CHAPTER FOUR

CONSTITUTIONAL EXPERIMENT IN BRITISH INDIA
THE GOVERNMENT OF INDIA ACT, 1935

The Government of India Bill was passed by the British Parliament and became law on 2 August 1935. The two principal objects of the Act were: the setting up of a federation of British India and the States and responsible self-government to Provinces. As Nicholas Mansergh comments: 'As an essay in constitution-making it has not been surpassed in modern times; as a piece of constructive statesmanship it lacked boldness of conception and imaginative insight'. (1) The Act provided for federation with a federal legislature in which one third of the representation was reserved to the Indian States, with a view to counteracting the influence of the representatives of British India. The British Government thought of building up a conservative central authority, and favoured a federal scheme to combat any dangerous elements of democracy contributed by British India. They felt that 'the States could serve that purpose and achieve their own ends, for the British Government would be prepared to pay a price'. (2) Still the reforms created the basic machinery of 'democratic Parliamentary political life and provided at least in the provinces, a field in which the Indian nationalists could cooperate democratically rather than in a purely revolutionary manner'. (3)


(2) A.B. Keith, A Constitutional History of India, 1600-1935 (London, 1936) 256.

Indian nationalists had consistently agitated for a constituent assembly to decide for themselves the form of their own constitution. Hoping to satisfy the Indian national movement, the British Government passed the Government of India Act of 1935, but the Indians were not satisfied with the pace of advance. The Congress rejected the new constitution in its entirety. On 12-14 April 1936, the Congress in its resolution said that the Act 'is designed to facilitate and perpetuate the domination and exploitation of the people of India and is imposed on the country to the accompaniment of widespread repression and the suppression of civil liberties...'. (4) In the opinion of the Congress, the constitution should be based on the independence of India and that could only be framed by an elected constituent assembly. However, the Congress decided to contest the elections for the provincial legislatures under the new Act without further commitment as to the acceptance of office. But the conservative *Daily Telegraph* noted that though the present mood of the Congress was one of resolute opposition, that in its turn might change when it was realized that the main consequence would be to give office and power to its Indian opponents. (5)

In his Presidential address to the Indian National Congress on 27 December 1936, Jawaharlal Nehru characterized the 1935 Act 'as the new charter of bondage which has been imposed upon us despite our utter rejection of it'. He also made it clear that they would go to the legislatures not to co-operate with the apparatus of British imperialism, but 'to combat the Act and to seek to end it and to resist in every way British imperialism in its attempt to...'


(5) *Daily Telegraph*, 31 March 1936.
strengthen its hold on India and exploitation of the Indian people. He bitterly criticized the proposed federal scheme of the Act. (6) The Muslim League also protested against forcing upon the Indian people the constitution as embodied in the Act. The Muslim League decided to work the provincial scheme for what it was worth, but opposed the federal scheme and characterized it as most reactionary and fatal to the vital interest of British India and the Indian States and was calculated 'to thwart and delay indefinitely the realization of India's most cherished goal of complete responsible government and is totally unacceptable'. (7) Only the Liberals defended the Act and were ready to participate in the federation when it was created.

THE BRITISH PARLIAMENT AND THE REFORMS

Though the then British Government was designated as 'National', it was essentially a Conservative Government headed by Conservative Party leaders; the Parliament had 432 solid Conservative members as against 154 Labour members. The Conservative Government headed by Stanley Baldwin did not pay heed to the opposition of Indian nationalists to the Government of India Act, but tried its best to implement the reforms. Once the Act was passed and received the Royal assent there was no opposition from any section of the Conservative Party for introducing the reforms, especially the provincial part of the Act. The Secretary of State for India, Lord Zetland, was very anxious to give a good start to the new constitution and suggested to the Viceroy and Governor-General, Lord Willingdon, to improve the political atmosphere in India by

(6) Gwyer and Appadorai, Documents, n. 4, 385.
(7) Ibid., 384-5.
personal contacts with Indian nationalist leaders. Again, he referred to the importance of a great measure of personal contacts between the Governor-General and the officials on the one hand and Gandhiji and leading Congressmen on the other. (8) The reply of Willingdon was characteristic of his attitude. He wanted to put Gandhi in his place. (9)

During the period 1935-40, the question of India's constitutional advancement was not at all considered at the Party meetings. In Parliament also, it did not receive much attention. It is not clear whether this was due to pre-occupation with more urgent problems, like the 'abdication crisis' and the events leading to the Second World War, or to a feeling of self-satisfaction with having introduced a new constitution, and hope that the Indians would make the most of it. However, the period after 1935 was occupied with preliminaries with which the British public had little interest, and later the shadow of war and the war itself precluded the public from close public attention to events in India. The Conservative Government appointed Lord Linlithgow in March 1936 as


(9) In his reply to Zetland, Willingdon wrote that when he arrived in India, he was treated by Gandhiji as if he were practically head of a parallel Government. He had recently been a plenipotentiary on equal terms with the Governor-General arranging terms of peace. In the 1st meeting, Gandhiji stated, he wished for certain information and requested the Governor-General to do certain things and the Governor-General was disinclined to do it. 'And the policy of my Government ever since I have been here has been in the main to make Gandhi realize that we are the Government, that he is only the head of a political party, and I think that during the over four years that I have been here we have got him to that position at last'. Letters from Willingdon to the Secretary of State, Ibid., 218-21.
the Viceroy and Governor-General of India and from that time, the
centre of activity was shifted to a large extent from London to
New Delhi. It was left to the Governor-General to take the initiative
in effecting the constitutional changes under the Act with the
support of the Home Government.

The Government of India started negotiations with the Princes
for their acceptance of the federal scheme, which alone would have
made it possible for the inauguration of the federation. On the
other hand, it took a number of steps to introduce full responsible
government in the Provinces and decided to inaugurate it on 1 April
1937 and made all other preparations. When Parliament debated
Orders for financial allocations, the members expressed their views
on the implementation of the reforms. Richard Austen Butler, the
Under-Secretary of State for India, said that ten years after the
Statutory Commission was appointed, their main recommendations were
being implemented. He thought that delegation of authority was an
important event in the annals of imperialism. Even those extremist
Conservatives who had stoutly opposed the Act of 1935, like Winston
Churchill, Reginald Craddock and Lord Rankeillour, supported the
introduction of full self-government in the Provinces and pleaded
for their early implementation. The fact that no one suggested the
delaying of the initiation of provincial autonomy was noted by
Sir Samuel Hoare. And Leopold Amery said that times as well as
tunes were changed. Zetland stressed the unanimity of opinion on
the initiation of provincial autonomy and its fulfilment within a
few months. Churchill made it clear that he and his friends would
do nothing to obstruct or hamper the carrying out of a policy that
Parliament had approved. (10) The Times noted that the most satisfactory feature of the debate was the recognition on all sides of the House that provincial autonomy should not be delayed or impeded. All sections of the House hoped that the scheme might meet the fullest measure of success and ensure happiness to the people of India. (11)

**CONSTITUTIONAL IMPASSE**

In the elections for provincial legislatures held in 1936, the Congress secured majorities in six Provinces and the question of accepting office was then discussed. Finally, the All-India Congress Committee (AICC) meeting at Delhi on 17 March 1937 permitted the acceptance of office in Provinces where the Congress commanded a majority in the Legislatures, 'provided ... the leader of the Congress party in the legislature is satisfied and is able to state publicly that the Governor will not use his special power of interference or set aside the advice of ministers in regard to constitutional activities'. (12)

Commenting on the Congress resolution, The Times observed: 'Each offered to form a ministry on condition that the Governor gave him a blank cheque in the shape of an assurance that he would not use his special powers in regard to the "constitutional activities" — a question begging phrase — of the cabinet. Each was assured that he would receive all possible help, sympathy and cooperation from the Governor within the four corners of the Act — in fact everything

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(10) Hansard, H.C., 313 (12 June 1936) cols. 530-33.


but the blank cheque he demanded... No Governor could commit such an illegality and continue to hold office." Even the Manchester Guardian declared that 'the Governors cannot legally do more than give general assurances of sympathy and cooperation'. (13) The British authorities, in general, had hoped that the attraction of office would prove sufficiently great to cause the Congress to decide in favour of forming governments. Zetland had expressed his confidence to that effect to Prime Minister Baldwin.

On 1 April, when provincial self-government was introduced, the Congress carried on peaceful nation-wide protest and there was intense discussion over the legality or otherwise of the Congress demand. The Governors' powers were statutory in their origin and were meant as correctives to possible misuse of their powers by the new provincial ministries. The Congress maintained that the constitution did not have the trace of self-determination or joint deliberation. As the Congress commanded majorities in six provincial legislatures and refused to accept office, it led to a constitutional impasse. The question came up in Parliament and Zetland said that the reserve powers were an integral part of the Constitution and could not be abrogated, and declared that the Government would not treat the Congress as a privileged body. He maintained that the constitution would be administered in a spirit of cordial co-operation and sympathetic understanding of the position of ministers. In this he had support from all parties, the Labour Party concurring with the interpretations of the Conservative

Secretary of State; (14) and the Manchester Guardian agreeing with the Secretary of State that the Government could not give any assurances which would imply modification of the Act. 'To do so would be illegal and is therefore out of the question.' (15)

Though it was generally admitted that Zetland clarified the constitutional aspects of the situation, the main criticism of his speech was 'that it went too far in upholding the constitutional position . . . but did not go far enough in suggesting how this particular constitutional controversy is to be solved'. Gandhi suggested that a tribunal should be created to decide the competence of the Governors to give the assurance as to the use of their special powers. (16) He took exception to Zetland's remark that the Congress could not be treated as a privileged body and said that he would prefer an honourable deadlock to dishonourable daily scenes between the Congress and the Governors. Though the Conservative Government probably did not seek to impose any restrictions on the working of provincial autonomy, Zetland's reference to the Congress as a privileged body was not in good taste. (17)

(14) Hansard, H.L., 104 (8 April 1937) cols. 875-85.
(16) The Times, 12 April 1937.
(17) Lord Halifax told the Secretary of State, that they had to find a way out and suggested a meeting with the Congress and made out that they were not attaching sufficient importance to psychological aspect of the case and 'that a stone-walling policy shows a lack of imagination and will get us nowhere'. In the Cabinet also Hoare suggested a meeting with the Congress and the Prime Minister expressed his hope to avoid an open rupture. But Zetland was convinced by his talks with Willingdon, about the deplorable effect of any sign of weakness, would have had on the Services and the vast mass of Indians. Linlithgow also was opposed to an undertaking and wrote to Zetland that it would affect the Princes' attitude to federation and asserted that it would be a capital error to yield to the Congress. The Cabinet was not prepared to face a break with the Congress, and it came as a profound surprise to Linlithgow. Zetland to Linlithgow, I.O.L. MSS. Eur. D.602/9, 63-7, 74-5. Linlithgow to Zetland, Ibid., D. 609/13, 94-102, 185. See also, 'Essayez', The Memoirs of Lawrence, Second Marquess of Zetland (London, 1956) 219-21.
Lord Lothian, in two articles published in *The Times*, in a speech in the House of Lords and in a letter to Nehru, said that the Governor could not give the pledge asked for by the Congress and suggested that safeguards would in practice be controlled by public opinion, and that if a Governor's decision differed from his ministers, that depended upon whether they could command the support of the electorate. If they could, the Governor would not precipitate a constitutional crisis of which there would be no solution save the suspension of the normal functioning of the Constitution. Though he viewed Gandhiji's suggestion of a tribunal favourably, he doubted the jurisdiction. He thought 'that the real key to a solution lies in the recognition that under the system of responsible government the ultimate decision against abuse of power comes to rest with the electorate'. (18)

The Congress and the Impasse

Some of the Congress leaders including Nehru, accepted the interpretation of Lothian and the Congress modified its demand to the effect that if a Governor differed, he must dismiss them. In an interview with a Press correspondent, Gandhiji made it clear that he wanted only an assurance from the Governors that they would not interfere with the day-to-day administration of the Provinces, for it was the ministers who were responsible for the administration of the Provinces within the sphere prescribed by the Act. 'The assurance contemplates non-interference, not non-dismissal.' But

dismissal when there is a clear majority in the Assembly would mean dissolution and fresh election. . . What, therefore, I want is an absolutely honourable understanding which is incapable of a double interpretation by honourable parties'. (19) In a clear and straightforward exposition, Gandhiji held that no constitution could satisfy the aspiration of the people if it was not evolved by themselves. So he regarded the Act as provisional, but he asked Congressmen to accept office till the Act was replaced. Commenting on the Congress' demand for an assurance, The Hindu sharply remarked 'that if the government had not earned the unenviable reputation of invariably seeking to reduce every measure of political advance to a nullity in the actual working, the demand for an assurance might conceivably not have been made at all'. (20)

The Congress Working Committee reiterated the original Delhi resolution of the ANCC and endorsed Gandhiji's interpretation of it. The Committee considered the policy pronouncements made in Parliament to be utterly inadequate and held that they misinterpreted the Congress attitude. (21) The Times was not surprised that politicians with a tradition of hostility to a bureaucratic regime had never appreciated the change of conditions under the new constitution. 'But it is unfortunate, to say the least of it, that Mr. Gandhi and others still seem to believe that the British Parliament and people wish to prevent Indian ministers from exercising the rights and

(19) The Hindu (Madras), 22 April 1937, 8.

(20) Ibid., 23 April 1937, 10.

(21) Indian National Congress 1936-37, n. 12, 13-14 and The Times, 29 April 1937.
assuming the responsibilities which the reforms offer them.' (22)

In another statement on the deadlock, in the House of Lords, Zetland said that the essence of the new constitution was that the initiative and the responsibility for the whole of the government of a Province passed to the ministry, though in form it vested in the Governor. The reserve powers would not be in operation unless his special responsibilities were involved. He said that even as the ministers count on the advice of the Governor, so the Governor would receive the sympathetic consideration of the ministers. (23) The statement was considered to be an improvement over the previous one. The Manchester Guardian (8 May 1937) said that Zetland was less magisterial and more conciliatory and expressed more hopes and less fears. Commenting on Zetland's statement, Gandhiji said that though there was an improvement so far as the tone was concerned, it failed to satisfy the latest resolution of the Congress Working Committee. (24)

THE GOVERNOR-GENERAL ON THE CONSTITUTIONAL IMPASSE

Though the date for summoning the Assemblies drew near, the Congress Party remained firm and attempts were made to reconcile the two standpoints. At last, the Governor-General came out with a statement on the constitutional impasse on 22 June 1937. In a broadcast message on the previous day (21 June 1937) Linlithgow had said that the difficulties were due to misapprehensions that

(22) The Times, 4 May 1937.
(24) The Times, 10 May 1937.
could be resolved with goodwill. He took up the threads of discussions in the light of statements made in both countries on the constitutional issues brought to the fore on the question of office acceptance and admitted that there were genuine misapprehensions, but saw that there was no foundation for them. He made it clear that in dealing with all matters of State, it was mandatory upon the Governor to accept the advice of his ministers even though he might not be wholly satisfied with it. But in the limited area of his special powers, he could reject the advice, in which case he alone would be responsible. The Governor-General appealed to Indians to take advantage of the Act and accepted Gandhi's suggestion that severing of relations would be only on a serious disagreement. (25)

The Governor-General interpreted the aims and intentions of the Act and declared that the possibility of gratuitous interference by Governors in day-to-day administration was out of question. The Morning Post said that the Governor-General's message served as yet another proof that the Imperial Government was doing all in its power to make the Government of India Act work. The Round Table said that the Governor-General's message analysed the Congress demand for the autocratic dismissal of ministries in preference to their voluntary resignation and indicated the constitutional procedure that was to be followed by Governors, when in disagreement with their ministries. The Economist commented, that the statement came too late to secure the psychological effect at which it aimed. (26) The Congress leaders were, however, convinced that

(26) See Morning Post, 22 June 1937, Round Table, 27 (September 1937) 811, The Economist, 127 (26 June 1937) 723.
in spite of their failure to secure the assurance they had sought in
the letter, they had at least achieved something in having the
purposes of the Act explained to them. This could assist the
successful operation of the provincial Cabinets. It is significant
that no protest was raised by the Conservative extremists over the
impasse.

**Congress Accepts Office**

The Congress Working Committee meeting at Wardha in the first
week of July permitted Congressmen to accept office where they were
invited. At the same time, it directed them to utilize the office
for carrying out the election manifesto in combating the new Act on
the one hand and of prosecuting the constructive programme on the
other. (27) The *Times* thought that the Congress decision implied
the readiness of the largest and best organized Indian political
party to employ its talents in the service of the public. The
*Economist* commented: 'The resolution virtually acknowledged that the
motive for the change of front was the state of public opinion and
the feeling among the mass of Congressmen in the legislatures. It
is the substance of the decision that counts, and the substance
means that a great experiment in democracy . . . is to have a fair
trial.' The *Round Table* considered the acceptance of constitutional-
ism by the Congress to be a political advance of extraordinary
significance. Reginald Coupland characterized the Congress policy
as 'half constitutional and half revolutionary'. (28) The British

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(28) See *The Times*, 8 July 1937,
*The Economist*, 128 (10 July 1937) 64,
*Round Table*, 37 (September 1937) 809,
R. Coupland, *Indian Politics 1936-1942* (London,
1944) 26.
did not regard the language of the Congress resolution as gracious but the very decision was a great thing to them and welcomed it and thought that they had won the first round.

Zetland understood that such an atmosphere was the result of the relations built up during the previous ten years between the Congress and the British Government. He sincerely believed and hoped that with experience and co-operation the atmosphere would improve and looked forward to India and Britain marching ahead side by side. It was a fact that, whereas political commentators in London were inclined to the view that the Act of 1935 had largely disposed of the Indian question, if not in its fullest form at least in its more important particulars, Indian nationalists did not accept such a definite view. (29) The Congress assumed power and carried on the administration with perfect understanding and co-operation of the Governors. The authorities willingly extended their hearty co-operation in administration and the superficial fears of the Congress were all proved illusory.

THE ISSUE OF ALL-INDIA FEDERATION

The British authorities in both countries were endeavouring to expedite the inauguration of federation under the Act of 1935. The Act had unfortunately placed the fate of federation in the hands of the Princes. The Secretary of State for India made it clear to the new Viceroy and Governor-General the desirability of an early inauguration of federation. Zetland insisted on a cautious but effective approach to the Princes, lest they should misunderstand

(29) The Times, 29 and 30 July 1937.
the position and feel that they were being forced into federation. (30)

The Governor-General thought that for the unity of India, constitutional relationship between the States and the Provinces was important and that federation would lead to economic and political unity. He was also of the view that the sooner federation was brought about, the better and thought that the consummation of provincial autonomy should carry them on into federation. He knew 'that failing a formal approach * * * backed by the whole weight of the personal influence of the Viceroy and of the Government of India' they could not reach finality in the matter of federation. He had planned to secure the States' accession through special emissaries and start federation by 1 April 1938. (31) Though there was strong opposition, the tide of events was irresistible and it was expected that self-government at the Centre would have a sobering influence. The Princes were the stumbling block for the early implementation of federation. Though the Princes as a whole regarded federation as inevitable, none was enthusiastic about it and very few had as yet grasped the importance of getting the federal scheme underway early. The British had earlier thought of inaugurating federation in May 1938, but it had to be postponed only on account of the


Zetland wrote to the Governor-General that though opposition to provincial autonomy ceased, after the Bill became an Act, the Conservative extremists warned them from time to time about federation and kept a look out for any indications that pressure was being brought on the Princes and he did not like to give the extremists any sort of handle to make use of. Ibid., D.609/8, 7-12. See also Zetland, n. 17, 242-3.

indifferent attitude of the Princes. The British Cabinet approved the Instrument of Instructions and permitted the Secretary of State for India to go ahead with the scheme of federation. (32)

During his leave of absence Linlithgow had consultations with the Secretary of State for India, the Prime Minister, and other members of the Cabinet and as a result it was understood that the programme for bringing federation into being was begun to take far more definite shape'. On his return to India, he planned to take steps to enable the rulers to determine their attitude to federation finally. It was the strong desire of the Government to start federation by the middle of 1939. (33) The Governor-General on his return to India in his address to the Calcutta Chamber of Commerce, expressed the hope that federation would be introduced early. He observed that 'the darkening of the background, the emphasis on totalitarian ideologies, have made no difference to the attitude of His Majesty's Government towards Indian constitutional advance'. Their policy was unchanged towards federation as the method of achieving 'results of real and permanent value' to the Indian federation and to each of its members. (34)

Thus, the British authorities were not reluctant to effect federation, but they had to work within the limited frame. The

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(32) Samuel Hoare was afraid that once they came to grips with the federation, they would find either the Princes or the Congress refusing to play and pleaded not to force the pace (but he never opposed the implementation of the scheme as such). This did not appeal to Zetland who was supported by the Prime Minister and the Cabinet approved his proposals. Letters from Zetland to Lord Brabourne (Acting Viceroy), I.O.L., MSS., Eur., D.609/10, 27-31.

(33) Daily Telegraph, 13 October 1938.

(34) Linlithgow, n.s., 25, 151-6. See also The Times, 20 December 1938.
attitude of the Princes was the most important factor; added to that, the Muslims were from the beginning antagonistic towards federation where they feared they would be a minority. Mohammed Ali Jinnah and other Muslim leaders told the acting Viceroy and Governor-General, Lord Brabourne, to "make friends with the Muslims by protecting" them in the Congress Provinces and that, if we did that, Muslims "protect" us /British/ at the Centre', and they told him that the Muslims 'given a fair deal by us would stand by us through thick and thin'. Thus the Muslim League leaders pleaded with the British to maintain the status quo at the Centre. (36)

Indian nationalists, including the Congress, opposed federation on the ground that the affiliation of the States to British India subordinated the democratic idea to the autocratic idea. Both the Secretary of State and the Governor-General were in agreement that autocracy in the States had to give way to a popular form of government, but Zetland attached importance to retaining control of the Princes in the States at the beginning of federation. Unless that proved possible, he doubted very much whether Muslims in India or the Conservative Party in Britain would permit federation to come into being. He noted that the Conservatives were disturbed at the inroads which the Congress was making in the States. About the representatives of the States, Zetland said that the choice was left to the Princes. 'There was nothing in the Act to prevent it; nor would the Paramount Power be found standing in the way of any Prince who sought to temper the rigid autocracy of bygone days with a more liberal system.' However, he made it clear

(36) Brabourne to Zetland, I.O.L., MSS, Eur, D.609/16, 40-1. See also Zetland, n. 17, 247.
that as the federal provisions of the Act were the outcome of prolonged and exhaustive examination and discussion, there was no likelihood of any alteration in its structure even before federation had come into operation. There was ample scope within the framework of the Act for providing the people with a degree of political cohesion. (36)

Zetland and Linlithgow agreed together that they should not weaken in any way their determination to bring about federation into existence if that was possible and thought it unfortunate that the Princes had the determining voice. In fact, realizing the inevitability of federation and the obstacles to it, Zetland suggested a round table talk with the Congress, the Princes and the Muslim League to arrive at a conclusion. The Governor-General wrote that such a move might prove, not a late step in a successful endeavour to bring to fruition the impulse towards federation, but the first step in an entirely new series which might in the fulness of time lead to some different solution than that contemplated in the Act. (37)

Thus both Zetland and Linlithgow from time to time enunciated the determination of His Majesty's Government to secure the inauguration of the federal structure as soon as circumstances might allow. And it was clear from those pronouncements that 'circumstances' in that instance had an administrative connotation. The delay which had supervened between the commencement of provincial autonomy and the unachieved next step, federation, had been caused 'not by any doubts or hesitations regarding the rightness of the

(36) The Times, 28 May 1938.

(37) Zetland to Linlithgow, I.O.L. MSS, D.609/11, 94-100, 123-40 and Linlithgow to Zetland, D.609/17, 217-25, 244-52.
step itself, but by the enormous mass of exploratory and preliminary work, which needed to be accomplished before the change-over was made. (38)

The conference of the Princes at Bombay in June 1939 rejected the draft Instruments of Accession to the federation. As the Princes rejected the Instruments of Accession, there was a cry that the whole federal scheme should be abandoned owing to opposition from many circles. Indian nationalists were unanimous that federation was the ultimate goal, but they urged a federation on the findings of a constituent assembly. Some of them wanted federation for British India only, hoping to secure the accession of the Princes in future.

**Impact of the War**

In this situation the second world war intervened. The Governor-General addressing the Central Legislature on 11 September, said that by the compulsion of the international situation, they had no choice but to hold in suspense the work in connection with preparations for federation. The negotiations were suspended. (39)

Such a decision was taken easily because all the parties were opposed to the federal scheme and thus in a sense, it was a response to the Indian national movement. Preservation of the unity of the country was the main aim of the federal scheme. 'In the clash of politics, the struggle for power, the wrangle for ascendancy, and the scramble for gains on the part of the political organizations, politicians and the Princes, the scheme of federation became a tragic casualty . . .

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(39) Linlithgow, n. 25, 203.
But the final death-blow was given to it by the outbreak of the second World War which did not give time to its sponsors to stage a decent burial. (40)

The Conservatives were enthusiastic about implementing the federal scheme of the Constitution of the 1935 Act and were not alone responsible for postponing it. From the middle of 1935 to the commencement of the World War, the Conservative Government supported and without hesitation carried the reforms into effect as enunciated in the Constitution of 1935 Act. (41) The Government's action was strictly in accordance with the law that had been passed with the undertakings and safeguards. The Governor-General or the India Office did not fail to carry the intentions of Parliament and the pledges given both to the British and Indian peoples. Once the Act was passed, even the Conservative extremists never raised the question of law and order in the Provinces and enthusiastically supported the introduction of the reforms in a real way without trying to put any more impediment. As the most important of the extremists, Winston Churchill states: 'Neither by word nor action have they intervened or prejudiced the implementing of the vast, complicated scheme which they had so resolutely opposed.' (42)

This is not to deny the fact that the Government which was enthusiastic in effecting the provincial autonomy did not show the

(40) V.P. Menon, The Transfer of Power in India (Bombay, 1957) 57.

(41) '... We would be ill-advised to permit temporary cross-currents in the political atmosphere, or in the attitude of individuals, to deflect us in any way from our set policy of establishing Federation as early as possible, or to lead us to slacken, for the moment the pace and momentum of our own federal preparations.' Zetland to Linlithgow, 19 August 1937, I.O.L. MSS, Eur. D.609/25, 4-5.

same enthusiasm initially for introducing the federation. In fact Linlithgow later confessed that the progress made in the field of federation was slower than he had intended and by the autumn of 1939 it had become plain that federation could not be implemented. (43) The authorities showed a lethargic and leisurely attitude in getting everything done before they embarked on federation, but they did not oppose the scheme as such. The British public and political parties did not bother about India till 1939 and probably thought that once the Act of 1935 was passed, there was nothing else for them to do. (44) From the passage of the Government of India Act 1935 to the outbreak of the war, 'India lived through a relatively tranquil yet formative period'. (45) During this period all the three British political parties were united in supporting the constitutional experiment in British India and there was absolutely no difference in their attitude so far as the Indian problem was concerned.

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(43) See The Times, 4 October 1944.

(44) As a matter of fact, even the British Government was not worried much about India. After approving the proposals of the Secretary of State for India, the Cabinet 'passed on not without a sigh of relief to other matters.' The average member of the Cabinet looks upon Memorandum by Secretary of State for India as a tiresome, if inevitable, intrusions'. Zetland to Brabourne, 1.O.L. MSS, Eur.D.609/10, 27-31. See also Zetland, n. 17, 245.

(45) H.N. Brailsford, Subject India (New York, 1943) 47.