zia ul-Din (Ziauddin), Major Hasan Khan, Major Muhammad Ishaq, Captain Khizar Hayat and Sayyid Sajjad Zaheer availed themselves of this service. However, as time passed, those who had initially obtained private representation became subject to pecuniary hardship. Air Commodore Muhammad Khan Janjua undertook to defend himself, while Faiz and Brigadier Muhammad Sadiq Khan sought the services of a government lawyer. They were both relegated to the category of "elderly paupers" (Poshni, 118).

Faiz, Brigadier Muhammad Sadiq Khan and Brigadier Latif Khan were represented by lawyer Hussein Shahid Suhrawardy, who would later

serve as Prime Minister of Pakistan. Zafarullah Poshni asserts that as the trial continued, one by one the lawyers departed Hyderabad, ostensibly due to financial pressure. Suhrawardy, however, remained in constant support until the end of the proceedings. Throughout the trial it was generally believed that Akbar Khan and Faiz would be summarily hanged. On the final day of the court hearing, lawyer Suhrawardy regretfully informed both Faiz and Akbar Khan that they would possibly receive the death penalty. Faiz remained composed. He wrote some of his finest verse during this period,¹⁵ and gave classes on the Qur'an and *hadith* to jail inmates. According to his prison companions, his expression remained unchanged as he smiled, smoked, and affected an outward impression of serenity and tranquility (Anjum, 30).

On 5 January 1958 the court reached its decision. Faiz received a further detention of two-and-a-half years. In a letter to his wife he wrote that he "would pass the next two years as he had passed the last two" (Anjum, 29). He added that he had committed neither crime nor sin, and that his heart was entirely at peace. Faiz' fellow-conspirators received varied sentences, while Begum Akbar Khan, the only woman implicated in the conspiracy, was duly acquitted. On 24 October 1954, Governor-General Ghulam Muhammad dissolved the First Constituent Assembly of Pakistan, formed by the Governor-General of India between 25 July 1947, and 8 August 1947, on the grounds that it was unrepresentative of the people. Although under the Indian Independence Act of 1947 all legislation passed by the Constituent Assembly required the assent of the governor-general, the assembly adopted the independent attitude that no assent was necessary.

As a result of this conscious oversight, Pakistan was plunged into a state of constitutional crisis. To avert an impending breakdown of the entire constitutional and administrative machinery, the governor-general declared that he would assume retrospective validatory powers. The assembly duly passed forty-four acts which, in fact, never became acts of law (*Dawn*, 19 April 1955, 7).

Initially Ghulam Muhammad's proposal was threatened by legal challenge, but he nevertheless assumed the aforementioned powers, giving his assent to thirty-five pieces of legislation including the Rawalpindi Conspiracy Special Tribunal Act (*Dawn*, 17 April 1955, 1). Following judgement in the Maulvi Tamiz ul-Din (Tamizuddin) Khan case,¹⁶ the Federal Court found that the governor-general's assent was essential for

all acts passed by the Constituent Assembly. Because this assent had never been obtained, a writ of *habeus corpus* was issued on behalf of Major-General Akbar Khan, leader of the Rawalpindi conspirators. The purpose was to challenge the validity of the Rawalpindi Conspiracy Special Tribunal Act, declaring it to be void, illegal, and inoperative. The court found in favor of the conspirators, who were duly released on bail, only to be re-arrested on government orders, being declared a threat to the security of Pakistan. Following successive brief periods of freedom followed by re-arrest, the High Court declared the Rawalpindi Conspiracy Special Tribunal Act null and void.

Defence Attorney M. Qadir declared the act to have been "passed by an illegally constituted body . . ." [i.e., the Constituent Assembly] and pointed out that validating power was available to the governor-general in those cases where, but for the exercise of that power, the fabric of the state would collapse" (*Dawn*, 14 June 1955, 1). The Rawalpindi Conspiracy Special Tribunal Act did not seem to be such a law as to bring political chaos to the country. The Advocate-General of Pakistan, Mr. Fayyaz Ali, contended that there was a higher law called "the law of necessity," which rendered even illegal acts legal. He asserted that, considering the nature of the case, if the Rawalpindi conspirators were not allowed absolute freedom in the present state of flux, it would be a bona-fide exercise of "the law of necessity" in revalidating the act (*Dawn*, 14 June 1955, 1).

According to a personal interview¹⁷ conducted in Karachi, 1987, the facts of the conspiracy seem to be as follows:

At the time of partition in 1947, the area of Kashmir under dispute was ruled by a Hindu prince of the Dogra dynasty. This area supported a Muslim majority. Following a period of indecision over the administrative future of his territory, the ruler made a decision in favor of India and accordingly made his commitment. Indian Armed Forces moved into Kashmir. Major-General Akbar Khan, a loyal Pathan, was head of a guerilla force involved in a "sort of unconventional warfare" in Kashmir following partition.¹⁸ His appeals to the Liaquat Ali Khan government for military reinforcements went unheeded. Thus a certain disenchantment, fuelled possibly by political

ambition, became nurtured in Akbar Khan and in a few of his close military associates.

This unrest led to the formulation of a plot to overthrow the government. Several trusted Army colleagues, along with known communists, were invited to participate. However, the plot seems not to have developed beyond the embryonic stage. After a marathon meeting at which it is believed that Faiz was present but was not in favor of pursuing the plan further, the idea was abandoned. Khaliq Anjum conducted an interview with "conspirator" and communist Sayyid Sajjad Zaheer on 14 January 1973 (Anjum, 27). Zaheer stated that Akbar Khan, to whom he was personally related, became disenchanted with the Pakistan government when Liaquat Ali Khan went to America with the intention of including his country in the American bloc. Akbar Khan believed that America would establish military bases in Pakistan. If war developed between Russia and America, Pakistan could be rendered vulnerable to atomic attack by Russia.

Sajjad Zaheer went to Pakistan from India in May 1948. On his arrival at Karachi airport, he told Shaukat Umar that there was already a warrant for arrest pending against him. For this reason he used a disguise, changed his name, and for two and a half years lived unobtrusively in a garage in Gulberg Colony, Lahore, thereby avoiding arrest. During this time, Faiz arranged a meeting between Zaheer and Akbar Khan at which the latter revealed a plot to overthrow the government (Anjum, 28).

Sajjad Zaheer said in reply that the Communist Party in Pakistan was weak and could not offer effective resistance against the government. However, he undertook to debate the matter with his associates, after which Zaheer informed Akbar Khan of an agreed unpreparedness to participate (Anjum, 28).

According to Khaliq Anjum, Akbar Khan persisted. Zaheer and Faiz traveled to Rawalpindi, where they attended a meeting during which Akbar Khan outlined

details of the whole scheme. Several Army officers and Comrade Muhammad Ata were among those present. Certain of the Army officers, after consultation, decided that rebellion was not appropriate. Following a total review of the state of affairs, Sajjad Zaheer advised the meeting not to proceed with the plan.

Colonel Sadiq Khan was also among those present at the meeting. Zaheer is said to have divulged during the interview with Khaliq Anjum that Sadiq Khan, possibly a government agent or motivated by fear, revealed all the details to General Muhammad Ayub Khan, who, in turn, notified Prime Minister Liaquat Ali Khan. These events led to the subsequent arrest and detention of Faiz and his alleged co-conspirators (Anjum, 29). General Muhammad Ayub Khan, with the aid of President Iskander Mirza, assumed leadership in October 1958 through a coup d'état. The 1956 Constitution, based principally on the pattern of the Government of India Act but emphasizing selected Islamic features, was duly abrogated (Munir, 76).

NOTES

1. *Editor's Note*: for a critical study of Faiz Ahmed Faiz and translations from his work, see Estelle Dryland, *Faiz Ahmad Faiz (1911-1984): Urdu Poet of Social Realism* (Lahore: Vanguard Books, 1993).
2. "Inqilāb āēgā dabē pāōñ" (Revolution Will Come Silently), *Faiz ahmad faiz* (Faiz Ahmed Faiz) (New Delhi: Idāra fikr-i-jadīd, 1985), p. 21.
3. *Revolution in Pakistan: A Study of the Martial Law Administration* (London: Oxford University Press, 1967), p. 37.
4. *Pakistan on the Road to Islamic Democracy: Referendum 1984* (Islamabad: Historical Research Institute, 1985), p. 19.

5. *From Jinnah to Zia* (Lahore: Vanguard Books, 1979), p. 36.
6. *Politics in Pakistan: The Nature and Direction of Change* (New York: Praeger Publishers, 1980), p. 43. Subsequent citations will appear in the text in parentheses.
7. Abdul Ghaffar Khan refers to Iskaner Mirza as "A Muslim Deputy-Commissioner, Janab Iskander Mirza, avowing his traditional loyalty to the British, excelled his masters, beating to death Syed Akbar, a Khudai Khidmatgar. . . ." See D.G. Tendulkar, *Abdul Ghaffar Khan: Faith Is a Battle* (Bombay: Popular, for Gandhi Peace Foundation, 1967), p. 355.
8. *Dear Heart: To Faiz in Prison* (Lahore: Ferozesons, 1985), p. xix.
9. Name withheld for discretionary reasons.
10. Adibasi Achhut League, Dacca, East Bengal, Pakistan; Awami League; Womens' Branch of the Motamar-i-Alam-i-Islami; Karachi Hotel Workers' Union; All Pakistan Women's Association; Baluchistan Unit of the All Pakistan Women's Association; Working Committee of the Pakistan Muslim League.
11. *Dawn* (London and India), 11 March, 1951, p. 10; *Dawn* (Mandalay), 15 March 1951, p. 4; *Dawn* (Sidney), 30 March 1951, p. 5.
12. It is notable that in his *Jinnah to Zia* (75), Justice Muhammad Munir refers to the First Constitution (1956) as being framed, passed 29 February 1956, and receiving the assent of the governor-general on 3 March 1956. To which constitution encapsulated within Islamic law, therefore, is the Adibasi Achhut League referring, bearing in mind that the "conspiracy" occurred in 1951?
13. *Dawn*, Letters to the Editor, 25 June 1987, signed Zafarullah Poshni. Mr. Poshni was the youngest Army officer involved in the "conspiracy." His book *Zindagi, zinda dill ka nam hai* (Life, the Essence of Happiness), 2nd ed. (Karachi: Zafarullah Poshni, 1987) is an account of his arrest and imprisonment. Unfortunately, he was unable to disclose details of the trial due to his book having been published during General Zia ul-Haq's martial-law regime.

Moha'jir [*mohājir*] = "immigrant," a term usually applied to the Urdu-speaking Indian Muslims who left India at the time of partition and settled largely in Sind Province.

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14. Alys Faiz states that they were all arrested under the Bengal Conspiracy Act of 1918. See *Dear Heart*, p. xx. Khaliq Anjum writes that one of the authorities involved in the compilation of the Pakistan Security Act was Ahmed Nadeem Qasimi, one-time secretary of the Punjab branch of the All-India Progressive Writers' Association (29).
15. For a discussion of Faiz's poetry written during this period, see Carlo Coppola's essay, "'Another Adolescence': The Prison Poetry of Faiz Ahmed Faiz," in this volume, pp. 139-64.
16. Maulvi T. Khan, President of the Constituent Assembly at the time of its dissolution, 24 October 1954, legally challenged the author of the governor-general's role in the dissolution.
17. Name withheld. Facts of this interview were supported further by a letter dated June 1990.
18. M.N. Askari, "Curious Case of the Rawalpindi Conspirators," *Dawn Magazine*, 19 June 1987.