A study of India's political evolution will be unrealistic if it does not take into account one of the major factors in it and that is the communal claims and counter-claims. We have already examined how some minority communities, which are essentially religious minorities in India, have influenced the approach to politics by the respective leaders. In this part of the thesis an attempt is made to examine the problem of Muslim communalism vis-à-vis the constitutional and political evolution of India, as it has an essential relation to the problem of other minorities.

The Hindu-Muslim antagonism constitutes one of the dominant themes in the political and constitutional history of India. The twentieth century Indian Politics was one of discussions and dialogues among the parties involved, vis., the British, the Muslims and the Indian National Congress on this problem. This communalism was the result of a peculiar development of Indian social and political milieu in the country particularly under the British rule. Of course, the divergent religious and social practices and outlook of the people were exerting their own influences. The so-called Hindu-Muslim antagonism, anyway, was not
beyond settlement, given the will and co-operation to solve it. It could have been settled amicably, as claimed by some, but for the third party, the British, who were shrewd enough to foresee the possible developments in the field of Indian nationalism and they were quick to grasp the realities of the situation. They, as will be seen, actually encouraged and kept on nourishing the Muslim claims for special safeguards leading to their demand for 'separation' on the purported grounds of they being a separate nationality. This demand by the Muslims came in handy for the British. The demand suited the interests of the British well, and the main object of the British in encouraging the Muslims was to use them as a powerful bulwark against the growing nationalism in India. This statement can very well be justified by an analysis of the developments in the relations between the Muslims and the Hindus during the British regime in India.

The Hindu-Muslim relations:

The successful suppression of the 1857 uprising, which is contemptuously branded by the British as the Sepoy Mutiny and proudly proclaimed by Indians as the first war of Indian Independence, was a turning point in the history of British rule in India. It had several lessons to both the British and the Indians. To the British, it held out two important lessons. They learnt first, "...how
precarious their hold on India was. Secondly, the Hindus and Muslims were not as irreconcilably inimical as they had persuaded themselves to believe. In pursuance of their common interest, they might quite well act together again, and fight under a common banner as many Hindus had done under the banner of the last Mughal emperor. This realisation was to have a lasting effect on the evolution of their (the British) communal policy, designed always to keep the Hindus and Muslims politically separated.\textsuperscript{1} The outcome of such a policy was bound to be disastrous. It ultimately created an era of Hindu-Muslim antagonism. Speaking of the Hindu-Muslim relations since 1920, Ambedkar writes: the period — 1920 to 1940 can be characterised as a period of "civil war between the Hindus and the Muslims in India, interrupted by brief intervals of armed peace ... There was carnage, pillage, sacrilege and outrage of every species, perpetuated by Hindus against Musalmans and by Musalmans against Hindus — more perhaps by Musalmans against Hindus than by Hindus against Musalmans."\textsuperscript{2}

The British policy in the post-Mutiny period was, naturally, designed to keep the Hindus and Muslims separate

\begin{enumerate}
\item Sasadhar Sinha: \textit{Indian Independence in Perspective}; 1964; p. 200.
\item B.R. Ambedkar: \textit{Pakistan or the Partition of India}; 1946; pp. 175–177.
\end{enumerate}
by playing one against the other. Such a policy was very
cleverly nurtured by successive Governors-General. It
reached its hallmark in the hands of Lord Curzon and
Lord Minto in the first decade of the 20th century. Some
of the worst features of the British rule in India emerged
as a result of such a policy. The first thing they did
was to reorganise the Indian Army in such a way as to
strengthen the British element to the exclusion of the
Indians, particularly those sections who had a prominent
role in the Mutiny. The same policy was vigorously
followed in the administrative and social fields. The
tall promises in the Queen's Proclamation of 1858 were
soon to prove empty ones. The introduction of English
education was intended to eliminate the Indians, though
it proved beneficial for them ultimately. They took to
the English language and, particularly, the Hindus did not
lag behind, whereas the Muslims were rather unwilling
to catch-up with the rapid changes that were taking place,
partly due to the frustrations they were undergoing after
being pulled down from a position of political importance.
Such an attitude on their part entailed them to remain
a backward people and there was an immediate need to bring
about a sort of rejuvenation. The British attitude
towards the Muslims, in the period immediately after the Mutiny,
was one of suspicion and distrust which added to the frustrations
of the Muslims. But it was soon to change, as the British
realised the need for picking up such a frustrated element for strengthening it against the growing nationalism among the Hindus. To the British, Indian nationalism meant nothing but Hindu nationalism, which was not wholly correct. So the British reversed their policy towards the Muslims which came to be one of positive help and encouragement for their rehabilitation.

The Muslims, as will be seen later, were encouraged at all possible levels by the British. By giving them the privilege of the separate electorates in the Reforms of 1909 and subsequent reforms, the British nourished the feeling of separate Muslim nationalism that blossomed in 1947 to its fullest stature. When the demand for Pakistan was made in the Lahore Resolution of the Muslim League in 1940, India was startled. It was bound to assume serious proportions and the communal problem came to be expressed with an unprecedented dimension in Indian politics. Since the passage of the Lahore Resolution the most fundamental and intriguing question before the nation was Pakistan or no Pakistan? This question was bound to be answered with full justification in either case. All those individuals and organisations in the country interested in the constitutional problem of India then were prone to react in their own way to this demand by the Muslims. The basic points in their demand
were the following:

'the creation of administrative areas
which are ethnically more homogeneous';

and 'these homogenous administrative
areas which are predominantly Muslim
to be constituted into separate States'
as the Muslims constituted a separate
nation and wanted to have a national
home, and because of their experience
with the Hindu majority rule they felt
that they were bound to be treated as
second class citizens with the transfer
of power to the Indians.

In view of these justifications for the demand of
the Muslims, any reaction to the demand had to take note
of the force in their arguments.

The Muslim demand called for reactions by way of
a support or disclaimer to it, or suggesting alternative
schemes providing for the removal of the supposed grievances
that were pointed out by the Muslims. So some of the
schemes were in the form of alternatives to the Pakistan
scheme. As a matter of fact 'the Cripps Proposal' coming
as it did, from the British War Cabinet itself in the
form of almost a draft declaration was one such alternative
suggested. Prof. Reginald Coupland suggested his 'Regional
Scheme' in his book The Future of India. Coupland based
his scheme on what he called 'Regionalism' which he borrowed from Sir Sikandar Hayat Khan's scheme and adopted the scheme of regional delimitation conceived by Mr. M. I. Yeatts, Census Commissioner of India. Another scheme that was proposed as an alternative to Pakistan was the one by Sir Sultan Ahmad in his work *A Treaty between India and the United Kingdom*. Sir Ahmad's scheme was based largely on the Gripps Proposal itself but with some modifications.

Sir Ardeshir Dalal in the course of some articles to the Press in May 1943 under the caption 'An Alternative to Pakistan' put forth his own scheme. Dr. Radhakumud Mukherji presented his own scheme in a pamphlet 'A New Approach to the Communal Problem', basing his suggestions largely on the Minority Treaties in Europe, particularly after the First World War. There were also some important suggestions made in the 'Sapru Committee's Proposals', and 'M.N. Roy's Draft Constitution of India' on this issue. The Communist Party of India expressed its support to the Muslim demand for Pakistan. Another important alternative plan to Pakistan came from Mr. C. Rajagopalachar, which came to be popularly called the 'C.R. Formula'. Mahatma Gandhi actually negotiated with the League on the basis of this C.R. Formula.

When so much thinking was there, and a large amount of literature was being brought out on this important issue which was actually tied up with the more fundamental question
of the transfer of power, an intellectual and a keen observer like Ambedkar could not remain inactive. He was seised of the problem and decided that he should express his considered views on the problem. A committee of the Independent Labour Party requested Ambedkar to prepare a report on Pakistan. Here was the opportunity for Ambedkar to express his views and share them with the public. The Report on Pakistan prepared by Ambedkar was accepted by the Independent Labour Party's Executive Council and it resolved that the Report be published. It was first published in December 1940 under the title 'Thoughts on Pakistan'. Soon, two more editions, with considerable revisions, were issued in February 1945 and 1946 as *Pakistan or Partition of India*. This only indicates the popularity and, indeed, the usefulness of the book.

In this work Ambedkar's objective was only 'to assist the student of Pakistan to come to his own conclusion' on this important issue of the day. In his Preface to the Second Edition, Ambedkar claims that "It is an analytical presentation of Indian history and Indian politics in their communal aspects ... The material relating to Indian history and Indian politics contained in this book is so large and so varied that it might well be called Indian Political What is What.... I do not claim to have written dispassionately though I trust I have written without prejudice ... In dealing with the question of Pakistan my
object has been to draw a perfectly accurate, and at the same time, a suggestive picture of the situation as I see it...3

To Ambedkar, the question of Pakistan had assumed such serious proportions that it had to be tackled without any delay. It was so not only because the Muslims insisted upon it, but also because the British made an agreement among the Hindus and Muslims a condition precedent for the devolution of political power. The issue was to be decided upon before the plans for a new constitution were finalised. The Hindus, who 'could not avoid coming to grips with Pakistan,' wrote Ambedkar, were to bear in their minds the following points:

The Hindus and Muslims must decide the question themselves.

If the Hindus are hoping that the British will use force to put down Pakistan, that is impossible. 'Compulsion as an alternative to Pakistan is unthinkable'.

Muslims cannot be deprived the benefit of the principle of self-determination. The right to self-determination that is claimed for the Hindus, cannot be denied to the other minorities by the British. 4

He, therefore, thought that an immediate decision

on Pakistan or no Pakistan was urgent and inescapable for all the concerned parties. Even an alternative scheme, if any, could be considered. But he warned against the folly of supposing that "if Pakistan is buried for the moment, it will never raise its head again... So long as the hostility to one Central Government for India, which is the ideology underlying Pakistan, persists, the ghost of Pakistan will be there, casting its ominous shadow upon the political future of India." So both indecision and wrong decision on the issue were to be eschewed. The decision had to be taken before the new constitution was devised as it had grave financial implications. If two central Governments are to be considered it means heavy financial burden, which will fall unequally upon the two states. If the decision to create two states comes after the new constitution it will be the greatest disaster according to Ambedkar. He thought: "out of the general wreck, not only India as an entity will vanish, but it will not be possible to save even the Hindu unity." But the main object of his writing was only to 'expound the scheme of Pakistan in all its aspects'. He wanted only 'to explain but not to convert'. He claimed that whatever he had expressed in the book was only a collection of his thoughts on the problem and not the views. This however does not mean he did not have his own views on the problem. He did have and

5. Ibid, p. xix.
actually expressed some of them. Others were, of course, to be either gathered or derived. He presented the Muslim case for Pakistan; the Hindu arguments against it; and examined the alternatives to Pakistan as proposed by the Hindus on the one hand, and the Muslims on the other. He also put forth his own scheme and proposals to help evolve a more acceptable solution to the problem. The study was exhaustive enough, and perhaps the only work of its kind to be brought out at that time on the issue of Pakistan.

Ambedkar's study of the problem presupposed, on the part of the reader, a thorough knowledge of the development of the Muslim relations with the British on the one hand and the Hindus on the other throughout the period of constitutional development of India. Hence, it is necessary, at this stage, to present a survey of the developments in this regard. A knowledge of these developments will be of immense value and help in evaluating the views of Ambedkar on the problem of Pakistan. The problem, in other words, will have to be set in its proper historical perspective.

The British Policy towards the Muslims:

The Hindu-Muslim tangle that resulted in the partition of India in the year 1947 as a prelude to Indian independence was a part of the British designs in India. The communal question in India was not a question between the Hindus and the Muslims only. There was a third party, the most
important party, the British. So it was a situation of a 'Communal Triangle', as Dr. Rajendra Prasad described it. He looked at it was a triangle 'with Hindus and Muslims as its two sides and British Government as the base'. As this base grow in size, it simultaneously widened the angle of difference. Hence it is essential to refer to the British policy in this regard to appreciate the problem better.

The traditional conflict between Christianity and Islam in the world context is a part of one's knowledge of history. The European trading efforts in the East were very much thwarted by the Islamic power. The European efforts to dislodge the Islamic power having failed, the European powers, particularly the Portuguese, circumnavigated and reached the East. Vasco da Gama reached Goa in 1498 by rounding the Cape of Good Hope and the naval crusade had the blessings of the Pope. So by historical circumstances the followers of Islam, the Muslims, were the chief enemies of Europe. The theme was always Christianity versus Islam. As K. N. Panikkar looked at it:...the European expansion towards the East began as a crusade... The leadership of this movement was inherited from Henry the Navigator, not only by Manoel the Fortunate and Joao III, but by Affonso Albuquerque and other leaders.

of Portuguese expansion who looked upon themselves as the genuine crusaders. Every blow struck at the Moor (the Muslims) was, in their view, a victory for Christendom. The attack on the spice trade, as Albuquerque clearly explained to his soldiers at Malacca, was an attack on the financial prosperity of the Muslim nations, an aspect of economic warfare the significance of which both the Muslim Powers and Portugal fully realised. 8

This enmity between the European and Islamic powers was to be transformed into one of friendship, of course, under entirely changed circumstances of history. It is a commonplace thing that the basic principle of British approach towards India in the early stages was one of consolidating their position on the Indian soil by adopting any expedient that came handy. While taking advantage of a situation of mutual strifes and conflicts among the Indian rulers, the East India Company saw to it that the Indians never joined hands against the British. They devised their military policy in such a way as to preventing a collusion between the Marathas, the Muzam and the Nawab of Carnatic, and later between Hyderabad and Tipoo Sultan. As a British historian Malcolm comments; 'Hindustan

8. Asia and Western Dominance; p. 480.
could never have been subdued but by the help of her own children. The British policy of systematically dividing the Indian people was accomplished in a large measure by the beginning of the 19th Century. The Mughal and the Maratha Empires were completely liquidated but a number of small kingdoms were still there, scattered all over the land. But they were utterly incapable of holding out against the British onslaught. So the policy of *Divide et Impera* — divide and rule — was yielding the desired results. Naturally, the British clung steadfastly to this policy in India. Mount Stuart Alphinstone was only voicing the official policy of the British when he wrote: 'Divide et Impera was the old Roman motto and it should be ours'. This policy helped greatly in establishing firmly the hegemony of the British in India. The East India Company came to be the indisputable ruler of the country by the middle of the nineteenth century.

The British, however, were never complacent. They had all eyes and ears open to the state of the land, particularly about the Muslims, who were just then pulled down from Imperial position and a place of privilege and authority in India. They were not looked upon by the British with any favour. At the same time, there was no dearth of religious zeal and reform among the Muslims. A great many Muslims attributed their decline, politically,
to their degeneration from the ideals of Islam. So efforts were on made for a religious rejuvenation with a view to regaining their position. Some movements like the 'Wahabi Movement' were started by some of the Muslim religious zealots like Syed Ahmad Breivi, who believed that the Sikhs and the Hindus constituted a danger to Islam. The Wahabi Movement also preached the great doctrine of 'Jihad' or crusade. These crusaders, guided by Muslim Canon Law declared their State as Darul-Islam and started the Jihad against what they called Darul-Harb (the state of non-Muslim rulers but with Muslim population) by organising an army of their own. Since India was Darul-Harb, their Jihad against India was justified, according to their own religious tenets.

Moreover, one of the religious tenets of Islam was, according to Ambedkar, "in a country which is not under Muslim rule ... a Muslim will be justified in obeying the Muslim law and defying the law of the land." 9 The British were kept informed of these military preparations by the Muslims against the Sikhs. They, however, did not interfere with, as it was to their advantage that the Muslims fought the Sikhs. So they did not step-in till the conquest of Punjab. When the British did step in, it was only to annex Punjab by taking advantage of the feuds among the Muslims. This is testified to by Sir William Hunter in

9. Pakistan or Partition of India; 1946; p. 235.
his book *Indian Mussalmans*. So far as the British were concerned the Wahabi Movement was to be encouraged only to frustrate the Sikhs, and was illustrative of their policy of divide and rule. Once that was achieved, the British government took necessary steps to liquidate the Wahabi Movement. Such a policy of Muslim repression was continued with great vigour, particularly after the Mutiny of 1857. Frustrated in their efforts to continue with jihad activity, the Muslims withdrew completely from the limelight. They did not even take advantage of the English education, as the Hindus did. They had to loose all posts in the Government where knowledge of English was essential. The British Indian Army was highly cosmopolitan in its composition, before the Mutiny. But the lessons of this event were such that the British re-organised the Army in India to compose it on tribal and regional basis with similar loyalties to offset each other. The Muslims were at a disadvantage in this field also. As a result of all these changes, the Muslims of India were completely impoverished in the post-Mutiny period.

Attempts were made in the post-Mutiny period to right the wrong done to them and rehabilitate them in the Indian society. A plea to this effect was put forward by Sir William Hunter.\(^{10}\) He pleaded for justice for the

\[^{10}\text{Indian Mussalmans; pp. 147 and 214.}\]
Muslims; especially for a system of education that would suit them. The result was a change in the British policy and encouragement to what has come to be called the 'Aligarh Educational Scheme.' It should be noted here that pleas made by shrewd English observers like Sir Hunter, on behalf of the Muslims, was not entirely motivated by a sense of justice and fairplay, but they had the vision enough to anticipate the outcome of a possible Hindu-Muslim unity which would be disastrous to the British. It is such a consideration that prompted them to encourage a policy of appeasement of the Muslims against the Hindus. If not, how can one explain the conversion of even an avowed nationalist like Sir Syed Ahmad to advise the Muslims not to join the national movement? Sir Ahmad was one of those broad-minded and patriotic nationalists, who bemoaned the downtrodden position of the Muslims and believed in the joint progress of the Hindus and the Muslims. But a few years later he was converted to become the chief progenitor of Pakistan! The British realised the need for having a counterpoise to Indian nationalism that was appearing on the Indian political horizon. The Muslims had to be brought under the protective wings of the British, instead of treating them with suspicion and disfavour. The role of Mr. Bean, the Principal of Anglo-Oriental College at Aligarh then, was significant.
The Aligarh Movement

Coming under the evil influence of Mr. Beck, Sir Syed Ahmad started speaking against the Indian National Congress, while other Muslim leaders like Badruddin Tyabji were in the Congress. Mr. Beck's thesis was that there could be an Anglo-Muslim unity and never an Hindu-Muslim unity in this country. He propagated that the National Congress and the Cow-Protection programmes were the two Hindu instruments directed against the British and the Muslims respectively. He naturally thought, an Anglo-Muslim alliance was an immediate necessity to thwart the Hindu designs. As Sir John Strachey wrote in 1888: "... the existence side by side of these two hostile creeds is one of the strong points in our political position in India." Aligarh became the centre of Muslim activity and continued to be so even after the death of Principal Beck. The Muslims were advised against the formation of any political organisation for safeguarding their interests. On the other hand they were encouraged to get what all they wanted, by remaining loyal to the rulers — the British. It was not until the British themselves wanted a Muslims' organisation that one could be formed.

The British policy of encouraging the Muslims to a separate nationality was accepted with the dawn of the

20th Century. Lord Curzon did not hesitate to describe the Partition of Bengal as intended to create a Muslim Province in which the Muslims would have a preponderating voice, though it was ostensibly done for administrative purposes. Many Muslims were, naturally, taken in by such an open pronouncement by no less a person than the Viceroy himself. The seeds of dissension, thus sown, were nourished to full development by Curzon’s successor Lord Minto, who received a delegation of Muslims headed by H.H. the Aga Khan. The Viceroy in his reply to their memorandum exhorted the delegationists to strive for getting representation in the Councils at different levels, not only in proportion to their numerical strength, but also in respect to the political importance of the community. He suggested that they should be represented as a community, and through separate electorate. The policy was once again guided by expediency, as was evident from the line of thinking in Lord Minto’s part in his Despatch to John Morley, the Secretary of State, on the Congress and the Muslims dated 4 November 1906. The memorandum of the delegation and the reply thereto were described by Lord Minto’s biographer as a ‘Charter of Islamic Rights’. As a result, separate electorates for Muslims was granted. The All-India Muslim League was founded in the year 1906 in the wake of this Muslim delegation to the Viceroy.

Incidentally, it is an extremely curious coincidence that the All-India Hindu Mahasabha also came into being, the same year.

The birth of the Muslim League was indeed a great landmark in the political evolution of the Indian Muslims. It was the first Muslim organization for political activity. Its objectives were: ' (1) To promote among Indian Moslems feelings of loyalty towards the British Government ... (2) to protect the political and other rights of the Indian Moslems and to place their needs and aspirations before the Government in temperate language; (3) so far as possible, without prejudice to objects mentioned under (1) and (2) to promote friendly feelings between Moslems and other communities of India.'

The role played by the British officialdom in the birth of the League as described by Mr. Ramsay MacDonald was no less important. He wrote: "The Mahomedan leaders are inspired by certain Anglo-Indian officials, and these officials have pulled wires at Simla and London and of malice aforethought sowed discord between Hindu and Mahomedan communities by showing the Muslims special favour." 13 The source of inspiration to form the Muslim

League is revealed in this observation of Maulana Abul Kalam Azad. He wrote:

The Muslim League was established in 1906 in Dacca after the session of the Muslim Educational Conference during Christmas. It owed its origin to the efforts of Nawab Mustaq Husain. I was present at the Session and remember the two reasons advanced for the establishment of the League. It was said that one would be to strengthen and develop a feeling of loyalty to the British Government among the Muslims of India. The second was to advance the claims of the Muslims against Hindus and other communities in respect of services under the Crown, thus safeguarding Muslim interests and rights. The leaders of the League were therefore naturally opposed to the demand for political independence raised by the Congress. They felt that if the Muslims joined in any such demand, the British would not support their claims for special treatment in elective bodies and services. 14

The Reforms of 1909 giving separate electorate to the Muslims in recognition of their services to the British Raj were the first constitutional victory for the Muslims.

Spell of Hindu-Muslim Accord

With the birth of the Muslim League the British Government could count on an organization of Indians themselves to support their policies and administration in India. The League, in its Annual Sessions, was passing resolutions in support of their policies including the partition of Bengal, separate electorates, the Reforms of 1909 etc. In fact, subsequent constitutional Reforms of 1919 and 1935 "mark the successive stages of growing strength and importance of the communal principle in Britain's administrative practice in India, leading eventually to Partition in 1947." 15 The annulment of the partition of Bengal came as a rude shock to the Muslim League. It heralded a period of estranged Anglo-Muslim relations. The League had also to face another disappointment in the hands of the British. The policy of the British towards Turkey disillusioned them and the Indian Muslims began realizing the 'hallowness and insincerity' of the British towards them. Here was an opportunity for the nationalist forces to win over the Muslims. This task was accomplished mostly by the powerful writings of Maulana Abdul Kalam Asad in his Urdu Journal Al-Hilal and by others like MaulanaMohamad Ali. The outcome was a Resolution by the League at its Lucknow Session of 1913. The Constitution of the League was

amended to redefine the object of the League. It was to be "... the attainment under the aegis of the British Crown of a system of self-government suitable to India, through constitutional means by bringing about, amongst others, a steady reform of the existing system of administration, by promoting national unity, by fostering public spirit among the people of India, and by co-operating with other communities for the said purpose." 16 Such an approach from the League was helpful to bring the League and the Indian National Congress nearer, paving also the way for Hindu-Muslim accord.

The Lucknow Pact:

During the critical situation created by the First World War, the League and the Congress came to see eye to eye more and more and went to the extent of holding their Annual Sessions for 1915 at Bombay simultaneously. This is a pointer to the fact that the Hindu-Muslim problem, which became intractable later on could still be resolved amicably, given reason and understanding on both sides. The Session of the League was attended by prominent Congress leaders and the 1916 Sessions were also held in Lucknow simultaneously. It was here that the famous 'Lucknow Pact' of Hindu-Muslim amity was accepted, to which Mr. M.A. Jinnah was a party. This Pact of

16. Rajendra Prasad: India Divided; p. 118.
December 1916 was more in the form of a political bargain between the League and the Congress. The League was to lend its support to the Congress goal of Swaraj and the Congress, in return, was to support the Muslim claim for weightage in Legislatures. Writing on this Pact Dr. Zachariaes said:

... the bargain at Lucknow between Hindus and Moslems came really to this, that the Moslems agreed to Swaraj, and the Hindus to communal electorates for Moslems. By manipulating the latter, the Moslems were to be given a far higher representation than their numbers would entitle them in the Central Legislative Assembly for instance, they were to be guaranteed one-third of all the seats; moreover, no measure affecting either community as such was to be proceeded with, if three-quarters of the members of the community affected opposed it. 17

The anti-Turkish policy of the British even after the war was quite alarming to the Muslims everywhere. The Congress, under the leadership of Mahatma Gandhi, lent total support to the Khilafat movement. This period was one of complete Hindu-Muslim understanding. But the much desired Hindu-Muslim unity, on which Gandhiji had put much faith, and which was an essential part of his

17. H.C.E. Zachariaes: Renascent India, 1933; p.168.
political programme, could not be brought about on more enduring grounds. This 'marriage of convenience' between the League and the Congress under Gandhiji's inspiration was destined to bear unpleasant fruits. The Khilafat question was soon to lose its importance and it had also no relevance to the Indian situation, much less had it any political basis. The number of communal riots that took place from 1922 onwards was a positive proof of the failure of this arrangement. The British policies during the war helped this to a greater extent, and was intensified by the recommendations of the Sedition Committee presided over by Sir Sydney Rowlatt. The Khilafat movement and the Jallianwalla Bagh tragedy enabled the Congress and the League to formulate a common line of action of non-violent non-cooperation. The events during this period and the common direction in which both the Congress and the League were moving, point out that it was the British policy of hostility to Muslims in Turkey that drove them towards the Congress. A friendly approach could still bring them nearer the British, as shown during the earlier years of the Century. It was said: "The year 1921 was a year of intense activity and unprecedented co-operation between all communities and joint political action for securing Swaraj and redress for the Punjab and Khilafat wrongs." 18

As the time for a revision of the 1919 reforms approached, the Hindu-Muslim relationship underwent a rapid change and each community began to fight for what it regarded its legitimate interests. The bond of understanding between the Muslims and the Hindus during the period was weakened by the events in Malabar where Moplas and Hindus were at loggerheads; and by the Shuddhi movement started by Swami Shradhanand. As a reaction to this, the Muslims started the Tabligh and Taslim movements. This was the signal for a number of riots and desecration of Hindu places of worship. More important than these provocative incidents, the very nature of Muslim organization was responsible for the disintegration of the Hindu-Muslim accord, once the Congress stuck to the policy of non-violent non-cooperation. The Congress was actually making a new approach to politics when under Gandhiji's direction it adopted the policies of non-violence and non-cooperation which was not intelligible to the Muslims. Mr. Penderel Moon in his book *Divide and Quit* has this to say on this important turning point in the history of Hindu-Muslim relations: "So long as Congress was led by men like G.K. Gokhale, who spoke the familiar language of western liberalism and Constitutionalism, Jinnah felt at home in it. But the growing influence
of Gandhiji at the end of the First World War set it on unconstitutional paths and simultaneously gave it more pronounced Hindu complexion. To these developments Jinnah could not reconcile himself. This is also explained in terms of the very nature of the Muslim organisation itself. Maulana Shibli explained the nature of the organisation in his writings in the following words:

The first foundation stone of the League was the Simla deputation (of 1906) and whatever constitution may be given to it in the future the spirit of the Simla deputation will continue in it. The first brick of the foundation of the League was wrongly laid, and whatever structure is raised on such a foundation is bound to fall out of the line. The politics of the League is only this — whatever rights and places are won by the Hindus, the share of the Musalmans in them must be fixed. This is not real politics. Real politics is concerned with the demand of the people as against the government and in this respect politics is as powerful as religion. On account of the lack of this strength a member of the Muslim League cannot be prepared to suffer any injury and does not find in himself any high determination or courage.

19. Quoted in S. Sinha, op. cit., p. 64.

Ambedkar's masterly analysis, with a keen sociological sense, of the characteristics of Muslim politics throws ample light on this problem. He has his own dig at the inherent attitudes of the Muslims towards things that are secular. Unlike H.D.Roy's approach to the Muslim outlook in his Historical Role of Islam, Ambedkar in his historic work Thoughts on Pakistan or Pakistan or the Partition of India castigates the anti-reformist tendency, which is basic to their religious convictions. This anti-reformist approach to social problems is necessarily reflected in the political life of the Muslims. This is very much true in India. Their interest in religion is much more than their interest in politics. Ambedkar, commenting upon this aspect of the Muslim sociology, wrote: "With the Muslims, election is a mere matter of money and is very seldom a matter of social programme of general improvement. Muslim politics takes no note of purely secular categories of life... Muslim politics is essentially clerical and recognises only one difference namely, that existing between Hindus and Muslims. None of the secular categories of life have any place in the politics of the Muslim community and if they do find a place — and they must because they are irrepressible — they are subordinated to one and the only governing principle of the Muslim political universe, namely, religion." 21 This explains

the utter unsuitability of the most secular sanctions like non-cooperation, civil disobedience, non-violence etc., devised by Mahatma Gandhi. They just could not appeal to the Muslims. The forging of such sanctions by the Congress contributed substantially to their further estrangement. Incidentally, it may also be noted here that all Muslim countries in the world have always remained non-secular or theocratic states including Pakistan. Pakistan has all along been a theocratic state with a deep-rooted antipathy towards secular states like India. It chose to found its constitution and political institutions on theocratic principles. Pakistan has gone even to the extent of stipulating that only a Muslim can and should be the head of the State. The sanctions adopted by the Congress such as non-cooperation, boycott, civil disobedience and fast were, according to Ambedkar, a 'tragedy'. He said: "... Swaraj is as far as it has been, but the reckless use of sanctions has made partition of India starker, surer and nearer..." 22

In the light of the foregoing observations of Mr. Ponderel Moon, Maulana Shibli and Ambedkar, an impartial observer should be inclined to think that Gandhiji failed to take note of the inherent and the basic nature of the

Muslim outlook while forgoing such sanctions. As S. Jinna remarks: "Probably the more important thing to remember is that even Mr. Jinnah was rather a symptom than a cause of the latter-day communal bitterness in the country. It was Gandhiji's incapacity to find a solution of the underlying political causes of Hindu-Muslim dissension which added grist to Mr. Jinnah's mill." 23 Gandhiji is alleged to have brought into this problem all kinds of irrelevant issues, thereby complicating further the solution to the communal problem.

Our observations in the foregoing would convince one that the same complicating approach, mixed with sentiment, was made by Gandhiji to the problem of Untouchables. The Muslim apprehension that they run the risk of discriminatory treatment unless they got special guarantee by way of safeguards should have been adequately appreciated by the Congress. The Muslim demands were all centering round this psychology and they were naturally clamouring for as many safeguards as possible, which ultimately took the turn of a demand for separation due to a wrong strategy on the part of the Congress.

A Divided Muslim League:

The introduction of the constitutional reforms under

the Government of India Act, 1919 brought about a state of controversy in the country. Opinion was divided on this matter. Apparently, the Indians were not satisfied with the reforms and they put forward their own proposals for more reforms. But the British Government was resolutely opposed to any advance in constitutional matters at a quicker pace. The Congress was busy drafting a 'Swaraj Constitution' and the Muslim League was also considering the possibility of joining hands with the Congress in this task. However, the opinion was divided within the League as to how far they could go in cooperating with the Congress.

In the meantime the Conservative Government in England announced the appointment of an all-white statutory Commission in November 1927 under the chairmanship of Sir John Simon to report on the working of the Reforms of 1919. The Commission was boycotted by the Congress for its all-white composition. But the British tried to utilise even this opportunity to drive a wedge between the different sections of the Indian society. A note of advice from Lord Birkenhead, the then Secretary of State, to Sir John Simon is significant in this context. He wrote to the Viceroy in February 1928: "I should advise Simon to see at all stages important people who are not boycotting the Commission, particularly Moslems and the depressed classes."
I should widely advertise all his interviews with representative Moslems. The whole policy is now obvious. It is to terrify the immense Hindu population by the apprehension that the Commission having been got hold of by the Moslems, may present a report altogether destructive of the Hindu position, thereby securing a solid Moslem support and leaving Jinnah high and dry. The policy of 'Divide and Rule' was thus to bear fruit, perhaps an evil fruit, once again. The Muslim League came to be split into two wings to the extent that one could feel that they constituted two separate organisations. One group, that was led by Sir Muhammad Shafi, was making unacceptable and extreme demands. The group was actually British-inspired and that for acting as a counterblast to Mr. Jinnah, who was not an 'irreconcilable communalist' till the late thirties. The British did not trust him. It is the most secular approach that was made in the Nehru Report of 1928 that paved the way for the two wings of the League to come together; ultimately.

In the meantime, the Congress convened an all-party conference to draft the proposed constitution of India as a reply to Birkenhead's challenge to put forward an agreed form of constitution. A committee of the All-party Conference was successful in framing a constitution for

India. The Committee under the chairmanship of Pandit Motilal Nehru gave the constitution, that was adopted with slight modifications in December 1928 at the All-Parties convention at Calcutta. The proposed constitution was based on what was called 'the Nehru Report'. Incidentally, it may be noted here that the Constitution of India owes a good deal to some of the basic ideas of this Nehru Report. It is particularly so with regard to the problem of the minorities. It provided a more realistic arrangement for safeguarding the interests of the Muslims. The Report had suggested overwhelming legislative weightage to the Muslims in those Provinces where they were a clear minority and none in those Muslim majority Provinces like Punjab and Bengal. The assumption, perhaps, was that they would naturally get a preponderating position in such provinces. This should have been an ideal solution to the problem, and some Muslims were in fact happy over it. But the British attitude was one of indifference to such a solution for understandable reasons. They wanted the problem to be kept simmering, without reaching a solution. Even within the League there was a section that was already gaining strength in opposition to the solution put forward in the Nehru Report. The objections, as they were raised by a section of the League, also centred round the quantum of representation of the Muslims in the Central Legislature and such other matters. Mr. Jinnah moved a resolution incorporating the League's objections and demands at the
Constitution and that was rejected. The nationalist Muslims in the League were for accepting the Nehru Report with some amendments.

The other wing of the League was, in the meantime, busy summoning a Muslim All-Parties Conference in Delhi which was presided over by H.H. the Aga Khan on 31st December 1928. Those Muslims who were embittered over the All-Parties Convention of Calcutta attended this Muslim Conference. But the All-India Muslim League refused to attend the Conference. The Conference, however, passed its own Resolution declaring emphatically "that no constitution by whomsoever proposed or devised would be acceptable to Indian Muslims unless it conformed with the principles of this Resolution." 25

Jinnah's Fourteen Points:

Mr. Jinnah, who was by now the 'leading light and guiding spirit' of the All-India Muslim League, strived at bringing about rapprochement between the two groups of Muslims. The outcome was the famous 'Fourteen Points' of Mr. Jinnah, formulated to safeguard the rights and interests of the Muslims. The fourteen points included those relating to the Muslims' right to cow-slaughter,

25. Quoted in Rajendra Prasad; op. cit., p. 131.
giving up of 'Sande-hatara' song, and tricolour flag; declaring Urdu as the national language which were all extravagant, impertinent and irresponsible claims that were implied. They demanded representation in legislatures which shall not be less than 1/3 and that by separate electorates. Mr. Jinnah's Fourteen Points were important in so far as they were later on complied with to a certain extent in the 'Communal Award' of Mr. Ramsay MacDonald. The Nehru Report had envisaged Dominion status for India and the Indian National Congress made it clear that failing to get Dominion status within one year of the Report, its goal would change from Dominion status to one of 'Swaraj' or 'complete independence', as provided for in Article I of the Constitution of the Congress.

The year 1929 witnessed intense political activity in the country. Lord Irwin, the Viceroy, announced the decision to call the representatives of different parties and interests in British India and the States to meet in a Round Table Conference. It was not clear whether the Conference would discuss the question of framing a scheme of Dominion constitution for India. Failing to get a categorical assurance from the Viceroy, the Indian National Congress decided to launch a programme of Civil Disobedience Movement, including non-payment of taxes. In its 'Resolution on Complete Independence and the Round Table Conference'
passed by the Lahore Session of the Indian National Congress, 31 December 1929 it declared:

...The Congress, however, having considered all that has happened, and the result of the meeting between Mahatma Gandhi, Pandit Motilal Nehru and other leaders and the Viceroy, is of opinion that nothing is to be gained in the existing circumstances by the Congress being represented at the proposed Round Table Conference. This Congress, therefore, in pursuance of the resolution passed at its session at Calcutta last year, declares that the word 'Swaraj' in article one of the Congress constitution shall mean Complete Independence, and further declares the entire scheme of the Nehru Committee's Report to have lapsed, ... and in order to make the Congress policy as consistent as possible with the change of creed, this Congress resolves upon a complete boycott of the Central and Provincial Legislatures and Committees constituted by the Government and calls upon congressmen and others taking part in the national movement to abstain from participating directly or indirectly in future elections, and directs the present Congress members of the Legislatures and Committees to resign their seats. 26

It also authorised launching of the Civil-Disobedience Movement which was actually launched in March 1930 and lasted for over a year.

The First Round Table Conference met in London as per the schedule, but the Congress did not participate as per the foregoing resolution. The representatives of the Muslims, the Princes and the Depressed Classes participated. The consensus on the minorities problem to was/maintain the system of separate electorates; and to create a Federal Polity. As a result of the Gandhi-Irvin Pact, Mahatma Gandhi attended the Second Round Table Conference in 1931 as the 'sole' representative of the Indian National Congress.

The participation of Gandhiji was welcome in so far as it brought an important and a larger body to the Conference Table. But Gandhi instead of presenting an united front at the Conference by taking into confidence other delegates from India, started questioning their very right to claim to represent India. From the tenor of his speeches it was clear that in his opinion other Indians at the Conference were not the real representatives as they did not have representative mandate and he alone represented the country. He told the Minorities Committee that the Indian delegation was defective in so far as it was nominated by the Government and not elected by the people or the parties. Such an attitude on his part was probably due to his successful compromise with

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the Government in the Gandhi-Irwin Pact, which enabled the Congress participation at the Conference. It was rather unfortunate. Ambedkar deplored this attitude on the part of the Mahatma in the following words:

"Instead of unifying the Indian delegation, Mr. Gandhi widened the breach. From the point of view of knowledge (of constitutional problems), Mr. Gandhi proved himself to be a very ill-equipped person...." 23 According to Ambedkar, Gandhiji had many platitudes but no constructive suggestions to offer on the constitutional and communal questions. Gandhiji should have gone to the Conference with a band of able and expert advisers to assist him in presenting the case for constitutional reforms in India. Speaking at the Plenary Meeting of the Second Session on 30th November 1931 Gandhiji referred to the Hindu-Muslim problem besides other issues. Gandhiji believed that it was quite possible for the Hindus and Muslims to live together in harmony as they have done all along. The minorities problem in India was due to the extraneous elements and it will remain unsolved so long as those forces operated. He declared "... so long as the wedge in the shape of foreign rule divides community from community and class from class, there will be no real living solution, there will be no living friendship between

23. B.R. Ambedkar: What Congress and Gandhiji have done to Untouchables; p. 55.
these communities. It will be after all and at best a paper solution. But immediately you (the British) withdraw that wedge, the domestic ties, the domestic affections, the knowledge of common birth — do you suppose that all these will count for nothing? " He hoped and believed that the communal discord and the attendant minorities problem in India would disappear " ... immediately this relationship, the unfortunate, artificial, unnatural relationship between Great Britain and India is transformed into a natural relationship, when it becomes, if it does become, a voluntary partnership to be given up, to be dissolved at the will of either party, when it becomes that you will find that Hindus, Mussulmans, Sikhs, Europeans, Anglo-Indians, Christians, Untouchables, will all live together as one man. " So the minorities problem would disappear along with the British rule, and hence it should not come in the way of Indian Independence. When Gandhiji was holding such a view, there was no question of his contributing constructively to the solution of the minorities problem at the Round Table Conference. He did not support the 'Minorities Pact' forged by the Muslims, the Depressed Classes, Indian Christians and others for settling the communal problem. Gandhiji, on the other hand, was furious and attacked everybody who

30. Ibid. p. 235.
was responsible for it, particularly for the recognition given to the Untouchables as a separate political entity. He was reconciled to the idea of giving some safeguards to the Muslims and the Sikhs but not to the Untouchables. So nothing tangible could be produced by way of an agreed solution to the communal tangle in the Round Table Conferences. As such, the British Prime Minister was constrained to give his 'Communal Award' in the form of an imposed solution.

The Communal Award and the Muslims:

The following were the 'special claims' laid down on behalf of the Muslims in the Minorities Pact, that was of course, not put through:

The North-West Frontier Province shall be constituted a Governor's Province on the same footing as other Provinces with due regard to the necessary requirements for the security of the Frontier.

In the formation of the Provincial Legislature the nominations shall not exceed more than 10 per cent of the whole.

Sind shall be separated from the Bombay Presidency and made a Governor's Province similar to and on the same footing as other Provinces in British India.
Mussulman representation in the Central Legislature shall be one-third of the total number of the House and their representation in the Central Legislature shall not be less than the proportion set forth in the Annexure. 31

The Communal Award of 1932 upheld one 'exceptional form of representation' — the separate electorates — to different minority communities, including the Muslims, so long it was necessary. Mr. Ramsay MacDonald in his statement said: "... only Indians themselves can settle this question. The most that Government can hope for is that their decision will remove an obstacle from the path of constitutional advance and will thus enable Indians to concentrate their attention upon solving the many issues that still remain to be decided in the field of constitutional advance ..." 32

The provisions in the Communal Award were as follows, in so far as they referred to the Muslims:

Election to the seats allotted to Muhammadan, European and Sikh constituencies will be by voters voting in separate communal electorates covering between the whole area of the province (apart from any portions which may in special cases be excluded from the electoral area as 'backward').

31. Ibid. p. 204.
32. Ibid. p. 261.
Provision will be made in the Constitution itself to empower a revision of this electoral arrangement after 10 years with the assent of the communities affected, for the ascertainment of which suitable means will be devised. 33

This arrangement was only with regard to the Provincial Legislatures, as a decision regarding the Central Legislature was deferred. The allocation of seats to the Muslims as per the Award in the Lower House of the Provincial Legislatures was as follows: 34

<table>
<thead>
<tr>
<th>Province</th>
<th>Total Seats</th>
<th>Mohammadan seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Madras</td>
<td>215</td>
<td>29 (including 1 woman)</td>
</tr>
<tr>
<td>Bombay (including Sind)</td>
<td>200</td>
<td>63 ( &quot; 1 &quot; )</td>
</tr>
<tr>
<td>Bengal</td>
<td>250</td>
<td>119 ( &quot; 2 women &quot; )</td>
</tr>
<tr>
<td>United Provinces</td>
<td>223</td>
<td>66 ( &quot; 2 &quot; )</td>
</tr>
<tr>
<td>Punjab</td>
<td>175</td>
<td>86 ( &quot; 2 &quot; )</td>
</tr>
<tr>
<td>Bihar &amp; Orissa</td>
<td>175</td>
<td>42 ( &quot; 1 woman &quot; )</td>
</tr>
<tr>
<td>Central Province (including Berar)</td>
<td>112</td>
<td>14</td>
</tr>
<tr>
<td>Assam</td>
<td>108</td>
<td>34</td>
</tr>
<tr>
<td>N-W Frontier Prov.</td>
<td>50</td>
<td>36</td>
</tr>
<tr>
<td>Bombay without Sind.</td>
<td>175</td>
<td>30 (including 1 woman)</td>
</tr>
<tr>
<td>Sind</td>
<td>60</td>
<td>34 ( &quot; 1 &quot; )</td>
</tr>
</tbody>
</table>

33. Ibid. pp. 262-63.
34. Ibid, vide Table facing pp. 262-63.
(As the Government had already accepted the principle that Sind should be constituted a separate Province, if satisfactory means of financing it could be found, allocation of seats for composite Bombay, and Bombay and Sind separately as well, was made.)

The Muslim League gave its limited support to the Communal Award, while the Congress rejected it in toto and demanded for a Constituent Assembly of India "elected on the basis of adult suffrage or as near it as possible, with the power, if necessary, to the minorities to have their representatives elected exclusively by the electors belonging to such minorities." 38

**The Unity Conference:**

At this juncture there was an attempt at forging some understanding and evolving an agreeable suggestion to modify the Communal Award and providing a substitute for it. Maulana Shaukat Ali and Pandit Madan Mohan Malviya held preliminary talks which were quite encouraging. Shaukat Ali sent a telegram to the Viceroy appealing for the release of Mahatma Gandhi to facilitate negotiations.

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between the Hindus and Muslims. The response was not helpful, any way. Undeterred by this, the All-Parties Muslims Conference approved of Malaviya’s suggestion for the appointment of a Committee of the Muslim Conference to meet the representatives of the Sikhs and the Hindus to negotiate an agreed solution. The Unity Conference met at Allahabad on 3rd November 1932 attended by the Hindus, Sikhs, Muslims and Indian Christians. A sub-committee of 10 members passed a number of Resolutions with a large measure of understanding and co-operation. But on the question of European representation in Bengal there could be no agreement in the absence of the representatives of the Europeans.

At this juncture the announcement by Sir Samuel Hoare of the Government’s decision to allot 33 1/3 per cent of British Indian seats in the Central Legislature to the Muslims, and not only to constitute Sind into a separate province, but also to provide it with adequate finances as subvention from the Central Government was made. 36 It was not guided by considerations such as administrative conveniences. It was done, as Ambedkar looked at it, "to place in the hands of the Muslims or the Muslim Provinces an effective weapon to tyrannise their Hindu minorities, in

in case the Muslim minorities in the Hindu Provinces were tyrannised by their Hindu majorities ... It is a scheme of communal hostages", which is unsupportable on any standards." 37 This grant was much more than what any other arrangement could give to the Muslims.

Naturally, they lost interest in the efforts of the Unity Conference. The British Government thus, nicely wrecked the prospects of an agreed substitute for the Communal Award among the concerned parties. The only amendment to it was in terms of the Poona Pact. A similar agreement among other communities was completely frustrated by the timely and calculated announcement by the Government. All subsequent efforts, one in 1935, for example, to bring about an agreed settlement between the two communities hopelessly failed.

They were destined to fail in view of the fact that there was something wrong with the very atmosphere in India in which the Muslims lived. Specially in the twentieth century developments, one could see a rivalry developing among them to establish the supremacy of each over the other. The Muslim approach to politics was guided by religious considerations as already examined. They wanted to use modern politics for reestablishing their

37. *Pakistan or Partition of India*; p. 96.
lost supremacy. It was something of a perpetual struggle that was being waged between the Hindus and Muslims for supremacy. So both the Hindus and Muslims were in a race for armament, according to Ambedkar. He elaborated on this point in the following words: "If the Hindus have the Benares University, the Musalmans must have the Aligarh University. If the Hindus start Shuddhi movement, the Muslims must launch the Rablig movement. If the Hindus start Sanghatan, the Muslims must meet it by Tanjim. If the Hindus have the R.S.I.S., the Muslims must reply by organizing the Khaksar. This race in social armament and equipment is run with the determination and apprehension characteristic of nations which are on the war path. The Muslims fear that the Hindus are subjugating them. The Hindus feel that the Muslims are engaged in reconquering them...." 38 In such a vicious circle how could any negotiations for political settlement succeed?

The Government of India Act, 1935 and the Muslims:

The Muslim League in its Resolution at the Bombay Session of April 1936 recorded its emphatic protest against the new constitutional arrangement, which was

38. Ibid, p. 236.
unsatisfactory in so many respects, being imposed on the people of India. It called the Federal Scheme as "fundamentally bad. It is most reactionary, retrograde, injurious and fatal to the vital interests of British India vis-a-vis the Indian States, and it is calculated to thwart and delay indefinitely the realisation of India's most cherished goal of complete responsible government and is totally unacceptable." 39 It opined that the Provincial Scheme may be utilised for what it was worth. The Indian National Congress rejected it in its entirety. However, the Congress in its Resolution of 14 April, 1936 decided to participate in the elections for the Provincial Legislatures under the Act, in case they were held. This decision was certainly inconsistent with its rejection of the 1935 Reforms in toto. The Congress was, perhaps, not prepared to forego an opportunity to come to power through the elections. Therefore, it decided that the "... candidates should be put forward on its behalf to contest such seats in pursuance of its declared policy. Such candidates must be chosen from those who fully support the Congress objective of Indian independence and pledge themselves to carry out its policy in regard to the Legislatures." 40

At the General elections of 1937 the League also

participated with its election manifesto, in which it referred to the language question and indirectly to the question of separate electorates. The manifesto advanced the claims of the Muslim League. As Coupland puts it "... Its main theme was the co-operation of the league with the Congress in the common task of national liberation. The Lucknow Pact of 1916 was hailed as "one of the greatest beacon lights in the constitutional history of India" and as "a signal proof of the identity of purpose, earnestness and co-operation between the two great sections of the people of India." From that time onwards the Moslems had "stood shoulder to shoulder with sister communities" in the cause of Indian freedom. If they demanded that their minority position should be safeguarded in the structure of the constitution, that was not communalism. Anyone conversant with world history would realise that this was a natural claim and that its acceptance was essential in order to obtain the "wholehearted and willing co-operation of the minorities who must be made to feel that they can rely upon the majority with a complete sense of confidence and security." 41 From this declaration of the League it is clear that the League was adhering to its demand for adequate safeguards through the separate electorates, and was establishing its credentials to be called an organization fighting for the freedom of the land

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The Muslim League either did not set up candidates in all the Provinces for the Muslim seats or did not win them at the 1937 elections. The Congress set up candidates for most of the non-Muslim general seats, but only a few candidates for the Muslim seats. The result of the elections were as follows:

<table>
<thead>
<tr>
<th>Province</th>
<th>Total</th>
<th>No. of seats</th>
<th>No. of seats</th>
<th>No. of seats</th>
<th>No. of seats</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Seats</td>
<td>won by Muslim</td>
<td>won by Congress</td>
<td>won by Muslim League</td>
<td>won by Muslims</td>
</tr>
<tr>
<td>Madras</td>
<td>215</td>
<td>159</td>
<td>23</td>
<td>11</td>
<td>17</td>
</tr>
<tr>
<td>Bombay</td>
<td>175</td>
<td>86</td>
<td>29</td>
<td>20</td>
<td>9</td>
</tr>
<tr>
<td>Bengal</td>
<td>250</td>
<td>54</td>
<td>117</td>
<td>40</td>
<td>77</td>
</tr>
<tr>
<td>United Province</td>
<td>223</td>
<td>134</td>
<td>64</td>
<td>27</td>
<td>37</td>
</tr>
<tr>
<td>Punjab</td>
<td>175</td>
<td>18</td>
<td>34</td>
<td>1</td>
<td>63</td>
</tr>
<tr>
<td>Bihar</td>
<td>152</td>
<td>98</td>
<td>39</td>
<td>-</td>
<td>39</td>
</tr>
<tr>
<td>Central Province</td>
<td>112</td>
<td>70</td>
<td>14</td>
<td>-</td>
<td>14</td>
</tr>
<tr>
<td>N-W F Province</td>
<td>50</td>
<td>19</td>
<td>36</td>
<td>-</td>
<td>36</td>
</tr>
<tr>
<td>Assam</td>
<td>108</td>
<td>33</td>
<td>34</td>
<td>9</td>
<td>25</td>
</tr>
<tr>
<td>Orissa</td>
<td>60</td>
<td>36</td>
<td>4</td>
<td>-</td>
<td>4</td>
</tr>
<tr>
<td>Sind</td>
<td>60</td>
<td>7</td>
<td>36</td>
<td>-</td>
<td>36</td>
</tr>
</tbody>
</table>

Total: 1585 714 485 108 377
As can be seen, the Muslim League was unable to secure any of the seats in four Provinces; and a majority of even the total Muslim seats in the Provinces like Bengal, the Punjab, the North-West Frontier Province and Sind, where the Muslims were actually in a majority. It could not, therefore form the Ministry in any of the Provinces on its own strength. While the Congress had clear majority in five Provinces and in another two Provinces—Bombay and N-W Frontier Province, it could form Ministry with the support of candidates returned as Independents. The Congress expressed its unwillingness to form coalition Ministries in other Provinces. This particular decision of the Congress, naturally, enraged the Muslim League and it started insinuating the Congress Ministries with charges of tyranny and oppression against Muslims. The League charged that the Congress Ministries were committing 'atrocities' upon the Muslims. The adoption of Bande Mataram song, the tricolour flag, the mass-contact programme, the Wardha Scheme of Basic Education, which formed the programmes of the Congress Ministries, were considered as attacks on the Muslims and their culture. The Hindu-Muslim riots were enough to prove this, as claimed by the Muslims.

One of the important trends that is to be noticed is that the Muslim League was by no means the sole
organization of the Muslims. The results indicate that there were a large number of non-League Muslims. Hence its claim to be the only representative body of the Muslims was highly exaggerated. The majority of Muslim seats had actually gone to the non-League candidates. To extricate itself from this awkward situation, the League was clamorously demanding for its recognition by the Congress as the sole representative of the Muslims of India. On similar lines the Indian National Congress should treat itself as the sole representative body of the Hindus. Another important trend was that the Congress emerged as a strong force. Even the London Times of 9 March 1937, commenting on this aspect wrote: "Once again the Indian elections have shown that the Congress Party alone is organized on more than a Provincial basis... The Party's proposals have been more positive and constructive than those of its opponents... The Party has won its victories... on issues which interested millions of Indian rural voters and scores of millions who had no votes." 42

Notwithstanding its strong position, the Congress decision to form ministries on a 'unitary' basis closing the doors of power to others, particularly to the League, was subject to severe criticisms then, and even now in

retrospect. As revealed by Maulana A.K. Asad in his book
*India Since Freedom*, he (Asad) had advocated, and Mahatma
Gandhi appears to have supported the idea of coalition
ministries. But the High Command had turned down the
suggestion, the consequences of which were fatal. This
decision of the Congress "helped to build up the Muslim
League as the pre-eminent party of the Muslim community,
thereby also helping to make it the architect of Partition,
which was by no means 'inevitable' as Mr. Penderel Moon
has shown." 43 Mr. Sinha thinks, in perspective, that if
the coalition Ministries were to be formed it would have
paved the way for the emergence of a united, independent
India. Hence a 'golden opportunity' to bring about an
united India was missed, never to come back, an unfortunate
development indeed. Ambedkar had this to say on the
question of coalition ministries: "... The position
taken by the Congress ... is indeed a covert attempt to
break all other parties in the country and to make the
Congress the only political party in the country. The
demand for signing the Congress Pledge (a condition to
be fulfilled by anyone before he could be taken into
the Congress Ministry) can have no other intention. This
try to establish a totalitarian state... meant the
political death of the Muslims as a free people." 44

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43. Jasodhar Sinha; op. cit., p. 182.
44. Pakistan or the Partition of India; p. 27.
The Congress argument against coalition Ministries was that it would be inconsistent with the principle of collective responsibility, and the Congress was doing everything to safeguard the interests of the Muslims. This did not satisfy the critics, as the principle of constitutional responsibility was not so much crystallised in those days. The exclusion of a people from political power deliberately, creates and deepens the schism. The Congress could have recognised the minorities as free and equal partners by allowing them to share the political power. It was rather surprising as it is distressing that even Mr. Jawaharlal Nehru, who was at the helm of the Congress party's affairs at the time, could not see the wisdom of it. Writing on the 1937 Elections in his book *The Discovery of India*, Mr. Nehru says:

"The question of Congressmen joining other groups to form coalition governments was considered, although there was no necessity for this as the Congress had clear majorities. Still it was desirable to associate as many people as possible in the work of government. There was nothing inherently wrong about coalition at all times, and indeed some form of coalition was agreed to in the Frontier Province and in Assam."

Even in these cases, it should be noted, it was not a coalition in the strict sense of the term. As already pointed out, only those independent candidates and others who were willing to

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45. *The Discovery Of India*; 1936; p. 390.
subscribe to the Congress programme and pledge were associated with the Ministries. But the crucial question was one of entering into coalition in Mr. Nehru's home-province, the United Provinces. He could have set an example and a pattern for the rest of the country by agreeing to form coalition Ministry in that province. In the 'flush of victory' the Congress failed to see the far reaching evil consequences of its decision. Maulana Asad had the following to say on this issue: "... it was in the U.P. that the League had its greatest success, mainly on account of the support given to the League by Jamiat-ul-Ulama-Hind. The Jamiat had supported it under the impression that after the elections, the Muslim League would work in co-operation with the Congress... This was a most unfortunate development. If the U.P. League's offer of co-operation had been accepted, the Muslim League party would for all practical purposes have merged in the Congress. Jawaharlal's action gave the Muslim League in the U.P. a new lease of life. All students of Indian politics know that it was from the U.P. that the League was re-organised... which ultimately led to Pakistan." 46

The Communal Estrangement Deepens:

The leaders of the Muslim League had the impression

that the Congress had undertaken to form coalition ministries, but when they found clear majorities for themselves, they (the Congressmen) resiled from their position. This was the decisive event that made Partition inevitable.

It should also be noted in this connection that the position of the princely states, that were to play the role of a third force in balancing the Hindus and Muslims in the federation, was likely to be upset radically with the growing influence of the Congress in the late thirties. The estrangement that developed on the coalition ministries went on deepening day by day; and the day of resignation by the Congress Ministries on the issue of the Second World War in 1939, was observed by the League as 'a day of deliverance; to exhibit the depth of their resentment to the Congress rule. The Congress opposition to committing India to the War was completely ignored by the British. The subsequent declarations of the British were intended to support the stand of the League. The Federal part of the Act was suspended. No constitutional proposals would be presented, which did not have the approval and consent of the important sections in the national life of India, including the Princes, the Musalmans, the Scheduled Castes etc. Encouraged, perhaps, by this preferential treatment from the British, the Muslim League passed the disastrous Resolution at its Lahore Session in March 1940 demanding the creation of a separate independent state for the Muslims.
During this period there was a spurt of activities by way of meetings and negotiations among the leaders of the Congress and the League. Mahatma Gandhi expressed his willingness, as always, to meet Mr. Jinnah for settling the Hindu-Muslim differences. Mr. Nehru also did his utmost in this direction, but without any effect. He writes in *The Discovery of India*: "I was terribly depressed by these developments... Violence, vulgarity, and irresponsibility were on the increase, and it appeared that they were approved of by responsible leaders of the Moslem League. I wrote to some of these leaders and begged them to check this tendency but with no success..." Mr. Nehru also wrote several times to Mr. Jinnah to know what he had in his mind regarding the Muslim demands, but never got a satisfactory reply. This surprised Mr. Nehru and he felt absolutely helpless. Mr. Nehru was corresponding with Mr. Jinnah in his capacity as the President of the Indian National Congress. Mr. Jinnah was even invited to attend the First Executive Meeting of the Congress since the outbreak of the Second World War. But Mr. Jinnah did not attend. The Congress continued its efforts through correspondence, despite the reticence of Mr. Jinnah.

Mr. Jinnah, on the other hand, was busy corresponding

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47. *The Discovery of India*, p. 411.
with the British Government and was emphasising during his meetings with the Viceroy that the British Government should not commit itself to any arrangement regarding the future constitution of India or any interim settlement with any other party without the League's consent. The sum and substance of the Muslim demands since the Lahore Resolution were that:

(a) Pakistan should be conceded;
(b) in the interim expansion of the Viceroy's Executive Council there should be equal number of Muslims and Hindus; and
(c) the Muslim nominees should be the nominees of the Muslim League alone.

Mr. Jinnah went to the extent of asking that power be transferred to the Muslims, which was appreciated by the Viceroy. The British conceded all these demands, thereby encouraging the League to play the desired role. This was made in the 'August Offer' of August 8, 1940 whose main points were as follows:

Self-government for India implied inter-communal agreement, since the British Government could not transfer full power to an Indian Government whose authority was denied by any powerful section of Indian opinion.

For the framing of a new constitution after the War, Indians (and not, as in the past, the British Parliament) should be primarily responsible.

Meantime, it was hoped that all parties, would co-operate in the war-effort and thus pave the way for India’s attainment of free and equal partnership in the British Commonwealth.

There was nothing strange in this approach of the British to the League’s demands. It had always been that. As Ambedkar said: "... every time a proposal for the reform of the constitution comes forth the Muslims are there, ready with some new political demand or demands ... The more the Muslims demanded the more accommodating the British seem to become. At any rate, past experience shows that the British have been inclined to give the Muslims more than what the Muslims had themselves asked", as for example in the Lucknow Pact and the Communal Award. 49

Mr. Amery actually marked the differences among the different communities in India as responsible for constitutional deadlock in India; and to solve the same a bilateral approach was no longer possible. It should be a multilateral one. "In this race between Muslim League demands and British Government concessions," writes Rajendra Prasad, "the League is always ahead of the British Government by a few lengths, and the Hindu

49. Pakistan or the Partition of India; p. 255.
majority and all other minorities cannot have even an entry. So wonder the base of the Communal Triangle lengthens and the angle of communal difference widens." 50

Such an approach of communal demands and grants of concessions characterised the pre-independence politics of India. It was rightly described by Ambedkar as a sort of a logical syllogism. He says: "The major premise in the syllogism is that where there exists an element in the national life of India, which is definable as a separate and distinct element, it is entitled to constitutional safeguards. An element, making a claim for constitutional safeguards, just show that it is definable as separate and distinct from the rest. If it shows that it is separate and distinct, its right to constitutional safeguards is held admissible." 51 This silent postulate has worked all along in spite of the fact that the "Constitution of India has not been formed in the light of principles. It has grown in an haphazard manner, more in answer to exigencies than in accordance with principles." 52

The Congress policy towards the Muslims, and

50. Rajendra Prasad: India Divided; p. 171.
52. Ibid, p. 182.
particularly the idealistic approach of Gandhiji, contributed in no less a measure to the working of this 'silent postulate'. Gandhiji was expressing his anxiety to meet Mr. Jinnah and come to an agreement by a heart-to-heart talk with him. The efforts naturally were confined by Gandhiji to a purely personal plane. But the effect of this anxiety on the part of Gandhiji only helped to enhance the prestige and importance of Mr. Jinnah. His price went up every time Gandhiji sought an interview with him, as commented by Maulana A. K. Asad. It was crystal clear to even a casual observer that Mr. Jinnah and the Muslim League were only putting forward their demands in successive stages, only to wring out from the British and the Hindus as many concessions as they could, for themselves. They used even their Lahore Resolution of 1940 for a separate state as a mere bargaining counter. To start with, the demand for Pakistan based on the 'sectarian nationalism' of the Muslims was a mere political slogan advanced for purposes of strategy in the process of extracting more privileges for the Muslims. But the idea was so very fascinating that it ultimately caught the imagination of not only Mr. Jinnah but the Muslim masses too. Mr. Jinnah was an astute leader who could foresee the shape of the coming events. He felt he was pushed into a position of power to achieve the Muslim State. He naturally thought, if he could do it, why
should he not? The emotional upsurge among the Muslims was properly utilised by Jinnah. The tactical blunders and the errors committed by the Congress helped him in no less a measure. But the approach of panic by Gandhiji and others gave it a complete degree of seriousness, and the Muslim League was helped to emerge as the only Muslim organisation, thereby completely bypassing the options of a large number of non-league Muslims. The assessment of this situation by Maulana Asad is revealing enough. He observed: "In fact, it is doubtful if Mr. Jinnah could ever achieve supremacy but for Gandhiji’s attitude. When in July 1944 I read the report that Gandhiji was corresponding with Mr. Jinnah and going to Bombay to meet him, I told my colleagues that Gandhiji was making a mistake. His action would not help, but on the contrary aggravated the political situation." In the light of these developments of 1920-40, one can conclude that Mahatma Gandhiji’s efforts to bring about Hindu-Muslim unity were a complete failure because, as a pro-Congress Daily is reported to have written in 1926 itself: "... To talk about Hindu-Muslim unity from a thousand platforms or to give it blazoning headlines is to perpetrate an illusion ... The millions in India can only respond when unity song is not only on the tongues of the leaders but in the hearts of the millions of their

countrymen." So the hope for such an unity was bound to remain an unfulfilled ambition. In fact it was Mahatma Gandhi who gave Mr. Jinnah the appellation of \textit{Aam-i-Asan}, which further elevated his status. Mr. Nehru spoke of Mr. Jinnah in the Congress circles as the 'Ambassador of Hindu-Moslem Unity'—a very odd compliment indeed!

A resolution passed by the Madras Congress Legislative Party in 1942, reportedly inspired by Shri. C. Rajagopalachariar, indicates further the Congress folly in as much as it amounted to encouraging the League to stick to its claims. The Resolution, in point, ran as follows:

\textit{It is absolutely and urgently necessary in the best interest of the country at this hour of peril (1942) to do all that the Congress can possibly do to remove every obstacle in the way of the establishment of a national administration to face the present situation, and therefore, as much as the Muslim League has insisted on the right of separation of certain areas from United India upon the ascerta-}

\textit{\textbf{54.} quoted in \textit{The Times of India; 16-8-1926.}}

\textit{\textbf{55.} Jawaharlal Nehru: \textit{Autobiography; 1936; p. 67.}}
condition precedent for a united national action at this moment of grave national danger, this Party is of opinion and recommends to the All-India Congress Committee that to sacrifice the chances of the formation of a national Government... for the doubtful advantage of maintaining a controversy over the unity of India is a most unwise policy and that it has become necessary to choose the lesser evil and acknowledge the Muslim League's claim for separation, etc. 86

This was obviously a counsel of despair, toeing the line of least resistance. If such could be the Resolution, coming as it did from a constituent of the Indian National Congress as early as 1942, how could any one prevent the vivisection of the country and the creation of a separate Muslim State? In view of these developments another opportunity that was afforded by the Cripps Proposals, (its defects apart) for the Indians to overcome the deadlock, was missed. Cripps Proposals were rejected by Gandhiji himself with his characteristic remark that they were like 'a post-dated cheque issued on a bank that was obviously failing'. Gandhiji rejected them outright, obviously, owing to its possible repercussions on the communal situation. The main objection of the Congress to the Cripps Proposals was due to the 'non-adherence

56. quoted in Sandhar Sinha: op. cit., p. 189.
clause' which provided that 'any Province or Provinces, which were not prepared to accept the new constitution should be entitled to form a separate Union and the States should be similarly free to adhere to the new Constitution or not'. The Congress thought that according to this provision Pakistan was a possibility. The League also rejected the Cripps Proposals for the same reason that Pakistan would only be a possibility and not a certainty, if the proposals were to be accepted. The proposals could not, therefore in anyway, help clear the communal misunderstandings and the constitutional deadlock in the country.

The Last Minute Efforts:

The situation in the country was actually deteriorating to serious depths and the Muslim League's call for 'Direct Action' in 1946 could not be prevented. The British tried to set up a Congress-League Executive Council, once again under the pressure of international opinion and also as the War in Europe was coming to a close. The failure of the 'Quit India' movement and the passage of the Madras Resolution of the Congress Legislative Party had made the position of the League vis-à-vis the Congress stronger. Lord Wavell, the new Viceroy, was determined to bring about a rapprochement. The Simla Conference was convened where proposals, almost similar to that by Cripps,
were made. Jandhiji was in a mood to accept them this
time, but not Mr. Jinnah. The Simla negotiations failed
this time due to the intransigence of Mr. Jinnah on the
question of communal composition of the council.

With the closure of the Second World War and the
exit of the Tories in favour of the Labour Party in power
in Britain, the pace in Indian constitutional develop-
ment was accelerated. The Congress and the League
accepted the proposals of the Cabinet Mission. The
Congress too accepted it, even though it was "designed to
give the Muslims almost unlimited powers, where they were
in a majority, vis. Bengal, the Punjab and the Frontier
Province. In other words, this would have given the
Muslim League the substance of Pakistan without the
disadvantages entailed by the creation of a separate
state." 57 The Cabinet Mission Plan was generally
welcomed as a reasonable solution of the communal problem
and it was particularly a welcome arrangement as it did
not divide the country. But soon the people were to face
the severest disappointment in this respect also. The
nation was shocked to hear Mr. Jinnah announce the
withdrawal of the League's support to the Cabinet Mission
Plan on most flimsy grounds. The reason given was the
apprehensions created in their minds on some remarks
reported to have been made by Mr. Jawaharlal Nehru.

who had succeeded Maulana Asad as the Congress president, at a Bombay Press Conference about the Congress participation in the proposed Constituent Assembly. This repudiation which "meant the end of Indian unity and eventual partition" of the country, was largely due to still deeper forces that were influencing Mr. Jinnah's line of thinking and course of action. The British, particularly the die-hard Tory sections, were not prepared to reconcile themselves to Indian freedom, much less to an united Indian nationalism. "When Indian freedom became inevitable in the post-war circumstances," writes Mr. S. Sinha, "the main Tory concern was to leave India divided and weak, so that she would find it difficult, if not impossible, to play an independent role, either politically or economically." They succeeded completely in as much as they left a divided India and a divided Indian nationalism. The British quit India only by dividing it. In this comprehensive historical setting, now we can proceed to consider the problem of Pakistan as analysed by Ambedkar.

56. Ibid., p. 293.