CHAPTER VIII

GANDHI AND THE CABINET MISSION

After the general elections and landslide victory of the Labour Party in England in 1945, the political complexion of the British Government underwent a drastic change and the British Government decided to send the Cabinet Mission to India.

The Mission reached India on March 23, 1946. It comprised Lord Pethick-Lawrence, the Secretary of State for India; Sir Stafford Cripps, the President of Board of Trade and A.V. Alexander, the first Lord of Admiralty. The Mission claimed to have come with an open mind to speed up the transfer of responsibility to Indian hands for controlling their own affairs.

From April 1 to April 17, Members of the Mission held interviews with the representatives of various political parties and individuals. In all, they held 472 interviews in their endeavour to arrive at the greatest common measure of agreement among the various parties. They also elicited the views of various provincial Governors about carving out of a separate state of Pakistan.

Gandhi was at Urulikanchan, near Poona, when the Cabinet Mission arrived in India. According to the official schedule, the Delegation was to meet Gandhi after the first week of April. But being aware of the tremendous influence that
Gandhi wielded over the Congress, Cripps and Pethick-Lawrence conveyed to Sudhir Ghosh, Gandhi's emissary, on March 28 that they really wished to see Gandhi earlier and even asked him to persuade Gandhi to come to Delhi immediately.¹

Cripps met Gandhi, the day the latter arrived in Delhi and requested him to stay on, especially at the time of the 'formulation of the possibilities' as he would be able to influence all kinds of persons. He reminded Gandhi "It is not I but India that needs you in Delhi."²

Gandhi, in his meeting with the Delegation on April, 3, said that though he was a sincere friend of the Muslims, yet he could not appreciate the creation of Pakistan as conceived by Jinnah, on the ground that the substance of Pakistan consisted 'in the independence of culture and satisfaction of legitimate ambitions' which had already been conceded in C. Rajagopalachari Formula. He expressed his inability to go further, as beyond that, Pakistan would be "an untruth". He reiterated his opposition to the two-nation theory and favoured the creation of only one constitution-making body.³ For the interim period, he proposed that Jinnah should be asked to form the first Government with elected representatives

2. Gandhi's Correspondence with the Government, op.cit., p. 179, Letter from Cripps to Gandhi dated April 4, 1946.
of the Legislative Assembly and in case of his refusal, the offer be given to the Congress. The Council should be responsible to the Legislature. He was even prepared to make the Council responsible to the Viceroy, if there were honest conventions.

The Delegation had a meeting with the Congress President Azad on April 3. He favoured the setting up of a federal Government with a limited number of compulsory subjects such as Defence, Communication and Foreign Affairs. Under the scheme, the provinces would be autonomous having vast residuary powers and would be free to decide the extent of central control regarding optional subjects. After the constitution has been made, a province would have the choice to stand out of the constitution or to enter the constitution by federating for compulsory subjects only or to federate for compulsory as well as optional subjects. Azad admitted that though a province had the liberty of not acceding to the Union, he himself was against the formation of a separate state of Pakistan because that would reduce the Hindus in Pakistan and the Muslims in Hindustan to the status of aliens in their own country.

The Mission had an interview with Jinnah on April 4, to know his views about Pakistan. Jinnah said that India was not one but 'really many' and was held by the British as

6. Ibid., p. 168.
He further argued that differences in India were far greater than those between European countries and were of a vital and fundamental character. Even Ireland provided no parallel. He, therefore, pleaded that 100 million Muslims could not be put together with 250 million Hindus whose whole way of life was entirely different. In his view, the only way to solve the Indian tangle lay in the division of the country. However, he was not opposed to the idea of having common Railways, Customs etc. with the help of treaties but this could be done after the fundamentals of Pakistan were agreed.

After meeting the various leaders of different political shades and opinions, the Mission recommended for adoption either of the two solutions of the fundamental constitutional problems, viz.,

Scheme A: There should be a loose federation in the form of a 'Union of All-India' consisting of three principal parts, the Hindu-majority provinces, the Muslim-majority provinces, and the States, with defence, foreign affairs and communications minimally in the hands of the Union Government, but with a wider range of optional powers that might, by agreement, either be exercised by provinces cooperating as groups, and thereby constituting a third tier in the pattern of Government, or be transferred to the Centre.

Scheme B: There should be two Indias, Hindustan and Pakistan. The Pakistan element consisting only of the majority Muslim Districts that is roughly Baluchistan, Sind, North-West Frontier Province and Western Punjab in the North-West.

and Eastern Bengal without Calcutta but with the Sylhet District of Assam in the North-East. The two divided parts would have a Treaty of alliance offensive and defensive but nothing in the way of an actual executive centre and, therefore, no common control of foreign policy or assurance of effective common defence of the subcontinent.

The Mission further noted that under scheme B, defence would not be very effective as the small Pakistan would have to depend on Treaty with Hindustan. Besides, under this scheme, there was no provision for common control of foreign policy. They, therefore, preferred scheme A.9

The Mission explained to Jinnah on April 16, that he could not reasonably hope to receive both, the whole of territory which he claimed and the full measure of sovereignty which he considered essential. But Jinnah did not like either of the two alternatives as these were not in accordance with his view of Pakistan.10 However, he showed his willingness to discuss the issue of the areas to be included in Pakistan, provided the principle of Pakistan was conceded.

After a lengthy discussion on April 25, Jinnah agreed to the formation of a three tier federal Union and rejected the second alternative of a minimum sovereign Pakistan. But he conditioned his acceptance of the plan to the Congress approval. The Secretary of State noted that for the first time Jinnah agreed to consider a proposition less than a sovereign Pakistan.11

9. Ibid., p. xi, p. 221.
10. Ibid., pp. 280-285.
11. Ibid., p. 342. (Record of Meeting of the Cabinet Delegation April 26, 1946).
Being conscious of the fact that the Congress Working Committee was not in favour of the Scheme A, the Mission pinned their hope on Gandhi because of his unambiguous opposition to the creation of a sovereign Pakistan.

On April 27, the Cabinet Mission sent a scheme based on the following fundamental principles to Azad and Jinnah:

The future constitutional structure of British India to be as follows:

A Union Government dealing with the following subjects:— Foreign Affairs, Defence and Communications. There will be two groups of Provinces, the one of the predominantly Hindu Provinces and the other of predominantly Muslim Provinces, dealing with all other subjects which the Provinces in the respective groups desire to be dealt with in common. The Provisional Governments will deal with all other subjects and will have all the residuary sovereign rights.

It is contemplated that the Indian States will take their appropriate place in this structure on terms to be negotiated with them.

The Mission planned to convene a conference at Simla after the terms were approved by both the principal parties. The Congress and the Muslim League were supposed to send four delegates each.

Gandhi was not interested in going to Simla but Members of the Mission were anxious to have his presence there. They told Gandhi that by going to Simla, the negotiating parties did not commit themselves to anything. But Gandhi was much...

12. Ibid.

13. Ibid., p. 352.
perturbed as he saw seeds of partition in the proposals put forward by Azad and the Cabinet Mission. Besides, he had a moral compulsion also. He said, "They are saying one thing to the world and another thing to me. Why get me mixed with all this?"

Expressing his anxiety over Gandhi's mental distress, Cripps observed that he could not understand why Gandhi should be so disturbed about the principles on the basis of which they were trying to bring about a settlement between the Congress and the League when the President of the Congress had conveyed in unambiguous terms his acceptance of the proposals and assured that in spite of the internal differences inside Congress, he was confident of securing Congress approval.

It was reported that Azad had written a letter to the Viceroy in which he wrote that there was no need for the Cabinet Mission to worry too much about Gandhi or his misgivings about the Mission's proposals. Gandhi felt bad about it and could not sleep that night. To be sure, he wanted to see the letter and requested Cripps for the same. Sensing Gandhi's ignorance, Cripps passed on the letter to him. When Azad came to see Gandhi in the Bhangi Colony, the latter enquired if he had written a letter to the Viceroy about the negotiations. Azad flatly denied having written any such

Letter though it was lying on the little desk in front of Gandhi. This incident has been referred to obliquely even by Pyarelal. Such developments shocked Gandhi and he felt that he was losing control over the situation.

The conference was held at Simla from May 5 to May 12, 1946. It opened with a brief by Pethick-Lawrence followed by preliminary statements by the parties after which it took up the items on its agenda.  

On May 8, Pethick-Lawrence communicated to the Presidents of the Congress and the Muslim League a list of suggested points for consideration. These points aimed at satisfying both the parties and included grouping of provinces; Central Legislature having representations of the three groups;


17. Ibid., p. 413.

*Agenda

1. Groups of Provinces:
   a) Composition.
   b) Method of deciding Group subjects.
   c) Character of Group organisation.

2. Union:
   a) Union subjects.
   b) Character of Union Constitution.
   c) Finance.

3. Constitution-making Machinery:
   a) Composition.
   b) Functions:
      i) in respect of Union,
      ii) in respect of Groups,
      iii) in respect of Provinces.
Union Government dealing with compulsory subjects i.e., defence, foreign affairs, communication and fundamental rights; residuary powers vested in the provinces; reconsideration of the terms of constitution after every 10 years and division of Constituent Assembly into three sections after the preliminary meeting.¹⁸

Jinnah commented that some of the points suggested by the Mission were a departure from the original formula. He did not approve of a single constitution-making body and objected to the inclusion of fundamental rights in the Union list. He asked for parity between the Congress and the League in the Central Legislature if at all it had to be provided for, though he did not favour it. Further, his acceptance of the proposed Union was conditional to the acceptance of compulsory grouping by the Congress. He wanted that the Pakistan Group should have a right to secede after 5 years. He was in favour of fixation of a budget for the Centre.¹⁹

Azad, the Congress President, reiterated the Congress objection to the compulsory grouping of provinces, inclusion of Assam and North-West Frontier Province in Groups B and C and formation of group constitution. He also objected to the provision of parity in Legislature and Executive and repeated his demand for the inclusion of more subjects such as coinage, currency, and planning in the Central list. He favoured the idea that the Centre should be authorised to

¹⁸. Ibid., pp. 461-463.
¹⁹. Ibid., p. 427.
raise its own revenue. Azad concluded that even if an agreement could not be reached between the two parties, an interim provisional Government responsible to the elected members of the Central Assembly should be formed immediately and points in dispute be referred to an independent tribunal.²⁰

On May 9, when the Delegates reassembled to discuss the 'suggested points for agreement', Nehru proposed that one or more Delegates from each side should sit together to discuss the points of dispute with the help of an umpire,²¹ whose decision should be binding on both the parties. Jinnah initially agreed to discuss this proposal with Nehru but later on refused to accept the decision of the umpires.

On May 11, both the parties were asked to furnish a statement regarding their attitude on the points still outstanding. Each of them submitted a separate memorandum incorporating its minimum demands.²² Though both had gone a considerable way to modify their original views, the gap remained unbridgeable. The price demanded by Jinnah for agreeing to a common Union Centre was the virtual recognition of Pakistan as he wanted the Muslims to be given the right to frame their own Group and provincial constitution.

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²⁰ Ibid., p. 426. also V.P.Menon, op.cit., p. 261.
²¹ Wavell-The Viceroy's Journal, op.cit., p. 263.
²² V.P.Menon, op.cit., pp. 261-266.
On finding that no useful purpose would be served by further discussion, the conference concluded on May 12, 1946. The official communique was to be issued subsequently regarding the future course of action of the Mission.

On May 16, the Mission published its own recommendations:

1) There should be a Union of India, embracing both British India and the States, which should deal with the following subjects: Foreign Affairs, Defence, and Communications; and should have the powers necessary to raise the finances required for the above subjects.

2) The Union should have an Executive and a Legislature constituted from British India and States representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as majority of all the members present and voting.

3) All subjects other than the Union subjects and residuary powers should vest in the Provinces.

4) The States will retain all subjects and powers other than those ceded to the Union.

5) Provinces should be free to form Groups with executives and legislatures, and each Group could determine the Provincial subjects to be taken in common.

6) The constitutions of the Union and of the Groups should contain a provision whereby any Province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter.

In the Constituent Assembly proposed by the Mission, one representative was to represent roughly one million people and proportion between the representatives of various

communities was to be on the basis of their population.

The Mission's recommendations further envisaged that after a preliminary meeting of the Constituent Assembly, the provincial representatives would divide up into three sections to settle the Provincial constitution for the provinces included in each section, and shall also decide whether any Group Constitution shall be set up for those provinces and if so, with what provincial subject the Group should deal with. Provinces shall have the power to opt out of the Groups by a decision of their new legislature. After the Group Constitution had been settled, the three sections would reassemble with the representatives of States to settle the Union Constitution.

For Gandhi, the State Paper was not an award. He gave credit to the Mission for their efforts to secure an agreement between the two parties at the conference held at Simla. But not being successful, they had devised a worthy document for setting up a Constituent Assembly with a view to frame the Indian Constitution. He commented:

"It is the best document the British Government could have produced in the circumstances ... We would grievously err if at this time we try to satisfy ourselves that the differences are a British creation."

*Section A : Madras, Bombay, United Provinces, Bihar, Central Provinces and Orissa.
Section B : Punjab, North-West Frontier Province and Sind.
Section C : Bengal and Assam.
He believed that the Mission did not come all the way to India to exploit the differences. They had rather come to find out the easiest and quickest method for winding up the British rule. He congratulated the Mission for taking the first step in the act of renunciation and called it a 'promissory note'. He, however, made it clear that this appreciation of the Mission Plan did not mean that if it was the best from British standpoint, it was also the best from Indian point of view. He said, "Their best may possibly be harmful." 24

After a careful scrutiny, he discovered that the document was not binding in law. Honour and necessity alone were the two binding forces. It was only an appeal and a piece of advice. According to him, "The Provincial Assemblies may or may not elect the delegates. The delegates having been elected may or may not join the Constituent Assembly." He endorsed Pethick-Lawrence's observation that "... if they do come together on that basis, it will mean that they will have accepted that basis, but they can still change it if by a majority of each party they desire to do so." 25 He, however, remarked that the part of the document which committed the British Government was binding.

Gandhi was worried over the grouping clause as he believed that the compulsory grouping would deny the freedom of action to certain groups and provinces. He raised the questions:

"... Are the Sikhs, for whom the Punjab is the only home in India, to consider themselves against their will, as part of the section which takes in Sind, Baluchistan, and the Frontier Province? Or is the Frontier Province also against its will to belong to the Punjab, called 'B' in the Statement, or Assam to 'C' although it is a predominantly non-Muslim province? In my opinion, the voluntary character of the Statement demands that the liberty of the individual unit should be unimpaired. Any member of the section is free to join or not to join it. The freedom to opt out is an additional safeguard. It can never be a substitute for the freedom retained in para 15(5) which reads: "Provinces should be free to form groups with executives and legislatures and each group could determine the Provincial subjects to be taken in common.""

He continued:

"... It is clear that this freedom was not taken away by the authors by section 19 which 'proposes' (does not order) what should be done. It presupposes that the Chairman of the Constituent Assembly at its first meeting will ask the delegates of the Provinces whether they would accept the group principle and if they do, whether they will accept the assignment given to their Province. This freedom inherent in every Province and that given by 15(5) will remain intact. There appears to me to be no other way of avoiding the apparent conflict between the two paragraphs as also the charge of compulsion which would immediately alter the noble character of the document. I would, therefore, ask all those who are perturbed by the group proposal and the arbitrary assignment, that, if my interpretation is valid, there is not the slightest cause for perturbation."26

Gandhi sent the draft of the article (published in Harijan dated May 26, 1946) to Cripps on May 20. He wrote another letter on the same day to Pethick-Lawrence summarising the various issues discussed with him on May 18 and 19 and sought his comments on the right of European members to vote and be elected, election procedure to be adopted by the State, position of Baluchistan, presence of British troops in India and installation of Interim Government.\(^27\)

Pethick-Lawrence replied to all the points raised by Gandhi in his letter dated May 21, 1946 and conveyed to him on behalf of the Mission, "... independence must follow and not precede the coming into operation of the new constitution."\(^28\) Gandhi considered the reply "unfortunate" as in his opinion it had the old official flavour. He expressed his dissatisfaction over the imperialistic style of the letter which he thought had gone for ever and asked Pethick-Lawrence, "Has the cry 'Independence in fact' no foundation?"\(^29\) On May 27, 1946, he wrote to Cripps:

"... the document itself commanded trust but the interpretation and the later developments had shaken my trust ... whether a satisfactory Interim Government will ever be formed and a Constituent Assembly will ever meet."\(^30\)

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29. Ibid., p. 197, Letter from Gandhi to Pethick-Lawrence dated May 22, 1946.

30. Ibid., p. 199, Letter from Gandhi to Cripps dated May 27, 1946.
He asked the people to examine the proposals from the point of the whole country and not from a parochial standpoint. Reiterating his earlier stand, he said that the Constituent Assembly was fully authorised to vary, reject or improve upon it. It was not on the basis of take it or leave it.\(^{31}\)

Gandhi pointed out some of the vital defects of the State Paper and said,

"... One would have thought that they would have formed the Central Government before issuing the Statement. But they issued the Statement first and then set about the search for the formation of the Interim Government. ... The question of paramountcy is unsolved. It is not enough to say that paramountcy will end with the end of British rule in India. If it persists without check during the interim period, it will leave behind a difficult legacy for the independent Government ... Troops, it is declared, are to remain during the interim period for the preservation of internal peace and protection against external aggression. If they are kept for such use during the period of grace, their presence will act as a damper on the Constituent Assembly and is more likely than not to be wanted even after the establishment of independence so-called. ... The acid test is that it (the nation) should be able to stand alone, erect and unbending. During the interim period we must learn to hop unaided, if we are to walk when we are free ..."\(^{32}\)

The Congress leadership was equally apprehensive of the grouping clause. Azad expressed the fear that a particular province might play a dominant role in one section which could result in undermining the wishes of other provinces of that


group and would make it difficult for a province to opt out of the group.  

The Mission, however, brushed aside such fears of the Congress. Pethick-Lawrence wrote to Azad on May 22, that grouping was an essential feature of the scheme and could only be modified by agreement between the two parties.

The League leadership, relying on the mood of the major part of British bureaucracy in India, showed their dissatisfaction with Mission's proposals on the ground that they did not offer them the partition of their conception. Jinnah described them as "cryptic with several lacunae." He regarded that:

"... the Mission should have negatived the Muslim demand for the establishment of a complete sovereign State of Pakistan, which we still hold is the only solution of the constitutional problem of India and which alone can secure stable governments and lead to the happiness and welfare not only of the two major communities but of all the people of the subcontinent."

The Congress, however, was in a state of dilemma regarding its entry into the Interim Government. The two main obstacles that stood in its way were the number of representatives of the two main political parties in the Executive and the nomination of a Muslim member in the Congress quota.

34. Ibid., p. 659.
The Viceroy suggested to both, the Congress and the League, that the Interim Government should have a proportion of 5:5:2 i.e. five from Congress, five from League and two from other minorities. But the Congress was reluctant to agree to parity with the Muslim League while the latter was not prepared to join a unitary Government except on that basis.

Gandhi, who had already communicated his views to the Mission,\(^{37}\) could not appreciate parity between six Hindu majority provinces and five Muslim majority provinces as there was vast difference in the population of the two units. The Viceroy, in his meeting with Gandhi on June 11, 1946, admitted that keeping in view the number of voters, parity between the Congress and the League was obviously illogical but he wanted to adopt it as an expedient. He suggested that if both the parties worked for common good, parity would become meaningless. He added that this arrangement provided to the Congress an opportunity to show a generous gesture to the League.\(^{38}\)

Gandhi admitted that a coalition was necessary in the then existing situation though he favoured a homogenous team for stability and efficiency. He, however, did not like the Muslim League to depend too much on the British and the Viceroy who was only 'a bird of passage'. Since Gandhi was anxious for a settlement without the help of the British, he

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suggested, even in the face of opposition by the Congress, that Azad and Nehru should sit with Jinnah and make a Government on the basis of the availability of the best men not bothering about parity between the League and the Congress. But Jinnah was not prepared to see Nehru unless the question of parity was first conceded by the Congress, for in his view, the Congress objection to parity was not genuine as it had agreed to it earlier. To substantiate his stand, he said that parity was offered by Bhulabhai Desai in 1945 and was even approved by Gandhi and since then the discussion had always proceeded on that basis.

In a letter to the Viceroy, Gandhi confirmed that he had endorsed and conveyed his suggestion to the Congress Working Committee that no party should talk of parity and submit the lists of the members of the provisional Interim Government to him (Viceroy) out of which he should select one list (not amalgam) after examining the merits of both and announce the names of the members of the Interim Government. Again, in a subsequent letter, he impressed upon him the necessity of choosing either of the two horses. He wrote:

"For God's sake do not make an incompatible mixture and in trying to do so produce a fearful explosion."

41. Gandhi's Correspondence with the Government, op. cit. pp. 204-205, Letter from Gandhi to Viceroy dated June 12, 1946.
42. Ibid., p. 206, Letter from Gandhi to Viceroy dated June 13, 1946.
He conveyed similar views to Cripps also. He wrote to Pethick-Lawrence:

"The safest, bravest and straightest course is to invite that party to form a Government which, in the Viceroy's estimation, inspires greater confidence. Then there is a possibility within 24 hours of forming a National Government."44

According to Sudhir Ghosh, Gandhi wanted that power should be handed over to the majority party and it should be trusted to be just and fair to minorities. This suggestion sprang out of his conviction that in democracy, no majority could carry on an efficient Government by alienating a minority of 90 million Muslims. Moreover, he had full faith that he would be able to prevent the Congress from doing any injustice to the minorities.

Such considerations and calculations, however, could not satisfy the League leadership, especially when they had no faith in the ideas and modus operandi of Gandhi and enjoyed the support of the British who considered their fears as genuine.

Another obstacle in the formation for an Interim Government was the nomination of a Muslim in the Congress quota. Jinnah considered the League as the sole representative organisation of the Muslims while Gandhi was particular about the inclusion of a Muslim in the Congress team. The latter could not accept the position that Congress, under

43. Wavell- The Viceroy's Journal, op.cit., p. 293.
44. Gandhi's Correspondence with the Government, op.cit., p. 210, Letter from Gandhi to Pethick-Lawrence dated June 12, 1946 (The letter was not despatched at the instance of Agatha Harrison).
his stewardship, represented only the Caste Hindus as throughout his life he had been struggling hard for religious toleration. Though the number of Muslims in the Congress was not very large, yet the Congress claimed to uphold a national character representing all the minorities. It had constituted itself as a trustee not of any particular community but of India as a whole.46

Gandhi, who was not prepared to yield on the issue of inclusion of a Muslim, even warned the members of the Congress Working Committee that if they succumbed to the League's demand of non-inclusion of a Muslim in the Congress quota, he would leave Delhi and not participate in any future discussion for the formation of an Interim Government.

Jinnah, on the other hand, was very particular about the non-inclusion of a Muslim in the Congress quota as that would imply that the Muslim League was not the sole representative organisation of the Muslims. Besides, it would provide an opportunity to the disgruntled League leaders to seek shelter in the Congress camp. Jinnah feared that this would hamper the consolidation of the Muslims under the banner of League and pose a challenge to his own leadership. Consequently, he could not agree to the Viceroy's suggestion for not insisting upon the exclusion of a Muslim from the Congress list.

Confronting a deadlock over the question of composition of the Interim Government, the Viceroy issued a Statement on June 16, 1946 inviting 14 persons to serve as Members of the

Interim Government.

After a great deal of negotiation and persuasion by some Members of the Delegation, the Congress Working Committee decided to accept the long-term proposal of constitution-making of May 16 while rejecting the short-term proposal of June 16 for the formation of an Interim Government. Gandhi defended this decision though it was not in conformity with his wishes.

Alexander, a Member of the Mission told Sudhir Ghosh:

"It is your old man who has wrecked all our efforts. Your old man has gone back on his word of honour. He gives us an assurance that there would be no Muslim in the Congress team in the Government. He gives that assurance in writing. And then he backed out of it. I call that a pretty poor show." 

But it seems that Alexander accused Gandhi on the basis of wrong information. It was later on discovered that it was not Gandhi but Azad who wrote a letter to the Viceroy to the effect that he would see to it that "No Muslim name was included in the Congress list and if his own name was proposed, he would not agree to the inclusion of his name." When Gandhi learnt about this, he received a shock as, for him, that was the moral death of Congress.

*The Secretary of State told Patel that if Congress rejected the proposals, the official position would be that the Muslim League had accepted the long-term plan of constitution-making and was only too willing to come into the Interim Government while Congress had rejected both. It, therefore, would become pertinent for the Viceroy to ask the Muslim League to form a Government according to their announcement on this subject. When this could not bring a change in the attitude of Congress, Cripps offered a change in the wording of paragraph 19 of the May 16 Statement in order to meet Gandhi's objections. He also assured Patel that the European members shall not participate in the election of Constituent Assembly.
49. Pattabhi Sitaramayya, op.cit., vol. II, p. ccxxiv appendix
52. Ibid., pp. 166-167.
The Cabinet Mission informed Jinnah on June 25 that though both parties had accepted the Statement of May 16, the Congress had not agreed to the short-term proposal of June 16, 1946. New negotiations for the formation of a Coalition Interim Government of both the parties would, therefore, be necessary which they intended to reopen after the election of the Constituent Assembly.

The Viceroy put the blame on the Indian leaders, especially Gandhi and the Congress for the failure of negotiations. Reporting to His Majesty, the King, he wrote:

"The failure to secure an Interim Government was perhaps more my fault than theirs, since I conducted most of the negotiations to this end. They came near success, I think. But at the last moment Gandhi, whose conduct, as always, was quite unpredictable, threw a spanner in the works at the Congress end; and Jinnah chose the moment to give to the Press an intemperate letter he had written to me about the attitude of Congress, before I had ever received it. And Nehru at the same critical juncture went off on a quite unnecessary and provocative expedition to Kashmir, mainly for reasons of personal prestige and vanity. Such are the irresponsibilities of the leaders with whom we have had to deal."

He communicated that a definite gain so far had been that the danger of mass movement by the Congress had receded.

The Viceroy reopened the negotiations for the formation of an Interim Government on July 22, 1946. He communicated

to the Presidents of the League and the Congress:

a) The Interim Government will consist of 14 members;

b) Six members (to include one Scheduled Caste representative) will be nominated by the Congress; Five members will be nominated by the Muslim League. Three representatives of minorities will be nominated by the Viceroy. One of these places will be kept for a Sikh. It will not be open to either Congress or the Muslim League to object to the names submitted by the other Party, provided they are accepted by the Viceroy.

c) Distribution of portfolios will be decided after the Parties have agreed to enter the Government and have submitted their names. The Congress and the Muslim League will each have an equitable share of the most important portfolios.

d) The assurances about the status of the Interim Government which I gave in my letter dated 30th May to Maulana Azad will stand. 55

After some hesitation, the Congress accepted the offer while the League rejected it in its resolution of July 29 and decided to follow the programme of Direct Action. 56

The Viceroy, mainly on the advice of the Secretary of State, 57 invited the Congress for the formation of the Interim Government. Jinnah did not like this. Expressing his displeasure over Viceroy's invitation to Nehru, he said:

"The moment that a Hindu Government is set up without consent and collaboration of the

*The Interim Government would not have the status of a Dominion Cabinet but H.M.G. would treat it with the same close consultation and consideration as a Dominion Government.


57. Ibid., p. 162.
Muslims, the first shot of aggression will have been fired against them and that would be a signal for Muslims to do or die."

The Muslim League celebrated 'Direct Action Day' on August 16, 1946 which resulted in unprecedented riots, murder and arson. According to rough official estimate nearly 5,000 lives were lost and another 15,000 were injured. The action of the Muslim League followed the lines spelled by the Muslim Press. Nawa-e-Wakt carried the news:

"... this is going to be a total war which shall be fought on every front, in every city, town, street and houses."

Condemning the violence, Gandhi said that surely that was not the right way. He recalled and longed for the days of the Khilafat when both the Hindus and the Muslims did not do anything without consulting each other. He was trying to find out ways and means to bring back the same old atmosphere. He considered it foolish for a Hindu or a Muslim to regard the other community as 'enemy', for, the Hindus and the Muslims were all sons of the same soil, blood brothers, who ate the same food, drank the same water, and talked the same language.

The Congress took office on September 2, 1946. While the occasion caused widespread rejoicing in the Congress circles, the Muslim League members hoisted black flags on their residences, places of business and mosques as per plan chalked out

58. Ibid., p. 236.
59. Ibid., p. 298.
60. Quoted in Dawn, August 3, 1946.
earlier.\footnote{63} Gandhi called it a memorable day in the annals of Indian history. But he expressed his anguish that the day could not be celebrated with illuminations and feasting as the Muslim League had not joined the Interim Government.\footnote{64} He told the Members of the Government that their primary duty as ministers was to seek Hindu-Muslim unity.\footnote{65}

Nehru, on September 7, 1946, made another attempt to secure League's cooperation. He said that the Congress had agreed to sit in Sections which would consider the question of groups. Assuring that the Constituent Assembly was not an arena for conflict, he explained that the Congress wished "to go to the Constituent Assembly with the fixed determination to have a common basis of agreement on all controversial issues."\footnote{66} The statement was widely welcomed by the nationalists but did not satisfy Jinnah, who in an interview to \textit{Daily Mail} (London) said:

"... he (Nehru) has made no definite proposals to me. You cannot butter parsnips with words. I have been stabbed and kind words will not stop the bleeding."\footnote{68}

Intelligence Reports, however, communicated that there was a growing desire in the League circle for arriving at a settlement with the Congress.\footnote{69} The Viceroy, too, in a fresh

\begin{itemize}
\item\footnote{63}{\textit{Dawn}, September 1, 1946 also September 3, 1946.}
\item\footnote{64}{\textit{Harijan}, op.cit., September 8, 1946, vol. X, pp. 306-307.}
\item\footnote{65}{D.G.Tendulkar, op.cit., vol. VII, p. 198.}
\item\footnote{66}{V.P.Menon, op.cit., p. 310.}
\item\footnote{67}{Home Poll., 18/9/46, Fortnightly Report from Bombay for the 1st half of September, N.A.I., New Delhi.}
\item\footnote{68}{\textit{Dawn}, September 10, 1946.}
\item\footnote{69}{Home Poll., 18/9/46, Fortnightly Report from Bombay for the 1st half of September, N.A.I., New Delhi.}
\end{itemize}
bid to persuade the League to join the Interim Government, assured Jinnah that no majority could ride rough shod over an influential minority. If they attempted to do so, it would not work. The Hindus, though in majority in Union Assembly, would not be able to force through provisions unacceptable to the Muslims, as the latter could walk out. Similarly, in Group B and C, Muslims would have to satisfy the Hindus. Though Jinnah did not reject the reasoning, he was sceptical about the value of this approach in practice since Muslim majority in Group B and C, was marginal whereas Hindu majority in the Union Legislature was overwhelming. However, his attitude was considerably softened and on October 13, 1946, he informed the Viceroy about his Council's intention to participate in the Interim Government without accepting the long-term plan of May 16. The change in Jinnah's attitude may also be attributed to his apprehension that the Labour Government would not like the proposals to go down the drain and annoy the majority party. He, therefore, considered it better to have a point of vantage* by joining the Government.  

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*He (Jinnah) confirmed this in an interview with Miss Cummings of Christian Science Monitor at New Delhi. He said that the Congress manoeuvred with the British for forming the Interim Government by ignoring the League. "It would have been fatal for our interests if they had been left there in sole charge of the administration. We were, therefore, forced to nominate our five sentinals to water over and safeguard Muslim interests." (Dawn, November 10, 1946).
Nevertheless, the decision to enter the Interim Government did not soften Jinnah's attitude towards the Congress. He turned down the terms of negotiations offered by Nehru but honoured the assurances given by Wavell which the Muslim Press described as:

"... more satisfactory, more honourable and more straightforward than those offered by the Congress through Pandit Nehru."\(^\text{72}\)

The League leadership did not miss an opportunity to assert their claim for the division of the country even after joining the Interim Government. They made all possible moves to embarrass the Congress. As a counter measure to the nomination of a nationalist Muslim by the Congress, Jinnah sprang a surprise by including a Scheduled Caste in the Muslim League quota. Government Intelligence reported that it was considered to be an astute move on the part of Jinnah to undermine the solidarity of the Hindus and discount the claims of the Congress to represent all except the League Muslims.\(^\text{73}\)

Further, the choice of members of the Muslim League revealed that Jinnah had selected those persons who could put up a fight against the Congress. The names of moderate Muslims like Khaliq-uz-Zaman, Hossain Imam, Nawab Ismail Khan etc., who might have preferred compromise to confrontation, were deliberately not included in the list.

\(^{72}\) Ibid., October 30, 1946.

\(^{73}\) Home Poll., 18/10/1946, Fortnightly Report from Central Provinces for the 2nd half of October, N.A.I., New Delhi.
In view of the strategy of the League, Gandhi felt that League's entry into the Interim Government was not straight. Nor could he find any generosity in their nomination of a Harijan Member. He wondered whether the Muslim League had come into the Cabinet with a mood 'to fight'.

Regarding the long-term plan, too, there were differences of opinion between the two parties. One of the major hurdles was the grouping clause. The League was not prepared to participate in the Constituent Assembly until Congress accepted the compulsory grouping and the provision of simple majority voting in the sections to decide the provincial and group constitutions.

The Congress did not compromise over the element of compulsion in the grouping clause as that, according to it, was against the democratic principles and rights of self-determination which it claimed to follow. Besides, it was worried about the North-West Frontier Province and Assam which had Congress ministries and about the position of Sikhs in the Punjab. It was afraid that the principle of compulsory grouping would force these provinces to join the Group against their will. Congress fears were not baseless as out of a total of 35 representatives in Section B, 22 were to be Muslims. The North-West Frontier Province had only 3 representatives.

75. V.P. Menon, op.cit., p. 328.
The League, however, could not agree to it as it saw in Group B and Group C the substance of Pakistan as both the Groups had majority of Muslim League members and Jinnah could force his way by ignoring the smaller provinces having a meagre representation. He apprehended that the freedom of choice to Assam and North-West Frontier Province might lead to their merger in Section A. Similarly, the Sikhs might also opt out of Section B which would mean a considerable reduction in the areas of Pakistan of Jinnah's conception. As a result of the unyielding attitude adopted by the Congress and the Muslim League, no mutually agreed solution could be arrived at and the deadlock ensued.

The Muslim League not only refused to enter the Constituent Assembly but also asked the Viceroy to postpone it. The Viceroy, on the other hand, in a bid to persuade Jinnah to join the Constituent Assembly, told him that he could always walk out of it if he did not get satisfaction.

Gandhi, in a note to Patel communicated:

"In my opinion it will be a great mistake if the Constituent Assembly attempts, in the face of boycott by Muslim League, to frame a constitution for the whole of India ... "


Endorsing Gandhi's views, Nehru said that though the Constituent Assembly would continue its work yet it would not be proper for them to force a constitution on unwilling parts. He assured that they would draw a model provisional constitution and send it round to the provinces for discussion by provincial Assemblies.  

Jinnah, however, stuck to his position and conveyed the League's firm resolve of not joining the Constituent Assembly till His Majesty's Government assured him that the grouping clause of the Statement of May 16 (in which he saw the essence of Pakistan), would be strictly followed, and the results would not be implemented if the procedure of voting in Sections was not observed.

It seems that he was left with no alternative as by that time the issue of Muslim State had practically acquired a religious overtone among the Muslims. Jinnah found it difficult to compromise over the issue of Pakistan as that would have proved disastrous for his leadership.

The Intelligence Reports conveyed to the Government that there was a feeling that the British Government should adopt a firm attitude to see that the League was not allowed to interfere with the constitutional progress of the country.  

Consequently, His Majesty's Government was placed in a state of dilemma. If they assured the League that the Sections would reach decisions by a majority vote, the possibility of

Congress resignation could not be ruled out. On the other hand, if they surrendered to the Congress, it might lead to something like a Civil War resulting in the break up of the army and creation of chaotic conditions. They were afraid of the Muslims inciting religious fanaticism.

The plan, which was based on compromise, had little chances of success, as the Congress and the League had stuck to their extreme positions. Congress, which had pinned its hopes on a united India agreed to the Mission's proposals in the hope of avoiding Pakistan. On the other hand, the Muslim League temporarily accepted the plan to achieve its ultimate goal of Pakistan. Thus, the two parties had diametrically opposite outlook and according to Lord Wavell they had 'more than mental reservations in their acceptance'.

The compromise or give and take on the part of both the parties could have been successful only in an atmosphere of mutual trust and goodwill. The League did not trust the sincerity of the Congress and thought that the latter would dictate its terms in case they agreed to join the Constituent Assembly. In the atmosphere of distrust, any action or statement was bound to be misunderstood and misinterpreted resulting in widening the gulf between the two parties. When Nehru issued the statement, "... We are not bound by a single thing except that we have decided to go to the

Constituent Assembly", the League leadership became apprehensive of the position of the Congress and adopted a stiff posture.

In this situation, a deadlock could be averted if the British had taken a firm stand, which unfortunately was absent because of the vacillating attitude of the Viceroy resulting from his old prejudices against the Congress and the sympathies of a section of the British Bureaucracy in India and Conservative Party at home with the League.

Wavell's distrust of Gandhi was so strong that he even wrote to the King:

"My distrust of this shrewd, malevolent, old politician was deep before the Conference started; it is deeper than ever now."

In his reminiscences, he recorded:

"... he (Gandhi) wrecked the plan of the Cabinet Mission which might possibly have secured a united India and saved all the massacres. I do not believe that he really worked for an understanding with the Muslims, when his influence might have secured it ..."

His prejudice against Congress was apparent from the fact that he interpreted Nehru's letter regarding real executive powers for the Interim Government as a challenge to the authority of the British whereas the Secretary of State considered that as another attempt on the part of the Congress to secure some more concessions.

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85. Wavell - The Viceroy's Journal, op. cit., p. 495.
86. Ibid., p. 439.
88. Ibid., pp. 123-124.
Throughout the proceedings of the Mission, Wavell had a leaning towards the Muslim League. He even asked the Members of the Mission not to see any of the Congress leaders as they would seek more concessions. He threatened the Congress that he would not convene the Constituent Assembly without the participation of the League.

It seems that the British could not keep control over the situation and failed to give proper direction to political forces in India because of lack of unity in their own ranks. They had found divisive forces in India useful for the perpetuation of their rule and so they allowed them to grow. It was perhaps too late to undo what they had done to strengthen their hold over India.

Nevertheless, the Cabinet Mission plan was a definite landmark in the history of freedom movement as it conceded the demand of complete independence and gave to the people of India the right to frame their own constitution.

89. Ibid., p. 482.
90. Ibid., p. 312, p. 322.